

STUDY

Requested by the AFET Committee



Prospects of reinvigorating the Middle East Peace Process: a possible joint EU-US undertaking?



Author(s):

Daniel LEVY, Zaha HASSAN, Emmanuel COHEN-HADRIA and Katarzyna SIDŁO

European Parliament coordinator:

Policy Department for External Relations
Directorate General for External Policies of the Union
PE 702.573 - January 2023



EN

STUDY

Prospects of reinvigorating the Middle East Peace Process: a possible joint EU-US undertaking?

ABSTRACT

The resolution of the Israeli-Palestinian dispute has been an issue of strategic and common interest for the European Union (EU) and the United States (USA), for which they have both sought to cooperate from the onset. The Middle East Peace Process (MEPP) was initiated through the 1991 Madrid Conference co-sponsored by the Soviet Union and the USA. However, the most recent developments, such as the clashes in Gaza and the acts of violence in the West Bank that began in the summer of 2022, demonstrate that despite the numerous initiatives of international actors, these efforts have failed to end the Israeli occupation of Palestinian land. This study recommends that the EU should realise that the current status quo is not sustainable, considering that this situation could be further eradicating its influence over the MEPP and the Israeli and Palestinian actions, as well as undermining its legitimacy on the global scene. Instead of focusing on creating a new standing EU-USA mechanism on the MEPP, the EU should take a new stance of acting more independently while remaining loyal to its principles and approach towards the Israeli-Palestinian conflict.

AUTHORS AND CONTRIBUTORS

Main authors:

- Daniel LEVY, President of the U.S./Middle East Project (USMEP), United Kingdom;
- Zaha HASSAN, Fellow, Middle East Program at the Carnegie Endowment for International Peace; United States;
- Emmanuel COHEN-HADRIA, Director of the Euro-Mediterranean Policies Department, European Institute of the Mediterranean, Spain;
- Katarzyna SIDŁO, Director of Middle East and North Africa Department, CASE – Center for Social and Economic Research, Poland.

Supporting authors:

Oskar CHMIEL, Specialist in Social Sciences, CASE – Center for Social and Economic Research, Poland; Delia AGOSTINELLI, Junior Economist, CASE – Center for Social and Economic Research, Poland; Justine Leila BELAID, Research Officer, European Institute of the Mediterranean, Spain.

Quality control:

Anders PERSSON, Associate Professor / Senior Lecturer, Department of Political Science, Linnaeus University, Sweden.

The authors would like to thank all those who contributed to the preparation of the study by sharing their insights during semi-structured interviews conducted between June and October 2022. In total, 35 interviews were conducted with representatives of EU bodies and member states, as well as academics, researchers, public servants and representatives of the third sector from Israel, Palestine, the United States and a number of Arab countries.

PROJECT COORDINATOR (CONTRACTOR)

Katarzyna SIDŁO, Director of Middle East and North Africa Department, CASE – Center for Social and Economic Research, Poland.

Administrative support: Marek PEDRA, Head of Business Development Team, Center for Social and Economic Research, Poland.

Proofreading: Kristen Hartwell

This paper was requested by the European Parliament's Committee on Foreign Affairs

The content of this document is the sole responsibility of the author and any opinions expressed therein do not necessarily represent the official position of the European Parliament.

CONTACTS IN THE EUROPEAN PARLIAMENT

Coordination: Michal MALOVEC, Policy Department for External Relations

Editorial Assistance: Grégory DEFOSSEZ, Inge BRYS

Feedback of all kind is welcome. Please write to: michal.malovec@europarl.europa.eu.

To obtain copies, please send a request to: poldep-expo@europarl.europa.eu

VERSION

English-language manuscript was completed on 02 December 2022.

COPYRIGHT

Brussels © European Union, 2023

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.

©Image on cover page used under licence from Adobe Stock.

This paper will be published on the European Parliament's online database, 'Thinktank'.

Table of contents

List of boxes and figures	v
Abbreviations	v
Executive summary (EN)	vii
Executive summary (FR)	ix
1. Scene setter	1
2. Current state of Israeli-Palestinian relations	3
2.1. History of the Israeli-Palestinian dispute	3
2.2. Internal Palestinian politics and Palestinian perspectives	5
2.2.1. A fractured Palestinian body politic	6
2.2.2. Ending the division between competing Palestinian authorities	8
2.2.3. Restoring legitimacy to Palestinian national institutions and the question of political succession	8
2.3. Internal Israeli politics and Israeli perspectives	11
2.3.1. (Not so) diverging views on settlements	11
2.3.2. Internal political divisions	13
3. The EU and the MEPP	15
3.1. Looking back at the EU's track record on the MEPP: a critical assessment	15
3.1.1. A normative power without power	15
3.1.2. Towards untying EU's bilateral relations with Israel and EU's commitment to the MEPP?	17
3.1.3. EU's financial assistance to the Palestinians questioned	19
3.2. Unpacking the root causes of the EU's limited impact	22
4. The US and the MEPP	25
4.1. US policy towards Palestine	25
4.1.1. The US-Palestinian bilateral relationship	25
4.1.2. The US mediation role & international law	25
4.1.3. Congress & domestic support for Palestine-Israel peace	27
4.2. US policy towards Israel	29

5.	Normalisation, Abraham Accords, and other considerations of the MEPP	33
5.1.	Background: What are the normalisation accords?	33
5.2.	Where to next with normalisation and its implications?	36
5.3.	Other players	37
5.3.1.	The Iran factor	37
5.3.2.	An expanded quartet to include Arab states?	38
5.3.3.	China and the global south	38
6.	The EU-US cooperation on the MEPP and the future of the peace process	42
6.1.	The shaping of the EU-US division of labour	42
6.2.	Recent trends in EU-US cooperation on the MEPP	42
6.3.	Uncovering EU-US differences and similarities on the MEPP	44
6.3.1.	On capacities and methods	44
6.3.2.	On the parameters of the MEPP	45
6.3.3.	On priorities	47
7.	Potential scenarios for the MEPP and policy recommendations	49
	References	59

List of boxes and figures

Box 1.	Palestinian Civil Society and the problem of shrinking civic space
Box 2.	Israeli perceptions of the role of the EU in the MEPP
Box 3.	Palestinian perceptions of the role of the EU in the MEPP
Box 4.	Palestinian perceptions of the role of the USA in the MEPP
Box 5.	Israeli perceptions of the role of the USA in the MEPP
Box 6.	Public perceptions on the Abraham Accords
Box 7.	Consequences of the recent Russian military invasion in Ukraine on the MEPP

Abbreviations

AFET	Committee on Foreign Affairs
AHLC	Ad Hoc Liaison Committee
API	Arab Peace Initiative
BRICS	Brazil, Russia, India, China, and South Africa
CFSP	Common and Foreign Security Policy
CJEU	Court of Justice of the European Union
COGAT	Coordination of Government Activities in the Territories
CSDP	Common Security and Defence Policy
DGs	Directorates-General
EC	European Commission
ECC	European Economic Community
ECU	European Currency Unit
EEAS	European External Action Service
EED	European Endowment for Democracy
ENI	European Neighbourhood Instrument
EP	European Parliament
EU	European Union
EUBAM Rafah	European Union Border Assistance Mission for the Rafah Crossing Point
EUPOL COPPS	European Union Police Mission for the Palestinian Territories
EUSR	European Union Special Representative
FAC	Foreign Affairs Council
GOP	Grand Old Party
GCC	Gulf Cooperation Council
ICC	International Criminal Court
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy/Vice-President
IDF	Israel Defence Forces
JCPOA	Joint Comprehensive Plan of Action
MaMa	Mashreq-Maghreb Working Group

MENA	Middle East and North Africa
MEP	Members of the European Parliament
MEPP	Middle East Peace Process
MoU	Memorandum of Understanding
MS	Member States
NDICI	Neighbourhood, Development and International Cooperation Instrument
OPT	Occupied Palestinian Territories
P4P	Partnership for Peace Act
PA	Palestinian Authority
PACs	Political Action Committees
PASF	Palestinian Authority Security Forces
PENRA	Palestinian Energy and Natural Resources Authority
PERC	Palestinian Electricity Regulatory Council
PIJ	Palestinian Islamic Jihad
PLC	Palestinian Legislative Council
PLO	Palestine Liberation Organisation
PSC	Political and Security Committee
QMV	Qualified Majority Voting
R&D	Research and Development
TIMBI	Turkey, India, Mexico, Brazil, and Indonesia
UAE	United Arab Emirates
UAL	United Arab List
UN	United Nations
UNESCO	UN Educational, Scientific and Cultural Organisation
UNGA	UN General Assembly
UNGAR	United Nation General Assembly Resolution
UNHRC	UN Human Rights Council
UNRWA	UN Relief and Works Agency for Palestine Refugees
UNSC	United Nations Security Council
USA	United States of America
USSC	US Security Coordinator for Israel and the Palestinian Authority

Executive summary (EN)

The resolution of the Israeli-Palestinian dispute has been an issue of strategic and common interest for the European Union (EU) and the United States (USA). The Middle East Peace Process (MEPP) was initiated through the 1991 Madrid Conference, co-sponsored by the Soviet Union and the USA. In 2002 in Madrid, the USA and the EU formalised their cooperation on the MEPP through the creation of the Middle East Quartet, which they are members of alongside Russia and the United Nations (UN), with the stated goal to revive multilateralism for the advance of the two-state solution. However, from its onset, the Quartet has not met expectations and has failed to deliver a strong multilateral message to drive progress. The most recent developments, such as the clashes in Gaza and the acts of violence in the West Bank of the summer of 2022, indicate that despite the numerous initiatives of international actors, up to this day they have failed to end the Israeli occupation of Palestinian land.

Although the EU was previously recognised as an influential norm-setter in regard to the MEPP and has contributed to the shaping of international parameters that have later influenced the negotiation process, it seems that its impact on the MEPP has diminished in recent years. The limits to the EU's influence result to a large extent from the structural and endogenous characteristics of its foreign policy, and in particular its reliance on unanimity.

As for the USA, the Biden administration has, thus far, been unwilling to reverse the previous administration's actions that have made it even more difficult to reach a just and durable solution impossible. Although US statements have become more critical of violence (including by Israeli settlers), settlements, evictions and human rights violations, the Biden administration has not fundamentally changed course and the US President's visit to the region in the summer of 2022 confirmed that the MEPP would not be a priority for the USA in the years to come.

The difference in priorities between the EU and the USA, which implies different dynamics when it comes to the relationships with the both the Palestinians and the Israelis, has become less obvious. Essentially, for the USA, the MEPP is notoriously secondary and independent to its relationship with Israel, which has become an integral part of US domestic politics. In turn, the EU has historically linked the MEPP with its bilateral relationship with Israel, although this linkage is challenged and has largely ebbed.

In this context, the question for the EU is how to design its future cooperation with the USA *vis-à-vis* the MEPP in the immediate, medium and long term. Although the current US administration would likely not oppose hypothetical political initiatives on the MEPP coming from the EU, the peace process has been largely outside the framework of EU-US cooperation, and the long-standing – yet never formally established — division of labour between the two, which relegates the EU to a secondary role, has not changed. Indeed, the USA remains the key convener of negotiations between both parties, while the EU's function has largely been limited to that of providing financial and economic support to the peace process as well as issuing commentary via statements of intent while avoiding deploying negative leverage, notably in relations between the powerful occupying party, Israel. For the EU, this raises more general questions as per its quest for a more robust and autonomous foreign policy and — more broadly — its strategic autonomy, which should also be understood in the light of its capacity to contribute to solving conflicts in its own neighbourhood.

Against this background, one of the key recommendations of the present report is that instead of focusing on the creation of a new standing EU-US mechanism on the MEPP, the EU should act more independently and remain loyal to its own principles and its own approach towards the Israeli-Palestinian conflict, regardless of potential changes in the next US administration. This new ambitious approach can be undertaken both by the EU as a whole or, in the likely event that a consensus cannot be reached, by a group of like-minded member states (MS). Regardless of whether pursued jointly by all or by a select group of EU MS, the new approach should be based on the realisation that the current status quo is not sustainable —

and indeed that the EU has a lot to lose should it be maintained, both in terms of the further eradication of its influence over the MEPP and Israeli and Palestinian actions as well as in terms of undermining the EU's legitimacy on the global scene.

Indeed, as the reactions among the actors in the Middle East and North Africa (MENA) region (and beyond) to Russia's war against Ukraine have clearly shown, the contrast between the EU's reaction to the Russian invasion and to Israel's continued breaches of international law in their treatment of the Palestinians did not go unnoticed. This gave rise to both accusations of double standards among Arab constituencies and authorities alike and to the realisation that the EU can in fact act decisively should it wish to do so.

In order to explore the above-mentioned issues in depth, the present report is divided into seven chapters. First, to facilitate an understanding of the issues analysed in the remainder of the study, the scene setter provides background information on the MEPP — a summary of its history, the most important developments, key actors, and the current state of affairs. Afterwards, Chapter 2 provides an overview of the current state of Israeli-Palestinian relations as well as explores the political scene in both the Israeli and Palestinian territories. Chapter 3 evaluates the EU's track record in shaping the MEPP and analyses the reasons behind its declining influence on the resolution of the Israeli-Palestinian dispute. Next, Chapter 4 offers a review of US policy towards both Israel and Palestine. Chapter 5 provides an in-depth analysis of the normalisation of relations between Israel and some Arab states along with its implications, looking into the role of the USA and other actors in the process and exploring the potential implications of the Abraham Accords. Chapter 6 is dedicated to an evaluation of the cooperation between the EU and the USA on the MEPP. Finally, Chapter 7 offers a set of recommendations to the EU on its future engagement in the peace process, including its relationship with the Americans, the Israelis and the Palestinians. While doing so, it looks into the applicability of the proposed recommendations under various potential future scenarios regarding developments on the political scenes in the USA, Israel, Palestine and the EU itself.

Executive summary (FR)

Le règlement du conflit israélo-palestinien est une question d'intérêt stratégique et commun pour l'Union européenne (UE) et les États-Unis (USA). Le processus de paix au Moyen-Orient (PPMO) a été lancé lors de la conférence de Madrid de 1991, coparrainée par l'Union Soviétique et les États-Unis. En 2002, à Madrid, les États-Unis et l'UE ont formalisé leur coopération sur le processus de paix au Moyen-Orient en créant le Quartet pour le Moyen-Orient, dont ils sont membres aux côtés de la Russie et des Nations Unies (ONU), dans le but déclaré de relancer le multilatéralisme pour faire avancer la solution à deux États. Cependant, il apparut très vite que le Quartet ne pouvait pas répondre à ces attentes et délivrer un message multilatéral fort pour faire avancer les discussions. Les développements les plus récents, tels que les affrontements à Gaza et les actes de violence en Cisjordanie de l'été 2022, indiquent que malgré les nombreuses initiatives entreprises par la communauté internationale, aucune n'a permis, à ce jour, de mettre fin à l'occupation israélienne des territoires palestiniens.

Si l'UE a pu être reconnue comme acteur normatif influent en ce qui concerne le PPMO et si elle a en effet contribué à façonner des paramètres internationaux qui ont par la suite guidé le processus de négociations, il semble que son impact sur le PPMO ait diminué au cours des dernières années. Les limites de l'influence de l'UE sur ce dossier ont largement partie liée avec celles de sa politique étrangère dans son ensemble, et en particulier de sa dépendance à la règle de l'unanimité.

Quant aux États-Unis, l'administration de Joe Biden n'a pas souhaité, jusqu'à présent, inverser les actions de l'administration précédente qui rendent plus difficiles encore un règlement juste et durable. En dépit de déclarations américaines plus critiques à l'égard de la violence, notamment de la part des colons israéliens, des colonies israéliennes, des expulsions et des violations des droits de l'homme, l'administration Biden n'a pas fondamentalement modifié son orientation et la visite du président américain dans la région à l'été 2022 a confirmé que le PPMO ne serait pas une priorité pour les États-Unis dans les prochaines années.

La différence entre les priorités européennes et américaines qui impliquait des dynamiques distinctes en ce qui concerne les relations avec les Palestiniens et les Israéliens, s'est largement estompée. Pour les États-Unis, le PPMO est secondaire et indépendant de leurs relations avec Israël, qui est devenu une partie intégrante de la politique intérieure américaine. Si l'UE a historiquement lié le PPMO à ses relations bilatérales avec Israël, ce lien s'est récemment distendu.

Dès lors, c'est la question des modalités et des objectifs de sa coopération à court, moyen et long terme avec les États-Unis sur le dossier PPMO qui se pose pour l'UE. Bien que l'administration américaine actuelle ne s'opposerait probablement pas à d'hypothétiques initiatives politiques de l'UE sur le PPMO, le processus de paix reste largement en dehors du cadre de la coopération entre l'UE et les États-Unis, et une division du travail qui s'est imposée de facto entre les deux parties et qui relègue l'UE dans un rôle secondaire demeure inchangée. Les États-Unis semblent conserver en effet un rôle exclusif dans le lancement et le cadrage des négociations entre les deux parties, tandis que la fonction de l'UE s'est largement limitée à fournir un soutien financier et économique au processus de paix et à présenter des commentaires sous forme de déclarations, tout en évitant de déployer une conditionnalité négative, notamment dans ses relations avec la puissante partie occupante, Israël. Pour l'UE, au-delà de la question du PPMO, se posent celle, plus existentielle encore, de la quête d'une politique étrangère plus vigoureuse et autonome et — plus généralement — celle de son autonomie stratégique, qui devrait également être comprise sous le prisme de sa capacité à contribuer au règlement des conflits dans son voisinage.

Dans ce contexte, l'une des principales recommandations de cette étude est qu'au lieu de se concentrer sur la création d'un nouveau mécanisme permanent UE-USA sur le PPMO, l'UE devrait pour l'heure agir de manière plus indépendante et rester fidèle à son approche et à ses principes historiques sur le conflit israélo-palestinien, indépendamment de possibles alternances de l'administration américaine. Cette

démarche ambitieuse peut être menée à la fois par l'UE dans son ensemble ou, dans le cas probable où un consensus ne pourrait être atteint, par un groupe d'États membres partageant les mêmes vues. Indépendamment du fait qu'elle soit poursuivie conjointement par tous les États membres de l'UE ou par un groupe restreint, cette nouvelle démarche devrait s'appuyer sur le constat que le statu quo n'est pas tenable - et que l'UE a beaucoup à perdre si celui-ci devait perdurer, à la fois en termes d'érosion de son influence sur le PPMO, sur les actions israéliennes et palestiniennes, et plus généralement d'affaiblissement de la légitimité de l'UE sur la scène mondiale.

Ainsi que l'ont clairement démontré les réactions des acteurs de la région du Moyen-Orient et de l'Afrique du Nord (et au-delà) à la guerre de la Russie contre l'Ukraine, le contraste entre la réaction de l'UE à l'invasion russe et les réponses européennes aux violations continues du droit international par Israël dans son traitement des Palestiniens n'est pas passé inaperçu. Les accusations de 'deux poids, deux mesures' en provenance des autorités ou des opinions pays arabes se sont multipliées, ces derniers constatant en effet que l'UE pouvait, en fait, agir de façon décisive quand elle le souhaitait réellement.

Afin d'explorer en profondeur ces questions, le présent rapport est divisé en sept chapitres. Tout d'abord, le premier chapitre pose les jalons de l'étude en offrant un rappel historique sur le PPMO. Le chapitre 2 décrit l'état actuel des relations israélo-palestiniennes et la situation politique de part et d'autre. Le chapitre 3 évalue le bilan de l'UE s'agissant du PPMO et analyse les raisons du déclin de son influence sur ce dossier. Le chapitre 4 propose un examen de la politique américaine vis-à-vis d'Israël et de la Palestine. Le chapitre 5 fournit une analyse approfondie du processus de normalisation entre Israël et certains États arabes ainsi que de ses implications, en examinant le rôle des États-Unis et d'autres acteurs dans le processus. Le chapitre 6 est consacré à l'évaluation de la coopération entre l'UE et les États-Unis sur le PPMO. Enfin, le chapitre 7 propose une série de recommandations à l'UE sur son rôle dans le processus de paix, y compris ses relations avec les États-Unis, les Israéliens et les Palestiniens. Ce faisant, il prend en compte différents scénarios possibles concernant l'évolution de la situation politique aux États-Unis, en Israël, en Palestine et au sein de l'UE elle-même.

1. Scene setter

The Middle East Peace Process (MEPP) was initiated through the 1991 Madrid Conference co-sponsored by the declining Soviet Union and the USA. The Conference set in motion discussions between Israel and the Palestinians which later became a backchannel of the Palestine Liberation Organisation (PLO) and the Israeli government, eventually leading to the Oslo agreements of 1993¹ signed by the PLO, Israel, the USA and Russia, it provided a basis for interim self-government by the Palestinian Authority (PA) on the territories under its control and the withdrawal of Israeli Defense Forces (IDF) from parts of the West Bank and Gaza Strip. Moreover, Oslo I was characterised by the mutual recognition by the PLO of the state of Israel and by Israel of the PLO as the representative of the Palestinian people and partner of negotiations. Although absent from Oslo I, the EU — or rather its predecessor, the European Economic Community (ECC) — advanced the Palestinian state-building and two-state solution agenda which further consolidated the basis for Palestinian self-government and territory in 1995. The ECC — now the EU — had long seen the two-state solution as a goal and, therefore, the Oslo Accords were perceived as an important step towards the realisation of this goal and, by extension, of the EU's vision. In 2002 in Madrid, the USA and the EU formalised their cooperation on the MEPP after the Second Intifada and the escalation of violence through the creation of the Middle East Quartet, which they both chair alongside Russia and the United Nations (UN) with the stated goal to revive multilateralism for the advance of the two-state solution. However, from the outset, the Quartet did not meet expectations to prevent conflict from escalating: it did not impede the subsequent Gaza wars in 2008-2009, 2012 and 2014, nor the expansion of Israeli settlements and incursions in PA-controlled territories.

The administration of former US President Donald Trump took a rather unilateral turn with the unveiling in 2020 of the peace plan 'Peace to Prosperity', which recognised Jerusalem as the capital of Israel, and by brokering the Abraham Accords of normalisation between Israel and a set of Arab states without EU involvement. Thus, in the past two years, EU-US cooperation on the MEPP has gradually faded into a more segmentalised approach towards Israel and Palestine from both parties, with peace-making agendas relegated to second place and more scattered cooperation endeavours.

The authors of this report feel compelled to point out the deep freeze in meaningful peace efforts, the deteriorating human rights situation on the ground, and the chasm between the principles that Europe claims to be guided by and their non-application in this arena. These deeper trends — the unidirectional journey away from peace, rights and adherence to international law — are only minimally impacted by the political events of the day. It is not only the very political opportunity of embarking on a grand initiative that is questioned; even the usefulness of engaging in issues which impact the trajectory of the conflict and the terms of daily life (including settlements, evictions, human rights and anti-democratic trends in the West Bank and Gaza) in order to keep the mere prospect of a peace process alive seems to be challenged. These issues have largely been ignored under the rubric of the MEPP — which for the benefit of this report will be understood not as a terminal process with no end destination but rather as an effort to secure justice, rights, adherence to international law, peace and security for Palestinians and Israelis.

Presently, not only are the standard arguments around non-interference in the domestic politics of Israel and the Palestinian territories being deployed to justify inaction, but international geopolitics has become the handmaiden to paralysis, used to justify the lack of engagement from the USA and the EU. Less than two years have passed since the election of Joe Biden as US President and for a year there was a Bennet-Lapid led government in Israel. To the extent to which some hope for new openings might have been associated with these two developments, it vanished within months. The Russian war against Ukraine is on everyone's mind. The EU, already dormant in relation to the MEPP, now appears overwhelmed and unable

¹ The full content of Oslo I, also titled Declaration of Principles on Interim Self-Government Arrangements, is available here: Israel & PLO.

to think beyond this theatre. The USA, traditionally hamstrung in its ability to advance a just peace, has now firmly placed the issue of conflict resolution on the backburner, while investing efforts on alternate ways to maintain its grip, through the prioritisation of economic initiatives and projects in support of the normalisation process between Israel and the Arab states. In that respect, the shift of the presidency between Donald Trump and Joe Biden did not bear fruit as to the expected constructive re-engagement of the USA regarding ending the Israeli occupation. The Biden administration has, thus far, been unwilling to reverse the actions taken by the former president that would legitimise Israeli annexation, and it has not shown in any tangible way that the USA is committed to a just and durable political solution (see Chapter 4). This presents the EU with a challenge as to how to design its future cooperation with the USA *vis-à-vis* the MEPP in the immediate term.

It would be ill-advised to believe that the Palestinian issue will disappear or, indeed, that the status quo is sustainable, as demonstrated by the deteriorating security situation on the ground in the West Bank, where Israeli incursions have intensified significantly over the last year and a half, and by the PA having lost influence over large swaths of territory. It would also be a mistake to underestimate the impact of the Russian invasion of Ukraine on the situation in the broader MENA region (see Box 7). The relative isolation of the EU and the USA in their response to the Russian invasion and the criticism for double standards that has flourished on this occasion, tells us that their credibility will not only be assessed in Ukraine but also in other theatres.

Taking all of the above into consideration, the question is whether there are impactful actions or re-allocated divisions of labour that these partners can now undertake in relation with the MEPP. To what extent and under what conditions should or could the EU or parts thereof go its own way or define areas in which it attempts to set the tempo without Washington? For the EU, this also raises key questions as per its quest for a more robust and autonomous foreign policy and — more broadly — its strategic autonomy, which should also be understood in the light of its capacity to contribute to solving conflicts in its own neighbourhood.

2. Current state of Israeli-Palestinian relations

2.1. History of the Israeli-Palestinian dispute

This section will place the conflict firmly in the context of the post-World War II withdrawal of the British empire and the creation of states which accompanied that. In the holy land, Great Britain was the withdrawing imperial power which had made contradictory promises under its mandate to the indigenous Palestinian-Arab population and to the nascent Zionist movement (with the Balfour Declaration of 1917). The events of the Holocaust shifted international support towards the creation of a Jewish state and, indeed, among the Jewish population for whom support for a national homeland had been a distinctly minority trend prior to the rise of Nazism. Britain ultimately handed the problem over to the United Nations which in November 1947 voted in favour of a partition proposal (Resolution 181) which would allocate approximately 55 % of the land of historic Palestine to a Jewish state of Israel and 42 % for a Palestinian-Arab state and would create an internationally administered *corpus separatum* around an expanded area of Jerusalem. The respective population numbers at the time the partition plan was introduced were 67 % Arab and about 33 % Jewish (IMEU, 2012).

The Zionist movement accepted the partition (while planning to displace the local Palestinian population and enlarge the area recommended for a Jewish state), while the local Palestinian population, leadership and surrounding Arab states protested what they viewed as an unfair imposition. Clashes had already begun on the ground and, in May of 1948, on the day of the British withdrawal, the establishment of Israel was declared, while neighbouring Arab armies joined the fighting. The fighting lasted into 1949 and has come to be known on the Israeli side as the War of Independence and on the Palestinian side as the *Nakba* (or catastrophe). By the time a ceasefire was reached, the new state of Israel was in control of around 78 % of the land including the West of Jerusalem, while most of the remaining area (the West Bank and East Jerusalem including the old city) came under Jordanian dominion with the much smaller Gaza Strip being under Egypt's control. A large number of Palestinians had been expelled from the areas controlled by Israel, becoming refugees in the surrounding areas (approximately 700 000 Palestinian refugees — or 85 % of the Palestinian Arab population of territories that became Israel — fled or were expelled from their homes; Morris, 2001). Israel prevented the return of refugees despite ongoing international conferences devoted to the subject and despite the United Nations General Assembly Resolution (UNGAR) 194 defining principles for reaching a final settlement and returning Palestinian refugees to their homes. The remaining Palestinian-Arab population was placed under a strict military and closure regime inside Israel until 1966. While Israel was focusing on state-building and absorbing Jewish refugees, Palestinian national movements emerged, gaining significant support in Arab states.

In June of 1967, growing tensions between Nasser's Egypt (and the United Arab Republic formed with Syria) and Israel led to the Six Days War (*Naksa*, or second displacement, among Palestinians), which set the basis for today's reality. As a result of the fighting, Israel gained control of the entirety of the previous 1948 British mandate area, including all of Jerusalem, the West Bank and Gaza. Israel imposed overlapping laws and a military and civil administration in the Palestinian areas newly under its control — Jerusalem, the West Bank and Gaza. Later, in violation of international law, Israel annexed and subsequently greatly expanded the Jordanian municipality of Jerusalem, a surrounding area of which initially included 29 Palestinian villages, and started to permanently settle some of its own civilian population in the Occupied Palestinian territories (OPT) (again in contravention of international law). The Palestinian economy became subservient to Israel. Many Palestinian refugees from within Israel were in refugee camps in either Gaza, the West Bank or the areas now annexed in East Jerusalem (many others were in the surrounding countries, in particular Jordan, Lebanon and Syria). A Palestinian national movement increasingly took shape, basing itself in exile while banned from activities within the Israeli occupied territories. The PLO was created in 1964 to coordinate the efforts of different Palestinian groups and represent the interests of the Arabs in

Palestine under one organisation. The PLO aimed at creating an independent Palestinian state in place of what it saw as the colonial legacy of an imposed Israeli state. During these years, Israel tightened its control on the OPT, expanding settlements and restrictions on the indigenous population, while the PLO organised and launched guerrilla attacks against Israel from its bases in Jordan first, and later from Lebanon.

After decades of occupation and control, the Palestinian population in the occupied territories generated a broad popular uprising known as the Intifada (1987-1991)², bringing together political factions, civil society, students and trade union movements. Years of mobilisation, civil disobedience, strikes and mostly unarmed clashes had a draining and costly impact on Israel. During this period, Jordan announced that it no longer saw itself as responsible for or had any territorial claims on the West Bank. The Intifada recentred Palestinian activism and resistance in what remained of the Palestinian homeland, weakening the PLO which had until then led the liberation movement from beyond Palestine's historic borders. From this position of weakness, the PLO held secret talks with Israel that effectively side-lined activists inside the occupied territories.

These talks, which became known as the Oslo process, followed an initial US-led multilateral process launched in 1991 in Madrid. The Oslo Declaration of Principles, signed between Israel and the PLO (1993), and subsequent agreements established a limited Palestinian self-governing entity within parts of the occupied territories which became known as the Palestine National Authority (or Palestinian Authority).

The premise of the Oslo arrangements was that the final status issues (final borders, settlements, Jerusalem status, refugees and security) would be resolved within five years (by May 1999) while in the meantime the PLO gained administrative experience and both sides proved their good faith. However, realities on the ground undermined any goodwill that may have existed at the launch of the process. Israel continued to expand settlements despite assurances that the status quo would be maintained during negotiations and imposed severe movement and access restrictions on Palestinians along with a permit regime that confined Palestinians into isolated enclaves. Though Israel's rationale for the restrictions were based on its security needs, in fact security worsened for all concerned: Israel experienced a significant uptick in armed resistance, including in suicide bombing attacks. Israel responded with increasingly draconian measures to restrict Palestinian movement and began carrying out extrajudicial killings of Palestinian resistance members. Political talks were mostly frozen during this period.

While issues were due to be resolved in negotiations, the expectation as expressed in international resolutions (and therefore as understood by the Palestinians and later codified by the USA in the Clinton parameters of December 2000) was for a Palestinian state to be established along the 1967 lines, with Jerusalem to serve as the capital of both states, settlements to be dismantled, and security arrangements and a resolution of the claims and status of refugees to be agreed. However, none of this happened, and the May 1999 deadline for reaching an endgame solution came and went. The reality for Palestinians on the ground, including economic conditions under ever stricter Israeli closures, inevitably spilled over into new frustration and disquiet among Palestinians.

This led to the Second Intifada in September 2000, which was armed and violent and was met with far greater state aggression on the part of Israel and which left a thoroughly discredited peace process in its wake. The Second Intifada led to a unilateral Israeli withdrawal from Gaza in 2005. However, while this required the uprooting of 25 Israeli settlements (21 in the Gaza Strip and 4 in the West Bank) and over 9 000 Israeli settlers (Israeli Ministry of Foreign Affairs, 2021), Gaza has subsequently been under siege for more than a decade. Moreover, the Israeli settler population has subsequently increased by more than 20 times the number withdrawn in 2005 (Peace Now, 2022).

Following the outbreak of the Second Intifada, the EU, the USA, Russia and the UN joined forces in 2002 as 'the Middle East Quartet' with an aim of supporting the MEPP. The Quartet agreed on a strategy called 'the

² See more: Peters & Newman, 2013 (pp. 56-69).

Roadmap' (Quartet, 2003) which was composed of three stages (focusing on putting an end to terror and violence, building Palestinian institutions, establishing an independent Palestinian state and ultimately ending the Israeli-Palestinian conflict) and promoted a two-state solution. The work undertaken in this format has been, however, often criticised for its inefficiency and perceived as fruitless³.

Successive Israeli governments have ruled out the establishment of a sovereign Palestinian state, rejected UN resolutions and international parameters, imposed further restrictions on Palestinians and entrenched their presence, matrix of control and violations of international law in the occupied territories. Periodic major clashes have occurred between Israel and the ruling Hamas governing authority in Gaza. The Islamic movement fires rudimentary rockets at Israel that fall indiscriminately in Israeli civilian areas to challenge the siege over the Strip and to gain concessions from Israel. Israel strikes Palestinian population centres in Gaza with disproportionate and excessive force sometimes in response to Hamas attacks but also when Israeli political leaders want to bolster their domestic support and prove their security credentials. Sporadic violence both against and from Palestinians continues to punctuate realities elsewhere in the territories Israel controls and inside Israel itself. In all cases, it is important to recall that as occupied people, Palestinians have a right to resist under international law. Israel, as the occupying power, has an obligation to protect the welfare of the civilian population, to avoid acts of collective punishment and to only use reasonable force proportionate to the threat encountered.

An Arab League initiative of 2002 to create a regional incentive for a solution in the context of a comprehensive peace known as the Arab Peace Initiative (API) was upended by the Abraham Accords in 2020 when the Trump administration initiated a set of normalisation deals between Israel and the United Arab Emirates (UAE) and Bahrain, side-lining the Palestinian issue and the sequence envisaged by the API. In the meantime, in December 2017, the Trump administration decided to formally recognise Jerusalem as Israel's capital and move the US embassy there. This sparked violent protests in the Gaza Strip and was perceived by nearly all (except Israel and the Trump administration)⁴ — including the EU — as a move which could undermine the peace process.

The most recent developments, such as the clashes in Gaza and acts of violence in the West Bank which commenced in the summer of 2022, indicate that despite the numerous initiatives of international actors, up to this day, these efforts have woefully fallen short of providing a resolution to the Israeli-Palestinian conflict.

2.2. Internal Palestinian politics and Palestinian perspectives

If there is one issue on which both Palestinians and Israelis — as well as most stakeholders — agree, it is that there can be no negotiated political solution as long as the Palestinian leadership is divided and unaccountable and there is no unified national vision or strategy. For successive Israeli governments, this has been a convenient excuse for not engaging with Palestinians on peace-making. Certainly, Hamas's 2007 takeover of Gaza from the Fatah-led PA and the numerous failed efforts towards Hamas-Fatah reconciliation or the formation of a government of national consensus constitutes a considerable obstacle in this regard. However, this is only one of the challenges to ending the dysfunctional state of internal Palestinian politics. Others include the political neutralisation of the PLO — the national interlocuter for the Palestinian people and the only authorised party to negotiate and sign international agreements; the fractured Fatah movement (both ideologically and generationally); the consolidation of legislative, executive and judicial powers in the office of the PA president; the shrinking of Palestinian civic space and the quashing of political dissent and mobilisations in support of democratic reform; the growing lawlessness in the occupied West Bank due to the flush of smuggled weaponry from Israel and elsewhere; and the well-constructed Israeli measures to prevent a Palestinian representative government. And when

³ See, for example, (Tocci, 2011); (Elgindy, 2012).

⁴ See, for example: (Elgindy, 2017); (Dumper, 2019); (Cook, 2017).

Israel acts to hinder Palestinian democratic elections and steps up military incursions throughout the PA-administered areas, the legitimacy of the PA is further eroded. Many Palestinians have come to believe that the Fatah-led PA is not making a full-throated effort to challenge Israeli measures or that Israel may be acting at times for the purpose of propping up a very unpopular Palestinian leadership, which has been acting as Israel's security subcontractor in the West Bank. This situation is a contributing factor to the Palestinian president's unpopularity. Polling since the regular Israel Defense Forces (IDF) incursions began in March 2022 shows 74% demanding the Abbas' resignation (PCPSR, 2022c).

The solution to restoring some legitimacy to Palestinian governing institutions — or at least the first steps in reversing matters — is clear: implement the recently signed Algiers Agreement or revert to the 2014 agreement between Fatah and Hamas towards national reconciliation; hold credible and fair factional and PA elections so one legitimate Palestinian authority in Gaza and the West Bank may emerge; revive the PLO as the national address for Palestinians and bring Hamas and other political factions under its umbrella; end Israeli measures aimed at maintaining and entrenching Palestinian political and geographic divisions; and encourage the relevant authorities to open up civic space that could support a national dialogue around democratic reforms and political renewal. For the last 15 years, Palestinians and Israelis have proven unable or unwilling to take the necessary steps in this regard. Therefore, targeted interventions from relevant stakeholders will be key.

2.2.1. A fractured Palestinian body politic

Indeed, one of the main challenges in the Palestinian body politic stems from the rivalry between the Palestinian political factions, Hamas, designated by the EU (EP, 2003) and the USA (US Department of State, 1997) as a terror organisation, and Fatah, the ruling party of both the PLO⁵ and the PA. Since the end of the Second Palestinian Uprising that began in 2000, Hamas has revisited some of its positions *vis-à-vis* Fatah and Israel. Despite its rejection of the Oslo Peace Process, it participated in the 2006 legislative elections in which it beat out the ruling party Fatah to obtain a majority of seats in parliament (Hamas won a minority of votes but intra-Fatah rivalries handed Hamas a larger share of the Palestinian Legislative Council [PLC] seats; Lovatt, 2021). When Hamas refused to renounce violence, recognise Israel and affirm past agreements — conditions set by the Quartet for engaging with a PA government that included Hamas — the EU and the USA boycotted the Hamas-led Palestinian government with the result, intended or not, of undermining Palestinian institutional and democratic functioning (it is important to note here that similar conditions have never been required of Israel). The ensuing financial and political turmoil and US military support to Fatah fuelled violent intra-Palestinian clashes and conflict between the two competing political factions with the result that Palestinian governance was split between two authorities — Fatah in the West Bank and Hamas in Gaza. In the 15 years since, Israel has instituted an even stricter siege over Gaza. It has become more and more entrenched as time goes by, causing severe de-development of the Strip, massive unemployment, donor dependency and cyclical low to high intensity violence between Gaza-based militia groups and Israel, which is largely fuelled by the enduring 15-year-old Israeli and Egyptian enforced blockade over the Strip⁶ and its 2.2 million residents and a failure to achieve a negotiated end to the Israeli occupation. Israel has billed its 2005 disengagement from Gaza and relocation of Israeli settlers to Israel and the West Bank as furthering its efforts towards an end to the conflict. In reality, it has mainly allowed Israel to redirect more attention to further colonisation of the West Bank and has been used as a pretext for its unwillingness to restart talks with the PLO.

⁵ The internationally recognised representative of the Palestinian people is the PLO. Only the PLO has the legitimacy to negotiate on behalf of the Palestinians and sign a peace agreement with Israel. Since the Oslo Peace Process began in 1993, the PLO's powers have been hollowed out in favour of its agent, the PA, the political address for international donor support and the subcontractor for Israeli security in the parts of the West Bank under Palestinian civilian control (Hassan et al., 2021). This elevation of the PA along with its exclusion of Hamas as a party has undercut the PLO's mandate and legitimacy with the Palestinian diaspora and refugee communities.

⁶ Enforced permanently from 2007 after a two-year period of a temporary blockade.

But the West Bank-Gaza physical and political divide tells only part of the story of what is animating the dysfunction within Palestinian internal politics. Putting aside measures taken by Israel to control Palestinian movement and access within the occupied West Bank, home demolitions, forced displacement and settler violence — the tools of Israel's settlement enterprise, fault lines within Fatah are now making the West Bank less and less governable in the areas where the PA does have some authority. Fatah factions in the north of the West Bank no longer feel compelled to accept orders from the authority of the Ramallah-based PA and some military wings have begun to join forces with Hamas (and Palestinian Islamic Jihad [PIJ] sometimes) affiliates to carry out attacks against Israeli targets. In the South, armed family clans now wield more power than the PA security forces. The West Bank has become awash with light weapons smuggled in from both Israel and Jordan, making the PA think twice before attempting to reassert its authority in the parts of the West Bank where its hold has been weakened. Israel has always retained licence to engage in regular incursions into the West Bank to assassinate or arrest militia leaders with innocent bystanders and those trying to protect their community from occupation forces lying in the wake, and now with an ever-more credibility challenged PA, the IDF are doing so with increasing frequency. From January to November 2022, Israeli forces killed 125 Palestinians in the West Bank during IDF search and arrest incursions (UN OCHA, 2022b). According to the OCHA, (United Nations Office for the Coordination of Humanitarian Affairs) within one two-week period, Israel conducted 125 search-and-arrest operations that included the arrest of 13 children across the West Bank (UN OCHA, 2022a). While Israel blames the PA for the necessity of its incursions, Israel's refusal to engage with the PLO in good faith to end its occupation combined with ongoing settlement expansion and escalating violence by the military and settlers is causing the increasing levels of Palestinian frustration with and disdain for the PA, which then results in the PA employing greater autocratic measures. With large majorities of Palestinians in the occupied territories believing the PA is corrupt (at 83 %) and a burden on Palestinians (at 57 %), it is no wonder that PA security forces have difficulty commanding the respect of the people (PCPSR, 2022c).

As for Hamas, it is viewed as less corrupt than the PA (at 74 %; PCPSR, 2022) though its popularity tends to rise when it resists Israeli attacks on Gaza or is seen to be acting in defence of Jerusalem in contrast to the PA security forces which stay on the side-lines (Melhem, 2022). Yet, over the course of Israel's blockade and siege over Gaza and the catastrophic repercussions it has had on the lives of the people there, Hamas has revisited its political platform and adopted more pragmatic positions. In 2017, it took the step to formally revise its charter (Middle East Eye, 2017), known as the 'Document of General Principles and Policies', in which it officially expresses willingness to work within a two-state outcome as long as it is based on national consensus. The new charter also clarifies that Hamas strongly opposes Zionism and settler colonialism, while maintaining no animus towards Judaism or Jews. This movement by Hamas towards PLO positions has not yet resulted in the implementation of the many Fatah-Hamas agreements for national reconciliation, the latest having been concluded in Algiers in October 2022, or a change in the US and EU policies that require boycotting a PA government led by or including Hamas. Hamas remains listed as a terrorist organisation in both the USA and the EU. And the fact that the USA and EU have not responded positively to Hamas⁷ by delisting the organisation as terrorist entities only encourages Fatah to avoid implementing agreements with Hamas that would bring it into the fold of Palestinian national bodies. Because of US and EU policies that constrain them both from engaging with or funding a government that includes or is influenced by Hamas, the very external actors who might be able to move the Fatah-led PA to reconciliation are absent from the field.

⁷ In fact, in the USA, members of Congress recently introduced two bills to further sanction Hamas – the Hamas International Financing Prevention Act (US Congress, 2021a) and the Palestinian International Terrorism Support Prevention Act of 2021 (US Congress, 2021b), The US Treasury Office of Foreign Assets Control has also designated senior officials of the Hamas Investment Office pursuant to Executive Order 13224.

2.2.2. Ending the division between competing Palestinian authorities

At the present time, there is considerable inertia around addressing the political and geographic division existing between the West Bank and Gaza. Despite the signing of a new agreement for reconciliation in October by Fatah, Hamas and the other Palestinian political factions in Algiers, there is little evidence that the agreement fares any better than others that have been signed but not implemented. Fatah refuses to accept responsibility for the enclave while Hamas remains armed. Hamas has little incentive to give up its weapons when it has managed to gain some international legitimacy in recent years following the escalations in violence with Israel and concessions it was promised following the various ceasefire agreements. Armed groups in conflict rarely disarm absent genuine progress to end the basic terms of the conflict. Fatah did so and has nothing to show for it. The Islamist organisation is now negotiating indirectly with Israel and is received in a number of capitals in the MENA region (as well as in Russia and China). Israel, for its part, is in no rush to see an end to the isolation of Hamas in Gaza. The division of Palestinian authorities between the West Bank and the Strip has been one of Israel's primary excuses for not resuming negotiations with the PLO. It argued that it could not negotiate with a Palestinian leadership that did not have administrative authority and security control over Gaza. In the meantime, Israel continued to expand settlements without repercussions from the USA or the EU. In addition, Israel fears any Palestinian national reconciliation that would reconnect Gaza to the rest of the occupied territories may result in Hamas gaining a greater foothold in the West Bank. Crucially, a unified Palestinian national body might be better placed to produce a national strategy to challenge Israeli crimes.

In the light of this stalemate, any PA resumption of authority in Gaza will require some accommodation between Hamas and Fatah and considerable international engagement to incentivise an Israeli-PA-Hamas *modus vivendi*. As per prior reconciliation agreements, Hamas is unlikely to disarm. Therefore, Fatah will require assurances from Israel and the international community, in particular the EU and the USA, that it will not be held responsible for any Hamas violations of the terms of the agreement. Fatah will also want its resumption of authority in Gaza to be linked to a resumption of a political process with Israel leading to a comprehensive settlement and an increase in donor funding to jump-start rehabilitation of the economy in the Strip. It will also want to ensure that increased funding to Gaza does not come at the expense of aid to the West Bank, which would undermine what is left of the PA's power base there. In order to support reconciliation, the EU and the USA would have to review its no-contact policy with Hamas. This will require the EU and the USA to abandon its demand that Hamas comply with the Quartet Principles and instead require the Islamist movement to commit to ending political violence targeting civilians. The EU and the USA will also need to leverage their bilateral relationship with Israel to incentivise Israeli support for Hamas's inclusion within both the PA and PLO following elections, and the EU and the USA will have to take an active interest in seeing the elections take place including in East Jerusalem. EU and US efforts will also be critical in facilitating negotiations between Israel, the PA and Hamas on how to address Israel's legitimate security concerns, given its status as an occupying power, under a Palestinian national consensus government and after elections.

2.2.3. Restoring legitimacy to Palestinian national institutions and the question of political succession

National elections — for the PLO parliament, known as the Palestinian National Council, and both the PA legislature and presidency — are widely seen as critical to restoring the legitimacy of Palestinian institutions and leadership structures. Answering the question of which elections should come first and how to conduct them with diaspora participation or while under Israeli occupation has been hamstrung. Antiquated PLO parliament proportional representation must either be updated or a process for direct elections must be devised. In either case, Hamas stands to push out many of the small or now-defunct guerrilla factions and would likely take up considerable weight in a more representative PLO. Many

Palestinians and observers believe that Fatah will not allow Hamas to share power in the PLO. They point to how President Abbas disbanded the Palestinian Legislative Council (PLC) to consolidate his and his party's control in 2019 (Anabtawi & Brown, 2019) and the decision, at the last minute, to cancel PLC elections (see below) rather than risk losing the ability to select the successor within the party and, by extension, in the PLO. For this reason, it is unlikely that there will be an agreement to allow the Islamist organisation to come under the PLO umbrella unless there is also an agreement allowing Fatah to also retain overarching authority over the body.

Agreement among Fatah, Hamas and the other Palestinian political parties to hold PLC elections is a more likely possibility — as noted above, such elections came close to happening last year, but President Abbas ultimately cancelled them, ostensibly due to the inability to conduct them in Jerusalem as per past protocols (Carey et al., 2021). However, most believe the reason for the cancellations stems from the fact that the Fatah list fractured into five separate lists including one associated with Abbas's ousted Fatah rival Mohammad Dahlan based in the UAE, and the other, with the jailed popular Fatah leader Marwan Barghouti (News Wires, 2021). External actors were apparently more focused on a potentially strong Hamas showing, with the USA notably taking no position in favour of elections. Moving ahead with the elections would have meant Abbas would not be able to force his own pick for successor within the party. All this goes to show that an agreement between Hamas and Fatah is no guarantee that the Fatah-led PA will actually conduct them if the outcome cannot be manoeuvred its way.

The Palestinian municipal elections that took place in March 2022 in the 50 larger West Bank towns (Hamas refused to allow municipal elections in Gaza) and the student body elections at Palestinian universities that took place this year confirm waning support for Fatah among the younger population while polling numbers show increasing support for active resistance to the occupation over resumption of negotiations with Israel. Voter turnout was just over 53 %, with almost 65 % of the council seats won by independent lists, many of which were affiliated with Hamas (Carter Center, 2022).

As a result of the unwillingness of Fatah to share power — a reality that is informed in no small measure by the fact that the PA stands to lose precious donor dollars and its bilateral relationship with the USA, Palestinian politics is drifting further towards authoritarianism⁸. Presidential decrees that created the High Constitutional Court and dismantled the PLC allowed Abbas to consolidate his authority over West Bank Palestinians and to box out the Hamas-affiliated-PA speaker of parliament, Aziz Dweik, from becoming acting PA president as required by the PA Basic Law in the event of Abbas's passing. Polling after the disbanding of the parliament showed an increase in those supporting the president's resignation to 64 % (PCPSR, 2018). The same poll indicated that Hamas leader Ismail Haniyeh would beat out President Abbas if presidential elections were to be held at that time. Abbas himself seems to prefer Hussien Al Shiekh⁹ as his successor, although he enjoys little support among the Palestinian public who largely view him as corrupt and too closely tied to Israel (Kingsley, 2022) and is not guaranteed to secure support within Fatah to lead the party as its chair¹⁰.

⁸ In 2016, President Abbas issued a decree to establish a High Constitutional Court (Reuters, 2019) and appointed its first judges without consultations and input from the Palestinian parliamentarians or Hamas. This occurred at a time when national reconciliation had been on the agenda. Then two years later, President Abbas disbanded the PA parliament that had been idling since 2007 following the Hamas-Fatah schism that left Gaza an island unto itself outside of PA jurisdiction (Kuttab, 2018). No legal authority existed for Abbas to disband the parliament (Jalal, 2018).

⁹ Who was appointed in February 2022 by the PLO Central Council to the PLO Executive Committee to fill one of two vacancies from 2020 left by the deceased former Secretary-General Saeb Erekat and member Hanan Ashrawi who resigned.

¹⁰ According to experts (Brown & Pran, 2022) on the legal intricacies of Palestinian succession within the PLO, PA and Fatah, the new leadership of these bodies will likely be decided by some hybrid process in which legal holes will be filled by some dealmaking that could very well result in three different persons sitting in the positions currently all held by Abbas (the PLO president [which is also coterminous with the President of the State of Palestine], the PA president and the chairman of Fatah). Whether the deals struck will be around a negotiating table or after some show of force between militias in the various corners of the occupied territories remains to be seen.

More important than who will sit in what position, however, is what the relationship will be between the PLO and the PA. Will the PLO regain its position of power over the PA and its legitimacy as the representative of Palestinians everywhere? If it does, a top line matter will be the implementation of the PLO parliamentary and Central Council resolutions that President Abbas has put indefinitely on ice in order not to antagonise the USA and Israel. These resolutions that were renewed as recently as February 2022 during the ordinary session of the Palestine Central Council (Palestine National Council, 2022) call for the PLO and the PA to disavow all past agreements, suspend political recognition of Israel until it recognises the State of Palestine on the 4 June 1967 borders and halts settlement construction, and end all security coordination with Israel.

Box 1. Palestinian civil society and the problem of shrinking civic space

Reforming Palestinian institutions so that they are capable of representing the will of the people depends heavily on civil society engagement beyond voting in any elections that might be held. A vibrant civil society, one that may express its views — including critiques of its leadership — in the marketplace of ideas, is a requirement for democratic governance in any society. Like in many other parts of the world, Palestinians are facing challenges associated with shrinking civic space. These challenges are compounded by the layers of authorities and actors that exert power over Palestinians' ability to work, organise, mobilise and publish their viewpoints.

Both the UN Special Coordinator for the Middle East Peace Process and the UN Secretary General have recently noted Israeli developments in targeting civil society organisations and human rights defenders (Reliefweb, 2022; UNGA, 2022). According to the Secretary-General, '[t]hroughout 2021, Israel intensified its repression of Palestinians expressing dissent against the occupation and settlement expansion in particular, raising concerns with regard to respect for Palestinians' right to life and physical integrity as well as other civil and political rights.' He also noted that '[c]ivil society actors and organisations documenting and seeking accountability for Israeli violations of international law, accusing Israel of apartheid and advocating for international sanctions continued to be targeted by Israeli authorities with arrests and detention, as well as movement and other restrictions.' The most egregious recent cases of Israel's crackdown on civil society have been the Israeli sniper killing of Palestinian-American journalist Shireen Abu Akleh and the Israeli designation of and raid on six prominent human rights organisations and civil society groups as terrorist organisations.

Not only are the two Palestinian governing authorities in the West Bank and Gaza unable (and perhaps, to some extent, unwilling) to protect Palestinian civil society from these Israeli measures, but both the PA and Hamas (Human Rights Watch, 2022) have been taking their own actions to crack down against those attempting to express opposition or protest against the Palestinian authorities including through beatings, torture, and arbitrary arrests. The situation escalated considerably in 2021 when PA security forces beat to death a prominent critic of the government, Nizar Banat, during a middle-of-the-night arrest. Palestinian pollster and analyst Khalil Shikaki has noted that since 2006 following the Fatah-Hamas schism, both of the authorities in the West Bank and Gaza have undermined good governance by breaching walls separating the three branches of government in favour of the executive, weakened judicial powers and restricted civic society engagement in support of a pluralistic open society. A group of 57 Palestinian political figures including Hanan Ashrawi, former PLO Executive Committee member, and Nasser Al Qudwa, former Fatah Central Committee member and the PA's first foreign minister, published a 'National Rescue Initiative' (Abu Tomaeh, 2022) to open up a civic dialogue to address the failings of Palestinian democratic governance and rebuild Palestinian institutions. Given that PA backing would be necessary for such a dialogue to take place, it is unclear if anything will come from the initiative

despite the status and prominence of those promoting it. Certainly, Israeli and PA restrictions on civil society will make grassroots efforts in this regard extremely difficult.

2.3. Internal Israeli politics and Israeli perspectives

While the Palestinian people have not voted in a national election in 16 years, Israelis have been going to the polls all too often, with four inconclusive elections in three years and a fifth in November 2022. This is due to the inability to achieve a coherent majority for a stable coalition — a symptom of Israel's own political deadlock. But Israel's impasse is not a result of discord over how to handle its conflict with the Palestinians or perennial military occupation, which have steadily disappeared from public conscience and political discourse over the last decade (it is worth noting that the number of Israeli Jews who identify as right-wing went up by 16 p.p. between 2019 and 2022, up to 62%; Keller-Lynn, 2022)). It is rather the result of a split within the Israeli right due to Benjamin Netanyahu's corruption trial, which sparked sustained protests in Jerusalem and led members of his Likud party to defect and several other right wing and centre-right politicians to refuse forming a coalition with him. After 12 consecutive years, Netanyahu, the longest serving prime minister in Israeli history, lost power in 2021, when a hodgepodge coalition was formed spanning the settler hard-right, centre, centre-left and the United Arab List (UAL) (Holmes, 2021). However, the state of Israeli politics today is very much a product of his legacy and continued influence as the leader who buried the notion of a Palestinian state and openly aligned the country with a Greater Israel vision. During his time in office, the settler movement became normalised as part of the governing elite and establishment inside Israel — more and more settlers entered positions of power in government, courts, the military and media. Whereas the settler was once considered the outlier in Israeli society, today that role belongs to the minority of Israelis of a universalist liberal orientation who call for an end to the occupation and advocate human rights for all, including Palestinians. Today, a map showing the Green Line (pertaining to borders from before 1967) in high schools is considered subversive and something the Education Ministry has banned (Kashti, 2022). These trends came to the forefront in the latest election held in Israel on 1 November 2022. At the time of writing, a governing coalition is still in formation, but the result of that election gave a clear majority to Netanyahu's Likud party and his coalition allies from the extreme-right Religious Zionism party faction and the two ultra-Orthodox Haredi parties, Shas and United Torah Judaism.

2.3.1. (Not so) diverging views on settlements

The traditional pro-peace camp, most represented by the Labour party, has shrunk and splintered into an incoherent centre that no longer views the 1967 line as the basis for a political solution and has co-lead a government which has ramped-up rights-violating actions against Palestinians (notably against the Palestinian civil society sector and in new regulations for foreign citizens to enter the West Bank). Historically, all Labour governments contributed to the settlement enterprise. In 1992, under Rabin, a Labour-Meretz coalition (Meretz is identified as an anti-occupation and human rights party) set a precedent by accepting outside support from Arab parties to secure a majority for the coalition. Since then, Labour has diminished to the size of Israel's small parties, has shifted considerably to the right, and has little to no political influence. In the most recent election, Labour dwindled to four seats and Meretz failed to pass the threshold for entering the Knesset (of 3.25 %) and finds itself outside parliament for the first time since its establishment in 1992. In other words, the Zionist centre-left now constitutes 4 out of 120 seats in parliament. The larger party on the left — the Hadash Ta'al party — which is non-Zionist and largely represents the Palestinian Arab minority inside Israel, has 5 seats.

The collapse of the Zionist left should perhaps not come as a surprise given their inability over many years to develop a coherent position around standing up for equality in the face of the shortcomings of a state calling itself Jewish and democratic and the strengthening ethno-nationalist trends.

Israeli politics today is conducted on the right and hard right. This was strongly demonstrated in the results of the most recent election where the extremist Religious Zionism party secured the third largest share of the vote and is now readying to be a senior partner in the new governing coalition. Religious Zionism is an amalgamation of three parties including the Jewish Strength party (Otzma Yehudit) led by Itamar Ben-Gvir, which grew from disciples of the earlier Kahane party (itself declared illegal by Israel and a terrorist organisation by the USA in the 1990s).

Ben-Gvir himself has had 12 criminal convictions upheld by the Israeli court system, including for racist incitement and support of a terrorist organisation, while the Religious Zionism party overall has a leadership with a strong history of racist statements, plans to further limit Palestinian-Arab rights inside Israel as well as in the OPTs, and has called for limiting the oversight role to be played by Israel's legal justice system. In this respect, the latest election results are the culmination of a steady increase in religiosity and a growing rightward shift in Israeli society over the last two decades (ICG & USMEP, 2022).

The parties considered the alternative to the Likud have no meaningful pro-peace platform and are indistinguishable in their entrenching of Israeli control in the OPT's or in their use of measures violating Palestinian rights and international law. At best, they call for 'shrinking the conflict' — minimal economic gestures to keep the PA and Palestinians in general in the West Bank and Gaza afloat and subdued — as this is the most convenient for Israel. One of these party leaders, former IDF Chief of Staff and head of the Blue and White party Benny Gantz, spoke at the Munich Security Conference in February 2022 of a future solution entailing a Palestinian entity, not state (Lazaroff, 2022).

While the leader of the 'opposition' camp, Lapid, favours a two-state solution, he sets out parameters which preclude any reasonable prospect (Israeli Prime Minister's Office, 2022) of progress and deviate significantly from EU parameters or international resolutions (notably but not exclusively on Jerusalem, which he says must remain undivided under exclusive Israeli control). This in part is a product of the failure of the peace process and the legacy of the Oslo Accords, which, in the Israeli narrative, generated more insecurity and terror and led to the rise of Hamas (Shiloh, 1995). Ultimately, Oslo created a convenient framework for an empowered Israel to entrench its control over the Palestinian people with little consequence, while providing Israel with the façade of being part of a peace process.

Whereas the First Intifada made Israel pay a price for its occupation and compelled it to recognise the existence of a Palestinian national movement which led to the signing the Oslo Accords, the implosion of that process in 2000 — and along with it the demise of the Israeli left, when Ehud Barak declared there was no Palestinian partner — led Israel to abandon efforts towards a resolution and instead to consolidate its power in the West Bank and set into place a status-quo policy of managing the conflict, tightening its own control, and eviscerating the prospect of any viable Palestinian statehood while expanding a system of deep and systemic discrimination and inequality. The unilateral Gaza withdrawal in 2005, a move by Ariel Sharon prompted by the violence of the Second Intifada, fuelled a radical generation of national-religious settler activism and pressure groups, and worked to serve Israel's retention of the West Bank more efficiently, while severing and isolating Gaza (and its population of now more than 2 million Palestinians).

Ultimately, when faced with the question of whether to withdraw from the settlements or annex them, Israelis tend to prefer the status quo 'neither' option, as this comes with the least risks and losses. In the meantime, part the status quo includes constantly expanding Israeli control and its settlement and the restrictions on Palestinians. Given the impunity with which this is treated by the USA, the EU, and in international fora, there is no Israeli incentive or political will to facilitate de-occupation, the formation of a viable Palestinian state, or the extension of rights and enfranchisement to the Palestinian population under Israel's permanent control. This impunity is a contributing factor to the ever-more rightward drift of Israeli politics witnessed in the November 2022 election: extremism is cost-free.

Netanyahu and the broader right and centre's attacks on Palestinian citizens, human rights organisations and civil liberties in Israel — i.e., anti-democratic legislation (Association for Civil Rights in Israel, 2018) like

the anti-boycott law, the Nakba law, the NGO law and more recently, the Jewish Nation-State Law (Knesset, 2018) — have successfully debilitated the left and codified the superiority of Israel's Jewish character over its democratic integrity.

2.3.2. Internal political divisions

Under Netanyahu, the Likud has moved further to the ethno-nationalist right or at least become more open about it. Not only is it opposed to any Palestinian statehood, but it is also waging an assault on Israel's judicial system, in part in order to serve Netanyahu's legal interests as he stands trial. In the recent election, it proved to still be the most popular party in Israel, Likud won 32 seats out of the total of 120. In order to secure a right-wing majority, Netanyahu ushered in the mainstreaming of far-right Jewish supremacist Knesset members as well as the fundamentalist Noam or Jewish Power party headed by Itamar Ben Gvir. This merger between the extreme far-right parties at Netanyahu's behest (the alliance was formed in a meeting at Netanyahu's home), known as Religious Zionism, succeeded in their becoming the third largest faction in the Knesset, with 14 seats. The ultra-Orthodox parties — Shas and United Torah Judaism — have in recent years aligned squarely with Netanyahu in order to protect their interests. They received 11 and 7 seats, respectively, in the election, completing the Netanyahu-Likud bloc 64 seat majority and prospective governing coalition. Their voter base is guaranteed and continues to grow in numbers, and they no longer constitute a swing bloc, as secular parties like Yisrael Beiteinu and Yesh Atid champion a mandatory military draft law for orthodox Jews, who have always been exempt.

The amorphous, centrist anti-Netanyahu bloc headed by Yair Lapid's secular, neoliberal Yesh Atid party polled second with 24 seats. Outgoing Defence Minister Gantz — who continued to endorse cooperation with the PA in the interests of Israeli security, had merged with Likud defector Gidon Sa'ar's New Hope party to form the 'National Unity' party, essentially status quo in regard to managing the Palestinians. National Unity was the fourth largest party with 12 seats and, although they may be courted by Netanyahu, there are considerable obstacles to them joining the coalition — at least initially. The Palestinian Arab public in Israel is a critical factor — the majority of their votes go, unsurprisingly, to non-Zionist parties who were almost entirely excluded from coalition calculations for most of Israel's existence (Times of Israel, 2022)— in turn further feeding a reality of alienation, discrimination, and lack of belief in the efficacy of political participation. Ironically, the splits within the right have served to recalibrate this equation. This has forced the centrist Jewish parties to factor them into the parliamentary equation if they are to gain control (and even led Netanyahu himself to flirt with a coalition including the conservative Islamist-oriented UAL party). The willingness of the United Arab List to work with any coalition and its subsequent entry into the Bennett-Lapid coalition in 2021 at once set a precedent for Arab participation in coalition politics while in some ways pushing the Israeli-Palestinian conflict further to the backburner. Mansour Abbas and the UAL party he leads have been focused entirely on trying to achieve gains for the Palestinian citizens of Israel through enlarging local authorities' budgets, improving housing security and combatting crime (something which has been only very partially successful). The Joint List merger of the remaining Arab parties, Hadash, Ta'al and Balad has fallen apart ahead of the fifth elections, ostensibly over whether to recommend Lapid as prime minister, who has thus far ruled them out as coalition partners, along with nearly the entire Zionist political spectrum. Arab voter turnout actually increased in November to 54 %, though still far short of Jewish-Israeli participation, which stood at 71 % (Haj Yahia, 2022; Jewish Virtual Library, 2022). Having participated in the coalition, the UAL did not see a significant increase in support. Both it and the Hadash-Ta'al party received five seats, maintaining representation of the parties representing that community in parliament at the same level of the previous elections. In many respects, the surprise of the election among the Palestinian-Arab community was the Balad/Tajammu' party, who pointed out that both major Israeli factions support the occupation and discrimination and were unworthy of support. Balad, which favours a one-state outcome, received enough votes for three seats, but failed to cross the 3.25 % threshold thus resulting in no representation while succeeding in stirring enthusiasm and debate in that sector.

After four rather inconclusive rounds of elections, the most recent vote appears to have offered a stable coalition of the hard-right/right/religious bloc supporting Netanyahu and to have ended the impasse. The Likud itself is notably more hard-line than in the past. The coalition guidelines have not been set as of writing of the present report, but the declared commitments of its constituent factions suggest a more aggressive set of policies towards Palestinians wherever they reside and a further entrenching of the largely consensual ethno-nationalist policies, which maintain occupation and discrimination towards Palestinians. This entails a serious risk of conflagration, which could spread further in the event of Jerusalem and the holy site of al-Haram al-Sharif/Temple Mount becoming the focal flashpoint.

The situation in which Israel manages the conflict and keeps Palestinians on the backburner cannot hold forever. Israel's *modus operandi* of disproportionate force and suppression of Palestinian political organising makes the daily reality increasingly worse for Palestinians, contributing to the collapse of PA and the larger national movement to the point that it poses risks for Israel's ability to maintain stability in the West Bank. That, taken together with the recurrent outbreaks of warfare between Israel and Gaza and the latter's humanitarian crisis, will ultimately compel Israel to either rethink its approach, or worse, take even more egregious actions to suppress Palestinian resistance.

3. The EU and the MEPP

3.1. Looking back at the EU's track record on the MEPP: a critical assessment

3.1.1. A normative power without power

The EU has been for some time an influential norm-setter in relation with the MEPP. It has contributed to shaping international parameters that have later influenced negotiation processes. Principles and policies originally established by the EU have later become mainstream in international settings. The EU's Venice Declaration in 1980 and the Madrid Declaration of June 1989 by the European Council established principles that inspired the Oslo Peace Process and the Declaration of Principles (Persson, 2020). Since then, the EU has continued to routinely pride itself both in its normative power and in its alleged unity over its parameters. These claims collide with two realities that in turn call for a serious re-evaluation of the EU's approach towards the MEPP.

First, the EU has never managed to transform its normative power into a more decisive role as a mediator and convener of peace negotiations. The EU mainly limited itself to consistently support and commend negotiation efforts most often driven by the USA (Persson, 2020). Some attempts to put incentives on the table to encourage both parties to move towards an agreement have failed. An illustration was the offer in December 2013 to both Israel and a possible future Palestinian state of a Special Privileged Partnership 'including increased access to European markets, closer cultural and scientific links, facilitation of trade and investments as well as promotion of business to business relations' (Council of the European Union, 2013) should a final peace agreement be reached, which did not lead 'to substantial advancement between Israel and the Palestinians' (Asseburg & Goren, 2019). Similarly, other EU pledges to define further incentives have proved insufficient to trigger a paradigm change in the MEPP. Lehrs et al. (2021) find, for instance, that the incentives-based approach that prevailed during the first Paris Peace Conference in June 2016¹¹, in EU Foreign Affairs Council (FAC) conclusions in June 2016¹², and at the second Paris Peace Conference in January 2017 had not borne fruit (Lehrs et al., 2021).

Second, the EU's normative power has progressively waned. It is because it has not evolved and adapted to new circumstances. While the European position has remained constant, the realities on the ground have not. Positions which might have showed their pioneering merits decades ago have little value in today's realities of entrenched rights denial and deep inequality.

It is also because the EU has not been able to be fully consequential with its parameters set out in the Council conclusions of July 2014. Let us focus here on how the EU has been trying to defend its commitment to a two-state solution based on the 1967 lines. It is true that the EU has had the merit of having adopted a policy framework in support of this commitment. With its differentiation policies¹³ indeed, the EU is arguably more advanced than any other country in the world in terms of complying with the United Nations Security Council (UNSC)¹⁴ to distinguish, in their relevant dealings, between the

¹¹ Where participants 'discussed possible ways in which the international community could help advance the prospects for peace, including by providing meaningful incentives to the parties to make peace.'

¹² Where the EU stated it was 'determined, alongside other international and regional partners, to bring a concrete and substantial contribution to a global set of incentives for the parties to make peace.'

¹³ Differentiation can be defined as a 'variety of measures taken by the EU and its MS to exclude settlement-linked entities and activities from bilateral relations with Israel' as explained by (Lovatt, 2016).

¹⁴ Some of these reactions are described by Asseburg (Asseburg & Goren, 2019) and include Netanyahu calling the EU's decision on labelling 'hypocritical, and constitutes a double standard... the EU should be ashamed', former Justice Minister Ayelet Shaked calling it 'anti-Israel and anti-Jewish' and threatening to look into possible legal action against the EU, or the EU's former Ambassador to Israel being summoned for a reprimand.

territory of the State of Israel and the territories occupied since 1967¹⁵. The outcry in Israel in reaction to the roll-out of this policy is an indicator of the potential impact if taken seriously and properly implemented by all MS. However, this is presently not the case. For instance, in many areas, differentiation has not been enforced properly within the EU, as seen with the variety of bilateral agreements between Israel and EU MS. The European Council on Foreign Relations finds that Israeli settlements are benefitting from the majority of the European bilateral agreements signed with Israel by EU MS (European Council on Foreign Relations, 2022). Importantly, it finds that the overwhelming majority of bilateral agreements concluded with Israel across EU MS do not offer a territorial definition in compliance with the international recognition of the Israeli frontiers as provided by the UN Security Council Resolution 2334 and thus sustain a form of ambiguity which likely benefits¹⁶ Israeli settlements and their residents and companies. Similarly, the EU did not insist on the reference to the territorial clause in an agreement it co-signed with Israel and Egypt on 15 June 2022. Reportedly, EU MS had indeed given their consent to the EU to sign the trilateral¹⁷ Memorandum of Understanding (MoU) between Egypt, the EU and Israel on cooperation related to trade, transport, and the export of natural gas to the EU provided that it would comprise the territorial clause. Some EU MS manifested their discontent when they realised that this clause was not incorporated in the MoU (interviews)¹⁸. The European Parliament could not exercise its power of ratifying this agreement because of its non-binding nature (interviews).

What is true of differentiation is also true of the EU's declaratory policy. Some optimistic observers argue that the EU's statements may have contributed to reversing or postponing some Israeli decisions. An interviewed senior diplomat (interviews) as well as informed analysts (International Crisis Group, 2022) agree to say that the EU may have partly contributed to dissuading Netanyahu from formalising the annexation of parts of the West Bank, as he announced he would do in a plan to be released on 1 July 2020. Similarly, a statement by the EU and incoming and outgoing European Security Council Members (Permanent Mission of the Federal Republic of Germany to the UN, 2018a) may have had some impact on the decision of Israel not to proceed with the eviction of the Bedouin village of Khan al-Ahmar in September 2018 (Asseburg & Goren, 2019). However, the overall impact of these statements is marginal and has proved insufficient to counter the rampant annexation campaigns pursued by Israel.

¹⁵ In 2010, in Case C-386/08, the Court of Justice of the EU (CJEU) ruled that 'MS may refuse to grant the preferential treatment to Israeli products made in the settlements' (Court of Justice of the European Union, 2010). In July 2013, the European Commission issued guidelines on Israeli settlements, prohibiting grants, prizes or funding from the EU in settlements in the West Bank, East Jerusalem and the Golan Heights (Official Journal of the European Union, 2013). The European Commission went one step further in 2015 when it adopted a 'Notice on indication of origin of goods from the territories occupied by Israel since June 1967' (Official Journal of the European Union, 2015), in line with the directive of October 2011 on the provision of food information to consumers (Official Journal of the European Union, 2011). The CJEU has confirmed the EU position on differentiation and labelling of products through its decision in Case C-363/18 (Court of Justice of the European Union, 2019). In addition to the labelling, another dimension of the differentiation policy is the territorial clause that the EU insists on including in its bilateral agreements with Israel, in order to specify that the implementation of those agreements would 'not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967'. Despite a hefty debate in Israel, Israel finally agreed to the territorial clause as part of its agreement with the EU on the Horizon 2020 programme and its successor Horizon Europe and for the Creative Europe Programme (initiated in June 2022).

¹⁶ More details about the findings of the studies carried out by the European Council on Foreign Relations can be found here: (European Council on Foreign Relations, 2022)

¹⁷ The text of the MoU is available here: (EU Egypt & Israel, 2022).

¹⁸ However, the EC clarified in an answer to the EP on 28 July 2022: 'The implementation of such Memorandum of Understanding will not apply in any form to the occupied Palestinian territory, which entails that Israeli supplies of natural gas as per the implementation of the memorandum of understanding may not originate from resources appropriated from Palestinian territories occupied by Israel.' (EP, 2022c).

3.1.2. Towards untying EU's bilateral relations with Israel and EU's commitment to the MEPP?

Overall, it seems that the EU's impact on the MEPP has even further decreased in recent years. Despite Israel's criticism of the EU for maintaining a link between the bilateral relationship and the MEPP (interviews), it seems that the EU has to a large extent loosened this linkage. Despite rather strained relationships between the EU and Israel under Netanyahu, sectoral cooperation has continued to flourish between the EU and Israel¹⁹. Furthermore, even with the absence of an Association Council between July 2012 and October 2022, subcommittees on cooperation in trade, economic or other matters were organised on a regular basis. The open skies agreement liberalising EU-Israel air travel fully entered into force in 2018. In June 2014, the agreement on Israel's participation in the Horizon 2020 programme was signed, leading to intense cooperation in research between both parties²⁰. For the period 2014-2020, about EUR 2 million was spent annually from the European Neighbourhood Instrument to finance mainly twinning projects to approximate EU and Israeli systems in different sectors. In September 2018, for instance, a EUR 1.8 million project was launched in order to establish an Israeli National Qualification Framework, aligned to the European Qualification framework (EU Neighbours South, 2018)²¹.

More recently, the alternate Prime Minister and Foreign Minister Yair Lapid visited Brussels and participated in the EU Foreign Affairs Council on 12 July 2021. Roberta Metsola, the current President of the European Parliament (EP), delivered a speech to the Israeli Knesset on 23 May 2022 on the strong bond uniting the EU and Israel (EEAS, 2022a) and the President of the European Commission (EC) Ursula von der Leyen visited the country in June 2022 where she signed the above-mentioned MoU with Israel and Egypt aiming to address the challenges posed by the EU's dependency on Russian fossil fuels by increasing Israeli gas exports to the EU through Egypt²². In private, a number of officials and diplomats regretted that the MEPP has not featured more prominently in the visits of the presidents of the EP and of the EC to Israel, arguing that the EU should resist the temptation to detach its bilateral relations to Israel and Palestine from the Middle East Peace Process, have a serious debate on reintroducing conditionality in its bilateral cooperation, and 'reduce the incredible distance between our principled discourse and our practical bilateral relations' (interviews).

In other words, there appears to be limited appetite to confront Israel through concrete measures and to hold it accountable for its actions which violate EU policy, UN Resolutions and international law (in particular new settlements and evictions). An internal document tabled by the former EU Special Representative Terstal before she left in 2021 (International Crisis Group, 2022) shows that the EU may have tools available to pressure Israel. However, this list was only established with reference to possible formal annexation. If there appears to be no consensus on how the EU would react in the case of formal annexation, there is literally no debate on how the EU should deal with 'rampant annexation'²³.

On 12 July 2022, Foreign Ministers of the EU decided to reconvene the meetings of the Association Council²⁴. Some MS are of the opinion that the EU will need to somehow reciprocate with the Palestinians (interviews). Ahead of this decision, a group of 158 members of the European Parliament addressed a letter to Ursula von der Leyen, Josep Borrell and Oliver Várhelyi asking for the renewal of the activities of the EU-Israel Association Council²⁵. The decision to reconvene was framed by Israeli authorities as a

¹⁹ For more information, please consult (EEAS, 2021c).

²⁰ The agreement associating Israel to Horizon Europe, the successor of Horizon2020, was signed in December 2021 (EC, 2021a).

²¹ For more information, please consult (EU Neighbours South, 2018).

²² The MoU can be consulted here (EU Egypt & Israel, 2022).

²³ On formal vs. rampant annexation, see (Hostovsky Brandes, 2019).

²⁴ To know more about the results of this meeting, please consult (Council of the European Union, 2022b).

²⁵ The full text of the letter can be consulted here: (Members of the European Parliament, 2022).

breakthrough²⁶ and as a sign that the EU is willing to reinvest in the bilateral relationship in a more exclusive way — although it should arguably also be seen as a sign of the weakness of EU foreign policy, given the limited gains on the EU side. The Association Council was held on 3 October 2022 against the recommendation of a group of 47 MEPs formulated two weeks ahead of the meeting that the EU should either cancel the meeting or be stricter on its conditions. The language of the EU statement (Council of the European Union, 2022c) released after the meeting evolved very little compared to the 2012 Association Council. Furthermore, the EU failed to recognise in clear terms that what it has been calling for (a two-state solution) has become fatally challenged by the realities on the ground (although the High Representative / Vice-President [HR/VP] Borrell somehow mentioned this in his personal blog in the wake of the meeting; Borrell, 2022). The meeting confirms the decoupling of EU-Israel relations from the issue of the EU's commitment to the MEPP, a trend that started years ago, as described above, and that has not been accompanied by an improvement in Israeli public perceptions of the EU (see box below).

Criticism of the EU's approach and calls for a new one have intensified. Critics no longer point only at the EU's limited impact but also at its responsibility in the deterioration of the situation. Nathalie Tocci, in a book by Anders Persson, writes: 'In other words, as the years have gone by, the EU's steadfast position towards the conflict has gradually, almost imperceptibly, tilted, from being a ground-breaking move towards peace, into becoming part of the conflict's own dynamic, endurance and resilience' (Persson, 2020).

Box 2. Israeli perceptions of the role of the EU in the MEPP²⁷

According to researcher and former political advisor Tal Dror, Israelis propound a dissatisfaction in the way the EU conducts its relations with the Palestinians and 'politicians throughout the years have openly suggested severing Israeli relations with the EU and some of its members altogether and removing the EU from any role in conflict resolution' (Dror, 2014). Indeed, in a survey conducted in December 2016, the plurality of the Israeli Jewish public indicated that a multilateral approach to the conflict resolution should be led by the USA (32 %), while an EU-led approach was preferred only by 4 %. Yet, it is noteworthy that an EU-led approach (as well as a UN-led approach and a regional approach) was selected by 17 % of Israeli Arabs (PCPSR, 2017). The support for the EU's engagement in Israeli-Arab relations existing among the Arabs in Israel can be also reflected in a study published in 2019, which found that a large majority of them (76 %) believe that 'Arabs in Israel should mobilise the institutions of the United Nations and the European Union to change Israeli government's policy towards them' (Smootha, 2020).

The Israeli Voice Index for October 2021 found that 22 % of the Israeli Jews perceived the EU as friendly towards Israel (this was the case for 66 % of Israeli Arabs), while 37 % of them perceived it as hostile (and only 5 % of Arabs; IDI, 2021). This tendency is also reflected in another study, published the same month — according to the Israeli Foreign Policy Index²⁸, in 2021, 46 % of the public perceived the EU more as an opponent of Israel than a friend (51 % of Israeli Jews and 19 % of Israeli Arabs). Only 24 % of the public perceived the EU as more of a friend (22 % of Jews and 37 % of Arabs). This perception has become more negative than in the previous year: in 2020, 43% of the public perceived the EU as an opponent, and 29 % as more of a friend. Also, as revealed through the Index, in 2021, 47 % of the public assessed that Israel should not join EU programmes if they exclude the settlements from this financial support — even if these programmes improve Israel's economic situation. In turn, 35 % of the public thought that the country should join these programmes, whereas 18 % did not express any opinion. Naturally, there was

²⁶ Israel's interim Prime Minister Yair Lapid stated that 'The fact that the 27 foreign ministers of the European Union voted unanimously to strengthen economic and diplomatic ties with Israel is proof of Israel's diplomatic strength and the government's ability to create new opportunities with the international community' (Weiss, 2022).

²⁷ It is worth noting that the number of studies on the EU's role in the MEPP is much scarcer than that on the role of the USA, which in itself is an indication of which actor is viewed as a more important one.

²⁸ (MITVIM, 2015, 2016, 2017, 2018, 2019, 2020, 2021).

a significant gap between the point of view of the surveyed Jews (32 % in favour of joining the EU programmes and 52 % against it) and Arabs (51 % in favour of joining the EU programmes and 18 % against it; MITVIM, 2021).

3.1.3. EU's financial assistance to the Palestinians questioned

Accordingly, it is not only the EU's reluctance to hold Israel accountable for its actions through tangible measures that is criticised but also the modalities of the EU's financial assistance to the Palestinians and its effects. The EU's financial support to the PA and to Gaza has long ceased to relate directly to the EU's objectives to support a two-state solution and has become a by-default policy in the absence of any stronger political commitment (International Crisis Group, 2022). Through its financial assistance, the EU has contributed to supporting the status quo instead of challenging the 'Palestinian Authority's authoritarian drift' and pressing for 'Palestinian political renewal', as recommended in the latest ICG report (International Crisis Group, 2022).

Through the European Joint Strategy in support of Palestine 2017-2020 — Towards a democratic and accountable Palestinian State²⁹, the EU claims to support the PA's 'Path to Independence' objective, notably through five interrelated pillars: (1) Governance Reform, Fiscal Consolidation and Policy, (2) Rule of Law, Justice, Citizen Safety and Human Rights, (3) Sustainable Service Delivery, (4) Access to Self-Sufficient Water and Energy Services and (5) Sustainable Economic Development. Under this strategy, the EU planned for the period 2017-2020 a total of EUR 1.1-1.3 billion of assistance to support Palestinian civil society and provide a state-building basis, with Governance Reform, Fiscal Consolidation and Policy and Sustainable Service Delivery among the largest shares of the allocated budget — respectively between EUR 323-393 million and between EUR 233-285 million. In total, for the 2014-2020 period, an amount of EUR 2.1 billion of assistance via the European Neighbourhood Instrument (ENI) was provided by the EU to Palestine, which was in addition to bilateral assistance from EU MS (Asseburg & Goren, 2022). In the wake of the COVID-19 outbreak, which heavily challenged the budgets of many countries, the EU has positioned itself as a key donor to help the PA cope with budgetary setbacks by providing comprehensive funding, targeting in particular the payment of salaries for Palestinian civil servants. More recently, after being blocked over the issue of Palestinian educational textbooks, President von der Leyen finally announced on 14 June 2022 the release of a package of EUR 224.8 million³⁰, including EUR 145.35 million to support the PA in the payment of salaries and pensions for civil servants, social allowances to vulnerable families, referrals to East Jerusalem hospitals, and the purchase of COVID-19 vaccines. A large part of the EU's

²⁹ Relevant information can be consulted here: (EC, 2019).

³⁰ Since 2018, the EP has been regularly debating and voting on proposals addressing alleged incitement in Palestinian textbooks, in particular in the context of budgetary procedures (EP reviews of annual EU budget). As a result of Members of the European Parliament (MEP) pressure, the European Commission agreed in 2019 to fund a study of Palestinian textbooks (without a parallel examination of Israeli textbooks). In June 2021, an EU-funded report on Palestinian textbooks by the Georg Eckert Institute (GEI) was published. It concluded that, overall, the textbooks met UNESCO standards and that, while problems remain, the trend was positive (Georg Eckert Institute, 2021). In October 2021, during the vote of the General Budget for 2022, an amendment which would have introduced a reserve regarding EU funding (linked to the content of the Palestinian textbooks) was rejected. During its April 2022 plenary session, the EP approved a resolution outlining its priorities for the 2023 EU budget guidelines, calling for 'an ambitious level of funding' to UNRWA 'to allow it to provide adequate support for regional stability and strengthen the resilience of Palestinian refugees' (EP, 2022h). In May 2022, the EP voted on the discharge for the 2020 general budget and deplored 'that problematic and hateful material in Palestinian school textbooks has still not been removed' and requested 'the Commission to closely scrutinise that the PA and relevant experts to modify the curriculum expeditiously'. In June 2022, the bureau of the EP welcomed the EU's decision to resume financial support for Palestine (EP, 2022g). At the end of August 2022, the UNRWA Commissioner General Philippe Lazzarini was invited to a hearing with the AFET Committee where the textbook issue featured prominently. In October 2022, the EP resolution on the General Budget of the EU for the financial year 2023 was voted on, welcoming 'the recent announcement of the Union's continued commitment to multiannual funding to UNRWA' (see paragraph 59 of the resolution; EP, 2022a) and not incorporating amendments tabled ahead of the vote to condition the financial assistance to the PA to the review of textbooks (see for example Amendment 143; EP, 2022a).

financial assistance to the PA is disbursed through the Pegase programme of Direct Financial Support (Pegase DFS)³¹. Apart from direct assistance, the PA also benefits from technical assistance via twinning and TAIX instruments. For instance, a new twinning project was announced in July 2022 to strengthen the institutional capacity of the Palestinian Energy and Natural Resources Authority (PENRA) and the Palestinian Electricity Regulatory Council (PERC).

The EU has also been providing consistent support to the Central Elections Commission, but this has proved to be insufficient and cannot compensate the more profound crisis of legitimacy of the Palestinian leadership. The HR/VP could only express its 'deep disappointment' (EEAS, 2021b) when Abbas decided to postpone the elections originally scheduled on 22 May and 31 July 2021.

In addition to the democratic backsliding and the growing disconnect between the political leadership in the PA and the Palestinians, the more determining factor is the impact of Israeli decisions that question the efficiency of the EU's financial support to the Palestinians. Some projects or organisations supported by the EU have been undermined as a result of Israeli decisions and actions. In August 2022, the offices of seven Palestinian civil society organisations were raided by Israeli forces and shut down, which will have a direct impact on the EU's assistance to some of these organisations. A statement by the spokesperson of the European External Action Service (EEAS) was released a day after the raid (EEAS, 2022c). The EU's assistance and humanitarian projects in area C³² are also regularly challenged and undermined by Israel, which considers that some of these projects go against the Israeli military and civilian control in this area. One of the most recent examples is the EU-funded school in the Ein Samiya community near Ramallah, which the Israeli district court in Jerusalem ordered to be demolished on 10 August 2022 (Middle East Monitor, 2022). According to a statement released on 12 August 2022, after a visit by the Heads of Mission of the EU and likeminded countries to Ein Samiya school (UN, 2022): 'So far in 2022, the Israeli authorities have demolished or forced Palestinians to demolish 491 structures, including 81 funded by donors, displacing 626 people, including 302 children, across the West Bank and East Jerusalem. Since the new Israeli government was sworn in on 13 June 2021, 1,031 structures have been demolished, including 177 donor-funded structures, displacing 1 310 Palestinians including 670 children.'

The impact of the EU interventions under its Common Security and Defence Policy (CSDP) has also suffered due to the political conundrum. In June 2022, both the European Union Police Mission for the Palestinian Territories — EUPOL COPPS — (Official Journal of the European Union, 2022) and the European Union Border Assistance Mission for the Rafah Crossing Point — EUBAM Rafah — (Council of the European Union, 2022a) have been extended for an additional year, until 30 June 2023. EUBAM Rafah, deployed in 2005 with the mandate to 'verify and evaluate the PA's performance with regard to the implementation of the Agreed Principles for Rafah Crossing and ensuring the PA's compliance with all applicable rules and regulations concerning the Rafah Crossing Point and the terms of the Agreed Principles for Rafah Crossing' (Özgür Kaya, 2016), has been dormant since Hamas took over Gaza in 2007. The EUPOL COPPS efforts to monitor and mentor the civilian police of the PA and to secure the basis for rule of law and order in Palestine, via civil police reform, improvement of the criminal justice system and better prosecution-police cooperation, are challenged to a large extent by the political instrumentalisation of Palestinian security forces.

In recent months, some EU capitals have launched an introspective debate on the impact of their assistance to the PA and the possible responsibility of this assistance in preventing the PA and Israel from assuming responsibility for their actions (interviews). Internal discussions have also been initiated in Brussels on how additional funding to the PA could be further conditioned to match tangible human rights indicators (interviews). Some MS are reluctant, though, arguing that the room for manoeuvre of the EU is very narrow and that further pressuring of the PA would be politically costly, as it would, among other things, weaken the leverage of the EU in the PA to the benefit of Russia, which has already increased its influence in recent

³¹ The biennial evaluation of the Pegase DFS programme can be found here: EC, 2022.

³² More information on this matter is available here: EEAS, 2019.

years (interviews), possibly have humanitarian consequences (interviews), and, in any case, would require introducing pressure on Israel as well in order to maintain the EU's balanced approach.

In broader terms, as noted by the World Bank reports (World Bank Group, 2017, 2022), international financial aid and economic reforms by the Palestinian authorities, while necessary, are not in themselves enough to ensure sustainable economic growth and private sector development on Palestinian territories, as the main obstacles to achieving these goals are in fact 'restrictions on movement and access in the West Bank and the Israeli movement and access restrictions on Gaza' (World Bank Group, 2022). As such, in a way, continued economic assistance provided to Palestine is arguably also assistance to Israel, allowing it to continue its repressive policies without shouldering their consequential costs.

The EU needs to continue discussions on the tenability of its financial assistance to Palestine in its current form within its own structures also in order to more efficiently coordinate with other donors. The main mechanism through which it maintains communication on developmental assistance with other international actors is through the Ad Hoc Liaison Committee (UNSCO, 2022), which is co-sponsored by the EU and the USA (other participants include the UN, the World Bank and the International Monetary Fund). One new potential opportunity for extending the cooperation stems from the fact the USA appears to be increasingly keen on 'economic peace' and expanding economic assistance to the Palestinians. However, in the past (as confirmed by some of the interviewees), collaboration between the EU and the USA in this field was not particularly successful, not least due to the fact that Washington has preferred to consult its actions with the Israeli side while this has never been part of the EU's approach. While this may not have necessarily changed, closer cooperation on the economic file through AHLC might still be possible to some extent, albeit on a limited number of specific issues.

Box 3. Palestinian perceptions of the role of the EU in the MEPP

While Palestinians predominantly have a positive image of the EU (58 % in 2021, up from 46 % in 2017; EU Neighbours South, 2021), they do not perceive it as an important actor in the conflict resolution — in a June 2022 survey, only 10 % of the Palestinian public indicated that Europe is 'the country or party that is most influential in convincing the Palestinian and Israeli sides to return to the peace process' (in comparison, 46 % pointed to the USA; PCPSR, 2021). However, there is probably some willingness for increased EU engagement as one of the mediators, since according to a Washington Institute's poll conducted in June 2022, 72 % of Palestinians from Gaza, 70 % from the West Bank, and 67 % from East Jerusalem agreed that 'the Palestinians should concentrate on getting different international mediators, such as Russia, Europe, and the UN' (Washington Institute, 2022) — even though a different poll showed that the EU's engagement during the May 2021 Gaza armed conflict was regarded as positive by only 5 % of West Banker respondents, and 20 % saw it as fair, while 70 % evaluated it negatively (AWRAD, 2021). In addition, although, in a survey conducted in December 2016, Palestinians mostly indicated that a multilateral approach to the conflict resolution should be led by Arab countries (31 %), the third most popular option was an EU-led approach (13 %; the second was a UN-led approach). Interestingly, only 4 % were in favour of a US-led approach (PCPSR, 2017).

At the same time, according to an annual survey conducted within the EU-funded EU Neighbours South project, the Palestinians appreciate the EU's financial assistance — even as the number of those who deem it 'effective' decreased from 92 % in 2016 to 62 % in 2021 (EU Neighbours South, 2016, 2021). The most benefits have been observed in the field of humanitarian aid (71 %), followed by infrastructure development (64 %), health (58 %), education and skills (45 %) and human rights (44 %). Palestinians predominantly expect more EU engagement in the economy-related fields, such as infrastructure development (88 %), humanitarian aid (87 %) and health and economic development (83 % each) — but less in gender equality (40 %), democracy (40 %) and rule of law (35 %), alongside digital and green transition (36 % and 32 %, respectively; EU Neighbours South, 2021).

3.2. Unpacking the root causes of the EU's limited impact

Moving away from the current EU positions and seeking a more impactful set of policies is no easy path to chart. This is because many in the EU argue that the current situation is relatively comfortable compared to policy departures that could be even more costly for the EU. Above all, this is because the EU is fundamentally divided on how it should calibrate its relations with Israel and Palestine and further engage on the MEPP. In other words, the limited impact of the EU lies to a large extent in the structural and endogenous characteristics of EU foreign policy, and in particular its reliance on unanimity. Much has been written about the divisions between EU MS and their effects on the EU's abilities to be an influential actor regarding the MEPP (Asseburg & Goren, 2019). Divisions between MS on these issues have always existed. However, they have intensified over the last decade (Asseburg & Goren, 2019). This has translated into at least five different phenomena:

- First: the EU's incapacity to come up with joint statements and Council conclusions. There has been no Council conclusion on the MEPP since June 2016 (Council of the European Union, 2016). Similarly, the HR/VP has been unable to secure joint statements (called 'declarations of the High Representative on behalf of the EU') in critical moments and has had to limit itself to its own statements or statements of the EEAS spokesperson, which carry less political weight. This was the case for instance when the HR/VP himself in a speech to the EP (EEAS, 2020) stated that 25 out of 27 MS only agreed that the proposals tabled by Trump in January 2020 clearly challenged the internationally agreed parameters, preventing him from releasing a joint statement in this direction. Earlier, the EU had not been able to adopt a joint statement on the US recognition of Jerusalem as Israel's capital or a joint statement on the removal of the US Embassy. Out of fear to expose these divisions, the chairs of the respective Council bodies (and in particular the Political and Security Committee (PSC) and the Maghreb-Mashrek working group (MaMa)) have preferred to avoid putting the MEPP on their agenda (interviews). Both this trend of the MEPP disappearing from agendas and the above-mentioned risk averse attitude of the EU have been reinforced by the war in Ukraine, which has captured most of the EU's foreign policy efforts and diverted the EU's attention away from the MEPP and other issues (see dedicated box on the ramifications of the war in Ukraine).
- Second: the EU's incapacity to show unified voting patterns and take initiatives in multilateral settings³³. Until now, it is true that the EU has managed to expose its divisions in New York to a lesser extent than in Brussels. EU officials of the EU Delegation to the United Nations in New York have managed to continue issuing declarations on behalf of the EU and its MS during open debates of the UNSC on the Middle East including the Palestinian question, most recently in January, April and July 2022³⁴. The EU also negotiates the 'Palestinian package' each year directly with the Palestinians ahead of the UN General Assembly, resulting in the EU supporting some resolutions tabled by the Palestinians. However, it has proved more and more difficult to find consensus on both EU declarations at the UNSC and EU support to the resolutions linked to the 'Palestinian package', with growing divisions in the EU in 2021 on some of these (interviews). In the UN General Assembly (UNGA), the voting patterns of EU MS have also diverged in the context of emblematic resolutions on issues such as upgrading the status of Palestine as a 'non-member observer state' in 2012³⁵ or more recently in December 2017 on the relocation of the US Embassy (UNGA, 2017). Similar voting variations have also been observed in other UN fora, and in particular in the UN Human Rights Council³⁶.

³³ In its Joint Communication on strengthening the EU's contribution to rules-based multilateralism of February 2021, the EU expressed its willingness to 'step up its leadership and make better use of its ability to act as a convenor, honest broker and bridge-builder', to 'push back against any attempts to undermine international law' and stresses the importance to 'speak with one voice' (EC, 2021b).

³⁴ Please consult the following statements: (Delegation of the EU to the UN, 2022b, 2022c, 2022a).

³⁵ Where Czech Republic voted no and Poland, Hungary and Slovakia abstained.

³⁶ In 2016, the United Nations Human Rights Council (UNHRC) voted to establish a database of businesses involved in Israeli settlements, which was finally released in February 2020. EU MS that were then in the Council abstained.

- Third: the reluctance of some MS to voice EU positions in their bilateral dealings with Israel. Muriel Asseburg illustrates this with the issue of differentiation whereby [MS] 'have mostly left it to the High Representative to explain EU approaches' or with the lack of support from MS to the HR/VP when facing difficulties. While some MS have made an effort to voice the EU's positions on the MEPP in their bilateral dialogue with Israel and have even explicitly asked their Israeli counterparts to ensure the EU flag is displayed in meetings in Israel (interviews), other MS are less keen to risk contaminating their bilateral relationship with Israel by stating the EU's positions.
- Fourth: some EU MS have sponsored their own initiatives, largely as a result of the difficulties developing joint EU initiatives or positions on how to advance conflict resolution. One example is the Munich or Amman format³⁷, an association of Egyptian, French, German and Jordanian foreign ministers who first met at the end of 2020 with the objective of keeping MEPP dynamics alive³⁸ in the absence of Quartet meetings (interviews), even if representatives from these groups claimed at the beginning that this group was not a substitute for the Quartet (Lehrs, 2021). The latest Ministerial meeting was in Munich in February 2022, and the parties discussed possible confidence building measures. After the Israeli elections, the group will likely seek to invite both Israeli and Palestinian foreign ministers for separate and possibly joint meetings. The EU is not directly involved in this effort and is only loosely informed about this track (interviews).
- Fifth: divisions within the European Parliament (EP) have also sharpened, and it has been much more difficult for the EP to make its voice heard in a coherent and united way under this legislature than under the previous one (interviews).

If one considers that the inherent features of EU foreign policy (chiefly unanimity in the Council) are largely responsible for impeding the EU from having a stronger impact on the MEPP, then it is only through a fundamental reform of these structural features that things are likely to change. The debate over the introduction of Qualified Majority Voting (QMV) in Common and Foreign Security Policy (CFSP) has gained renewed traction in recent months³⁹. This voting procedure would offer a formal instrument to overcome the divisions described above. A member of the EP argued that the fact that the EU funding to the PA had been unblocked as a result of a vote in the Council illustrated the usefulness of the QMV (interviews). However, according to other interviewees, resorting to the QMV on issues related to the MEPP, Israel or Palestine would need to be handled very carefully. Marginalising countries by using the QMV could lead to increased polarisation within the EU, which could be exploited by third parties. Along these lines, it was argued that the above-mentioned vote to unlock EU funding in relation to the Palestinian schoolbooks had showed that using the QMV could be quite politically costly (interviews).

Moreover, even with QMV voting, MS opposing the EU's stance could continue ignoring the EU's positions in their bilateral dealings with Palestine or Israel as long as there is no legally binding mechanism to control the application of Treaty provisions in the field of foreign policy, another structural Achilles heel of EU foreign policy. Article 24 of the Treaty on the European Union reads that 'the MS [...] in a spirit of loyalty and mutual solidarity [...] shall comply with the Union's action...' and that '[t]hey shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations'. Article 29 reads that 'the Council shall adopt decisions which shall define the approach of the Union to a particular matter of a geographical or thematic nature. MS shall ensure that their national policies conform to the Union positions'. Articles 31 and 32 contain similar provisions. The

³⁷ The French tend to call it the Amman group, while the Germans call it the Munich group.

³⁸ The four ministers met with EUSR Terstal though in the margins of a Ministerial meeting in 2021 (German Federal Foreign Office, 2021).

³⁹ At the closing ceremony of the Conference on the Future of Europe in May 2022, French President Macron called for expanding the QMV to the CFSP. In February 2022, the EP also reiterated its call for the introduction of the QMV in EU Foreign Policy decision-making (EP, 2022f).

absence of a legally-binding mechanism to control the implementation of those articles needs to be addressed in order for the EU's foreign policy to become more impactful on issues like the MEPP.

However, pending these treaty changes, there are things that can be done as things stand, as claimed in recent reports (for instance, that of International Crisis Group, 2022). Former HR/VP Mogherini had specifically asked European Union Special Representative (EUSR) Susanna Terstal to address divisions within the MS on the MEPP as a matter of priority. Her efforts in gathering diplomats from MS in small groups of not-like-minded countries to discuss the EU's options in different scenarios reportedly paid off (interviews). This effort could be sustained. The initiative by the current EUSR Sven Koopmans with the 'Friends of the Middle East Peace Process' is also a good step in order to mobilise different line Directorates-General (DGs) of the European Commission and other European bodies in order to make sure the MEPP does not disappear from the radar and in order to determine what can be done with the existing instruments. This initiative is especially useful at a time when internal coordination between services and institutions and also between EU MS and EU institutions seems to have been affected by the growing gaps between the EU Commissioner for Neighbourhood and Enlargement and other services and MS.⁴⁰ As the Quartet, which offered a semblance of actorness to the EU, but which more significantly did not yield any tangible result, has ceased to exist, the EU should be less concerned with reactivating and repositioning itself in a multilateral initiative at all costs than with addressing the more structural issues that explained the Quartet's impotence.

Along the same lines, and more generally, the above-mentioned institutional manifestations of the EU's limited impact find their roots more fundamentally in a series of political factors. The incapacity of the EU to keep pace with evolving realities on the ground comes from the increasing capacity of Israel to make its case more resonant in the majority of EU MS and the parallel lack of advocacy power of the Palestinian authorities. The latter comes in turn from a perverse situation whereby donors have maintained the PA afloat; it has become entirely dependent on donors, reluctant to move away from the status quo, more lenient and less legitimate. The former comes from an ideological and/or geopolitical alignment between Israel and some EU MS, efforts made by Israel to add value in bilateral relations, and its effective deployment of accusations of antisemitism in ways that, while spurious, have intimidated political actors from holding Israel accountable and created an Israel-exception sometimes analogous to US political practice.

In the absence of internal agreements, concerted initiatives coming from MS can also be very useful. Like-minded MS eager to hold Israel accountable should stop being concerned with breaking the semblance of EU unity, which has not yielded any results in recent years, and agree on what they could do together. A more determined implementation of the principle of differentiation is also a prerogative of MS⁴¹.

⁴⁰ An interviewee mentioned a serious 'breach of trust' between some parts of the EC and MS.

⁴¹ As for the recognition of the state of Palestine, this is a sensitive issue since i) it bears with itself a risk of Israel defining the territorial limits of recognition so as to back Palestine into the status quo and calling it a state, and so a careful definition of what is understood as Palestine (i.e. mentioning pre-June 4th 1967 line) would necessarily need to be incorporated into any such recognition proclamation, ii) paving a way towards recognition takes up a huge amount of political capital and the benefits are, under the current circumstance, significantly limited in that recognition has only ever been used as a symbolic act with no follow up in terms of holding Israel accountable, on top of being used as a symbolic win (and a justification not to work on other issues) by the Palestinian leadership; consequently for the recognition of the state of Palestine to be of tangible benefit, an appropriate kind of leadership would have to be in place in Palestine.

4. The US and the MEPP

4.1. US policy towards Palestine

4.1.1. The US-Palestinian bilateral relationship

The United States opposes extending political recognition to a state of Palestine until after the PLO signs a comprehensive peace agreement with Israel, as required under recurring legislation passed by the US Congress each fiscal year. The relationship between the United States, on the one hand, and the Palestinian national bodies (e.g., the PLO and PA) and Palestinian people on the other, is derivative in nature; it mainly exists as an appendage of and contingent upon the US-Israel relationship. And any US political engagement with the Palestinians is limited to only those issues affecting Palestinians living under Israeli occupation. US policy views Palestinians residing in refugee camps beyond Israel's sovereign authority as primarily a humanitarian concern. The United States has provided financial support to Palestinian refugees through the UN Relief and Works Agency for Palestine Refugees (UNRWA) since 1949 (with a brief suspension during the Trump administration), averaging 65 % of the agency's yearly budget and over USD 338 billion in 2021 alone (UNRWA, 2021). Though the status of Palestinian refugees will be decided as part of any Israeli-Palestinian comprehensive agreement, US policy appears to neither envisage refugee consent to nor their participation in a political process leading to an agreement, evidenced by the fact that, since as far back as the Clinton administration, the USA has called on the PLO to accept refugee resettlement outside of Israel. The marginalisation of the Palestinian refugee issue — while nearly half of the 14 million Palestinians live outside of historic Palestine (Awad, 2022) — complicates the ability of Palestinian leaders to build popular legitimacy around a political settlement with Israel.

Despite the current myopia with respect to the collective and individual rights of refugees in peace-making, in the aftermath of the dispossession and displacement of Palestinians between 1947-1948, US policy had only understood the Palestinian issue as one concerning Arab refugees which would be resolved as a part of any overarching Arab-Israeli peace talks. It was only after the 1967 Israeli occupation of Gaza and the West Bank and the PLO's international recognition as the legitimate political address for the Palestinian national movement that the USA gradually began to treat Palestinians as stakeholders with legitimate claims, leading to the eventual opening of an official dialogue with the PLO in 1988. While it took another three years for US-led mediation to bring Palestinians to the negotiating table opposite Israeli counterparts in talks hosted in Madrid, US recognition of Palestinian agency and the centrality of Palestinians to Arab-Israeli conflict resolution was not coterminous with support for a sovereign state of Palestine, nor has it translated into support for the implementation of internationally-recognised norms, foremost among them in the minds of dispossessed Palestinians, the right of return and reparations.

4.1.2. The US mediation role & international law

US mediation between Israelis and Palestinians has tended to move the parties further and further away from international law and legal parameters for conflict resolution, and closer towards positions that the USA, in consultation with Israeli leaders, deems more 'realistic' thereby exacerbating the power imbalance between occupier and occupied people. The bipartisan consensus in the Congress today is that Jerusalem is Israel's undivided capital and that the Trump administration's 2018 relocation of the US embassy to the city should stand. In reaffirming the US commitment to the parameters for a two-state solution in July while standing with the Palestinian president in Bethlehem, President Biden refrained from referencing Jerusalem at all. On Israeli settlements, US policymakers generally agree with the George W. Bush administration that certain 'demographic realities' in the West Bank, i.e., the large settlement blocs, should be incorporated into Israel through land swaps. The Obama administration's call for Palestinians to recognise Israel as a Jewish state and homeland of the Jewish people as a parameter for a comprehensive peace agreement with Israel has effectively erased Palestinian indigeneity in historic Palestine,

emboldened Israeli settlement expansion and undermined the Palestinian citizens of Israel in their call for equality before the law (Hassan, 2018). The Trump administration's denial and/or minimisation of the existence of Israel's military occupation and its support for Israeli sovereignty over the majority of the West Bank along with the Biden administration's failure to walk back the positions of the previous administration, has put Israelis and Palestinians on a course that can only lead to Israel's annexation of the West Bank and the emptying of any putative Palestinian entity of sovereign attributes. The current administration made a determination early on that given the ultra-right-leaning domestic political realities in Israel and the dysfunctional Palestinian political arena, there was little to be gained from pursuing a peace process. Of higher priority was recalibrating US policy attention towards a rising China and the malignant actions of Russia. The Biden administration has also been keen to avoid opening up any unnecessary battlefronts with Israel while it attempted to renegotiate a nuclear deal with Iran thus leaving Palestinian home demolitions, forced displacement, attacks on human rights defenders and civic organisations, and settler violence to go largely unchecked.

The prevailing wisdom among Washington policymakers today is that complete Israeli withdrawal to the 1949 armistice line is not required for Mideast peace and that the Palestinian question may better be dealt with after Israel has achieved peace and normalisation with its Arab neighbours. Many analysts (see, e.g., Hassan & Muasher, 2022) disagree with this assessment, however, pointing to the fact that two years after the Abraham Accords' promise of Middle East peace, settlement expansion has accelerated, and the security situation is rapidly deteriorating in the West Bank. Not only have Palestinians not seen any political fruits come from the accords, but they also have yet to benefit on an economic level. The PLO was not invited to the 'Negev Summit' on regional integration between Israel, Egypt and the Arab countries that signed the Abraham Accords, and it was left out of the working groups created to discuss cooperation on water, energy, security, health, education and tourism (al Jazeera, 2022a; Ravid, 2022c).

This shift away from internationally recognised parameters and the change in approach under the Trump administration that aimed to resolve all final status issues between Israelis and Palestinians in Israel's favour has been effectuated with little engagement or input from the international community (as pointed out by some of the interviewees), multilateral mechanisms such as the Middle East Quartet or US core allies such as the EU. Even when greater consultation with multilateral mechanisms did exist, US administrations tended to closely guard the US monopoly over Israeli-Palestinian mediation and have steered any third-party engagement towards US positions on Israel-Palestine peace while shielding Israel from accountability in international fora. Though today the USA has chosen to take a more modest approach to Israel/Palestine, focusing more on stabilisation and improving the living conditions of Palestinians rather than on active peace-making (White House, 2022), it maintains an effective veto over most matters concerning Israeli-Palestinian peace due to its historical role as mediator and the weight of its influence in multilateral fora and *vis-à-vis* third states. And as the United States continues to deprioritise Israel-Palestine peace-making, focusing more on Russia, China and geopolitical challenges, at best it is likely to be an unreliable mediator when the security situation deteriorates on the ground, preferring to subcontract some of its traditional responsibilities to Egypt, for example, when tensions flare between militant groups in Gaza and Israel. At worst, it is likely to continue to obstruct efforts to address Israel's human rights violations at the UN and the International Criminal Court (ICC) while encouraging regional stakeholders to deepen ties or normalise relations with Israel (see Jerusalem US-Israeli Strategic Partnership Joint Declaration [(White House, 2022c)]⁴²) without putting in place measures to ensure that regional integration does not further *de facto* Israeli annexation of the occupied Palestinian territories.

⁴² President Biden and Israeli Prime Minister Yair Lapid released on 14 July 2022 a Joint Declaration on the US-Israel Strategic Partnership in which '[T]he United States and Israel reaffirm the unbreakable bonds between our two countries and the enduring commitment of the United States to Israel's security.' In this declaration, the USA reaffirms its 'commitment to Israel's security, and especially to the maintenance of its qualitative military edge', and 'reiterates its steadfast commitment to preserve and strengthen

4.1.3. Congress & domestic support for Palestine-Israel peace

Domestic political considerations and the role of Congress must be considered in understanding what role any future US administration can and will play on Israel-Palestine. Congress exercises significant influence over US policy on matters involving Middle East Peace. Due mainly to legislation passed by Congress, the PLO continues to be treated as a terrorist organisation prevented from opening an office in Washington and unable to send its officials to the United States absent a congressional waiver. Recurring acts of Congress condition the US-Palestinian bilateral relationship on whether Palestine refrains from seeking membership as a state in the UN or the UN system or from supporting war crime investigations against Israeli officials before the ICC (it was on this basis that the PLO Mission to Washington was initially closed in 2017 though, ultimately, the Trump administration permanently closed it after the PLO refused to engage on the administration's Mideast peace efforts). Congress has also inserted itself in the democratic choice of Palestinians, requiring funding cuts to any PA government that is influenced by or includes Hamas. Efforts to reopen the PLO Mission in Washington are also hamstrung because of legislation passed in 2019 (Congressional Research Service, 2020) that would make the PLO liable for USD 650 million in damages in terrorism-related civil suits stemming from the Second Palestinian Intifada if the office is reopened. All economic aid directly benefitting the PA has been halted until the PLO/PA stops providing social welfare benefits to Palestinian prisoners in Israeli jails and the families of those killed in political violence with Israel (US, 2022). Neither Palestinians nor the USA have the political will to devise a work around to these congressional limitations on the bilateral relationship. Palestinian support for the social welfare payments is strong and would spell the death knell of the Fatah-led PA should they cease, and support in Congress and among the general public for compensation to terror victims is similarly non-negotiable. Thus, the USA has very limited room for manoeuvre in utilising economic assistance to the PA to impact Palestinian democratic reform and state-building efforts. In any case, many experts have been critical of the impacts of past US assistance to the West Bank and Gaza which at its best has operated as a palliative to counter some of the economic impacts of prolonged occupation, and at worst, as a substitute for full-throated US support for Palestinian sovereignty and self-determination (see, e.g., MAS, 2022).

Today, aid to Palestinians is limited to support for municipal infrastructure (Congressional Research Service, 2021), the East Jerusalem Hospital Network and private sector funding under the Nita Lowey Partnership for Peace Act of 2019 (P4P). The P4P provides for up to USD 250 million over a five-year period for people-to-people programming and joint investment initiatives with priority for Israeli-Palestinian partnerships. Though the aim has been to support the de-developed Palestinian economy and encourage peace-building efforts, many Palestinians in the occupied Palestinian territories and in the diaspora associate the fund with the Abraham Accords and the Trump administration's Peace to Prosperity plan, both of which call for donor-funded projects to support Israel's regional economic and social integration. Palestinian fears about the fund are fuelled by the fact that the advisory board for the P4P includes a long-time proponent of joint economic and social engagement between Israeli settlers and Palestinians in the West Bank, and because the US Agency for International Development which manages the people-to-people programming has indicated that Israeli settlers, as a rule, are not excluded from being beneficiaries of the fund (Deutch, 2022).

In the mid-to-long term, changes in the US electorate are likely to impact US foreign policy priorities in the Middle East. Polling over the last decade suggests that US policy towards Israel/Palestine has become a

Israel's capability to deter its enemies and to defend itself by itself against any threat or combination of threats'. This echoes the US's longstanding commitment formalised by way of MoU in 2016 (US & Israel, 2016), whereby the USA committed to a ten-year military financing assistance to Israel between 2019 and 2028 for a total of USD 33 billion for Israel to purchase military goods in the USA and a total of USD 5 billion for missile and rocket defence cooperative programmes. In September 2021, the US House of Representatives approved an additional USD 1 billion to help Israel finance its Iron Dome missile defence system (Edmondson, 2021). By virtue of these arrangements, the USA is, overall, considered as Israel's first security partner (Interviews) and, in comparison to the EU, as more committed to Israel's security (Interviews).

partisan issue between the base of both political parties (Telhami, 2020), with support for Palestinians doubling among Democrats since 2002 (Qamar, 2022). An overwhelming number of Democrats and Independents want the USA to lean neither towards Israel nor the Palestinians (Telhami, 2021), and for decades now, two-thirds of Americans have wanted the United States to take neither side (Telhami, 2020). While Democrats writ large are nearly split between support for Israel and the Palestinians, the energised, progressive base of the Democratic Party favours Palestinians at 52 %, and Democratic voters favour reducing aid to human rights abusers, including Israel, at a rate of 64 % (Saad, 2022; Saltzberg, 2019). A majority of Americans also believe sanctions are an appropriate response to Israeli settlement construction (Telhami, 2020).

Despite these shifts in public opinion within the United States and among Democrats, any recalibration affecting the Democratic Party platform on Israel/Palestine and its national leadership will take time to translate into implementable policy prescriptions. As Republicans move more to the right on Israel/Palestine and attempt to position the Republican Party as the party most supportive of Israel, the Democratic leadership will feel greater pressure to counter such a narrative particularly as both parties court single-issue, large campaign donors and as dark money from pro-Israel political action committees (PACs) and super PACs fund targeted ad campaigns against progressive Democrats supportive of Palestinian human rights (McGreal, 2022a). In any case, the vagaries of elections and the existing polarisation between the Democratic and Republican bases means that there are likely to be wildly inconsistent policy positions from one administration to the next (even if those positions do not translate into a change in approach). For example, compare, President Biden's speech in Bethlehem calling for two states based on the 1967 Green Line and land swaps (Ravid, 2022a) with former President Trump's ready acceptance of all Israeli settlements in the West Bank as part of Israeli territory in his administration's 'Peace to Prosperity' plan (US, 2020). Though there is this sharp difference between the Trump administration and its predecessor in their expressed vision for Middle East peace, the Biden administration has not made its support for the two-state solution meaningful by taking steps to roll back the measures taken by the Trump administration that jeopardise the viability of such an outcome.

Broad differences between Republican and Democrat-controlled Congresses on policy towards Israel/Palestine are also unlikely to result in substantive action to preserve the two-state solution even as more Democrats in Congress grow concerned about the lack of accountability for Israeli actions in the occupied territories. There are limits to how much even staunchly pro-Israel Democrats are willing to tolerate from a US ally, as was demonstrated when almost half the Democratic caucus in the Senate signed a letter to the Biden administration calling for transparency and an independent investigation for the Israeli sniper killing of Palestinian-American journalist, Shireen Abu Akleh (McGreal, 2022c). As Senator Chris Murphy, a close associate of President Biden, stated, conditioning aid to Israel may not be on the table yet, but 'all of us [in the Senate] are watching the behaviour of the Israeli government very carefully' (McGreal, 2022c). The return of Netanyahu to power in Israel at the helm of an extreme-right coalition is very likely to increase Democratic discomfort with the way the Israel relationship plays out, a factor that will be exacerbated if Netanyahu returns to his previous modus operandi of playing partisan politics inside the US. However, that is unlikely to translate into major policy shifts.

Should the next administration be Republican, neither accountability for human rights abuses nor a two-state framework is likely to be a serious pursuit of Congress absent some significant escalation in violence on the ground or a regional event that disrupts the status quo. Trump's Peace to Prosperity plan or some version of it is likely to be resurrected and the relationship between the Republican Party and the ever-more-right leaning Israeli governing coalitions will remain one where there is 'no daylight'. According to former Trump White House official and Republican strategist, Steven Bannon, as quoted in *Fire and Fury*, 'the farther right you [are], the more correct you [are] on Israel'. A Democratic administration is unlikely to be significantly different than the current administration: it will express regular support for a two-state solution while being unwilling to expend the political capital necessary to execute US policy and face the

heavy domestic political costs associated with leveraging US influence in support of ending the Israeli occupation, divisions within Congress notwithstanding.

Box 4. Palestinian perceptions of the role of the USA in the MEPP

After December 2017, when the USA recognised Jerusalem as the capital of Israel, official contacts between the PA and the US government were suspended. In a 2017-2018 poll, 55 % of Palestinians surveyed said that they believed the US to be the biggest threat they face (Doha Institute, 2018). In 2020, 71 % of the Palestinian public were opposed to a resumption of dialogue between the Palestinian leadership and the Trump administration. At the same time, only 21 % expected a positive change if Biden won the election, while 34 % believed US policy would not change and 35 % expected it to deteriorate (PCPSR, 2020).

The lack of faith in the US mediation efforts continued after the transition of power in the White House. In March 2021, polls showed that under the Biden administration, 51 % of Palestinians did not expect a more balanced position of the USA towards the Palestinian-Israeli conflict, and 48 % opposed a return to negotiations under US leadership (at the same time, however, 44% were in favour; PCPSR, 2021a). Another study conducted in December 2021 revealed that 56 % of Palestinians were against and 39 % were in favour of resuming dialogue with the US (and this conviction increased in June 2022 to 65 % for those against and decreased to 29 % for those supportive; PCPSR, 2022a). At the same time, however, the USA was perceived as the 'country or party that is most influential in convincing the Palestinian and Israeli sides to return to the peace process' (46 %; in comparison, only 10 % noted Europe and 3 % — Russia; PCPSR, 2021b) and, in general, as the one able to put pressure on both Israel and PA and Hamas (Pollock, 2022). Moreover, it appears that despite the initial reservations towards the Biden administration as mentioned above, attitude towards the US's role improved; as of June 2022, just 11 % of Gazans, 13 % of West Bankers and 21 % of the population of East Jerusalem wanted the USA to 'stay out of Palestinian and Middle East affairs altogether' (down from 17 %, 45 % and 56 %, respectively, in February 2020; Washington Institute, 2022).

4.2. US policy towards Israel

Since the USA became the first country to recognise the state of Israel in 1948, it has been Israel's staunchest ally in the world, and Israel, in turn, has been the largest cumulative recipient of US foreign aid since World War II (Congressional Research Service, 2022b). US military support for Israel did not take hold however until the 1960s and more robustly in the 1970s, when the USA saw Israel as a means to help combat Soviet influence in the region (currently, US Foreign Aid to Israel amounts to USD 3.8 billion a year; Congressional Research Service, 2022).

Carter's presidency established US policy for Israeli withdrawal to pre-1967 borders and linked the need for resolving the Palestinian issue as an integral part of resolving the broader Arab-Israeli conflict. Indeed, when under President Carter, Israel's first PM from the rightist Likud camp — Menachem Begin — signed a peace treaty with Egypt in 1979 (Israel & Egypt, 1979), it was part of a broader 'Framework for Peace in the Middle East' that set the blueprint for Palestinian autonomy in the occupied territories and served as the basis for the 1993 Oslo Accords (Israel & Egypt, 1978). It was during the Reagan era that the robust strategic military and economic alliance between the USA and Israel that is so recognisable today was formally established, with the signing of a Strategic Cooperation Agreement in 1981 (Gwertzman, 1981). Although both Reagan and later George H.W. Bush took isolated actions to condition US aid to Israel to penalise it for settlement expansion⁴³ — something that seems unheard of today by a US president, whether Republican or Democrat — US foreign policy in the region privileged its relationship with Israel.

⁴³ See more on those e.g., in Beinart, 2019

In addition to US strategic interests in the region, this was due in large part to domestic politics in the USA, including the growing power of the Israel lobby and the beginning of Evangelical support for Israel.

Since Clinton, US presidents have consistently called for the establishment of a Palestinian state as part of a two-state solution. However, in practice, they have not taken concrete action to curb Israeli settlement expansion and have continued to actively shield it from penalty in international fora. Since 1972, the USA has vetoed at least 53 UNSC resolutions critical of Israel (Newton, 2021), while providing unabated unconditional aid, even as Israel acted in ways that directly contradict US policy. Despite the hope and optimism that accompanied the signing of the Oslo Accords, the grinding era of the 'peace process' quickly became more about process than peace. Successive US administrations appointed Middle East envoys, but policy subordinated the need to address the imbalance of power between Israelis and Palestinians to the US-Israeli special relationship and treated Israel's infractions with kid gloves while demanding many concessions from Palestinians. The Clinton Parameters (White House, 2000) presented to the parties in December 2000 at the very end of an eight-year term sought to establish two independent states and address the core issues including borders (suggesting a Palestinian state on almost all the land with a limited but not quite reciprocal land swap), East and West Jerusalem as the respective capitals of the two states with special agreed arrangements for the Old City, a demilitarised Palestinian state, removal of settlements not incorporated under the land swap and a symbolic refugee return to be agreed. In so doing, Clinton set out the most comprehensive plan to-date for two states but also undermined the 1967 UN Resolution 242 (UN, 1967) by accepting Israel's de facto expansion of settlements across the Green Line, thus setting a precedent for Israel's 'natural growth' argument. In 2002, in the midst of the Second Intifada, the George W. Bush administration endorsed UNSC Resolution 1397 (UNSC, 2002) affirming the need for a viable, independent Palestinian state alongside Israel, laying the foundation for the Quartet's Roadmap for Peace in 2003, a much less ambitious plan than the Clinton Parameters, promoting incrementalism and more blatantly interfering in Palestinian internal affairs. The Bush administration's indulgence of Israeli settlements set a new tone for Grand Old Party (GOP) administrations.

When Obama came to power, Palestinians had high hopes for a change in US policy. Obama's 2009 speech in Cairo was an effort to reset US-Arab relations post 9/11 (White House, 2009). In that speech, he called on Israel to halt all settlement construction in the West Bank and invoked the pre-1967 borders, which Netanyahu later summarily rejected in a televised meeting with Obama in the Oval Office in 2011 (White House, 2011). While Obama did expend political capital on the Israeli-Palestinian issue by calling for a settlement freeze and through John Kerry's persistent mediation efforts, the failure to follow through with any leverage or conditionality rendered the efforts ultimately doomed. At the end of his second term, Obama chose not to veto UNSC Resolution 2334 (UNSC, 2016), which deemed Israeli settlements in violation of international law and called on Israel to cease all settlement activity as part of its obligations as an occupying power under the Fourth Geneva Convention. It passed on 23 December 2016, just before he left office. The timing, at the end of two terms and after elections — the same as that during which the Clinton Parameters were put forward — is perhaps not coincidental. Despite being portrayed in Israel, in the GOP and among mainstream American Jewish organisations as an anti-Israel president, Obama not only failed to interrupt Israel entrenching of the occupation, but also secured the largest financial military aid package for Israel in US history with the signing of the MOU in 2016, guaranteeing USD 38 billion to Israel over 10 years (White House, 2016).

Trump's presidency fulfilled the fantasy of the Israeli right, undermining decades of official US policy by recognising Israel's annexation of the Golan Heights, de facto doing the same in Jerusalem, incorporating the settlements into bilateral US-Israeli treaties (in 2019, Pompeo said Israeli settlements in the West Bank do not violate international law) and producing a plan that effectively endorsed Greater Israel and Palestinian second-class status (White House, 2019). While the peace process and two-state solution were already hollowed out by the time Trump came to power, his Peace to Prosperity plan unveiled in January 2020 granted permanent Israeli control over a significant part of the West Bank, disregarding previous US

parameters on final status issues and international law. It was essentially a deal to regularise the reality on the ground as dictated by Israel over the last 30 years, which would leave the Palestinians with an isolated territorial presence, something that could not meet any definition of sovereign statehood.

At the end of Trump's term, Mike Pompeo visited Israeli settlements in occupied East Jerusalem, the Golan Heights, and the West Bank — a first for a US secretary of state. Pompeo took several concrete steps to promote Greater Israel by setting new customs guidelines that designate goods manufactured in Area C of the West Bank as made in Israel regardless and extending US-Israel scientific cooperation to include Israeli institutions in the West Bank (AP News, 2020). The Trump administration also signed an executive order on antisemitism that conflates it with anti-Zionism and criticism of Israel (Leifer, 2019).

Biden, a longstanding staunchly pro-Israel politician, entered the presidency with his focus away from the Middle East. Obama's presidency also demonstrated that investing political capital in the Israeli-Palestinian conflict is not likely to yield results. On the other hand, Trump's legacy left a number of items to be reversed, some of which could be achieved without becoming politically all-consuming. While Biden adopted new rhetoric, with Secretary of State Blinken repeating the mantra that 'Israelis and Palestinians deserve to enjoy equal measures of freedom, security, opportunity and dignity' (White House, 2022b), Biden has not reversed Trump's core centre of gravity-shifting policies. He has not disavowed Trump's 'peace' plan or reiterated that East Jerusalem should be the future capital of a Palestinian state. Instead, on his first trip to Israel in July 2022, Biden signed a declaration reaffirming the 'unbreakable bonds' between the USA and Israel, reinforcing US military aid (U.S. Embassy in Israel, 2022). During a trip to the West Bank, Biden said the 'ground was not ripe for peace', essentially adopting an Israeli talking point (Sharon & Magid, 2022).

Despite the increasing presence of Democrat members of Congress and senators willing to speak out against Israeli violations of Palestinian human rights, with some progressives raising the issue of conditioning aid, the Democratic Party is still far from ready to hold Israel to account (Lerer & Medina, 2021; Saad, 2021). This is evident from Biden's refusal to call for an independent investigation into the killing of dual national Palestinian-American journalist Shireen Abu Akleh in Jenin on 11 May 2022 and remaining on the side-lines as Israel outlaws Palestinian civil society organisations in the West Bank, despite unprecedented Congressional pressure on the administration during the flare up in May of 2021, with Biden being challenged to do more, not only by the progressive members of the Democratic caucus, but even by stalwart allies of Israel, such as Senate Foreign Relations Committee Chair Robert Menendez who voiced concerns over Israel's actions, at least partly as a result of this shift among constituency.

In addition to the geopolitical shift in focus away from the Middle East, part of the difficulty in moving US policy on Israel is the domestic role it plays in US politics. Evangelical Christian support for Israel has and continues to determine much of the Republican party's policies, which rejects Palestinian claims in the Holyland and takes an active role in bolstering Israel's settlement project. In addition to Christians United for Israel, the largest pro-Israel lobby in the USA, the America Israel Public Affairs Committee, which used to pride itself on being bipartisan, is more aligned itself with the Trump era Republican Party, which is now seamlessly synonymous with the Israeli hard right. This includes elements within the Republican Party who see Israel as a model for an ethnonational state, using it as an example for its own efforts to undermine US democratic systems. At the same time, however, US domestic politics on Palestine-Israel is shifting in ways consistently demonstrated in polling (Qamar, 2022). Among Democrat voters, there is majority support for a more even-handed approach and even for sanctioning Israel, especially around settlements. That shift is even more pronounced among younger demographics. Interestingly, change is also occurring among the younger sections of the above-mentioned Evangelicals.

Box 5. Israeli perceptions of the role of the USA in the MEPP

Among Israelis, the USA is traditionally considered to be their country's main ally⁴⁴, supportive in terms of military and security assistance (Dror, 2014). The positive perception of Israeli-US relations in Israeli public opinion has been rising since 2015 (in fact, Trump and his policies were more popular in Israel than almost anywhere else in the world; Ferrerolf & Cha, 2020), but saw a sharp decline in 2021. According to the Israeli Foreign Policy Index, in 2015, the opinion of the Israeli public on US-Israel relations was mediocre (5.01 out of 10, with only 13% saying it is a good relationship). However, it was improving gradually until 2020, when the positive rating was significantly higher (8.05 out of 10) and 67% of respondents considered the state of relations good (MITVIM, 2015, 2016, 2017, 2018, 2019, 2020). In 2021, the index reported a sharp decline in comparison to the previous year. The public gave Israel-US relations a score of 6.46 out of 10, and only 35% of respondents perceived the relations as good, making it the most negative perception since 2016. In the same survey, the majority of respondents expressed concerns over the Biden administration: 53% of the public believed that the new government is less favourable for Israeli interests compared to the previous one, 36% believed that it does not change much, and only 11% believed that the Biden administration is more favourable for Israel (MITVIM, 2021).

It is worth noting that the attitudes towards the US (as well as towards the EU) role in the MEPP, however, are not homogenous and vary across the lines of political divisions and ethnicity. For instance, a 2022 Pew Research survey showed that those on the ideological left thought that the US administration favoured Israel too much (59%) — but those who placed themselves on the ideological right mostly believed that it was the Palestinians who were excessively favoured (47%). The same poll showed that the confidence levels in President Biden and the USA in general were high (65% and 93%, respectively) among the Jewish Israelis, but low among the Arab Israelis (34% and 38%, respectively) (Silver & Fagan, 2022).

It is also worth noting that US engagement in the MEPP is perceived by some as interference in Israeli internal affairs; for instance, 68% of Arab Israelis and 46% of Jewish Israelis (33.5% aligned with the political right, 78% with political left, and 69% of those in the political centre) viewed the announcement of the 'deal of the century' around the time of the elections in Israel as US interference, mostly geared at supporting the then PM Netanyahu (Hermann & Anabi, 2020).

⁴⁴ In an Israeli Voice Index survey conducted in May 2019, 97% of Israeli respondents mentioned the USA among the friendliest countries to Israel – which was the highest score (Hermann & Anabi, 2019).

5. Normalisation, Abraham Accords, and other considerations of the MEPP

The Abraham Accords are sometimes depicted as the most significant development for decades in advancing Arab-Israeli peace. Those accords however did not relate to the core conflict with the Palestinians, nor did they end a state of active enmity between any warring parties; Israel, the UAE and Bahrain were not in conflict as such. Despite the hyperbole, the accords have not been deployed to advance Israeli-Palestinian peace, nor it is evident that they could be. The chief Israeli protagonist behind the accords, former PM Netanyahu, claimed these breakthroughs as a victory against the Palestinians and a vindication of his opposition to the land for peace formula.

In response, the Palestinians have treated the accords with suspicion and as an act of treachery. Neither the UAE or Bahrain have shown any appetite to challenge Israel or leverage these new relationships to advance rights for the Palestinians. Two years later these burgeoning relationships are certainly part of a new regional reality with its own implications and dynamics for the Gulf and beyond, but they are distant from Israeli-Palestinian conflict de-escalation or ambitions towards conflict resolution.

5.1. Background: What are the normalisation accords?

On 15 September 2020, Israel and the UAE and Bahrain signed an agreement with a ceremony in the White House in the presence of then-US President Trump, then-Israeli PM Netanyahu, and the foreign ministers of UAE and Bahrain (Israel & Bahrain, 2020). Some months later, on 10 December 2020, Israel and Morocco announced an American-brokered arrangement, which was signed on 22 December 2020 (Morocco, US & Israel, 2020). A somewhat murkier agreement was reached, again, with US prodding and inducements between certain leaders of the Transitional Legislative Council in Sudan and Israel (UN, 2020). Highly controversial and unpopular inside Sudan itself, that agreement was seen as part of the power dynamics within the Transitional Legislative leadership and has largely not been followed up, with no formal relations yet established.

Unlike the case of Sudan, relations, notably between Israel, the UAE and Bahrain but also with Morocco have flourished in the intervening period. In February 2022, Bahrain invited Israeli PM Bennett to formalise the Israeli presence in the Gulf (Williams, 2022). A few months later in June 2022, the UAE also welcomed Bennett. Cooperation agreements in many fields have been signed including the economic cooperation and trade agreement signed between Israel and Morocco in February 2022 (Israeli Ministry of Foreign Affairs, 2022a) and as well as the recent Free Trade Agreement signed between Israel and the UAE in May 2022 (Israeli Ministry of Foreign Affairs, 2022b). Most recently, Israel hosted Moroccan military leader, General Belkhir el-Farouk (I24NEWS, 2022a).

The accords are best understood in the context of three developments that have played out in the region, in particular in the preceding decade.

First of all, Israel has long considered the expansion of its relations with regional states to be an important aspect of managing its own national security, avoiding excessive isolation and as part of an effort to decentre the Palestinian file. This initially took the form of alliances with non-Arab states (from the 1950s) — known as the outer ring — which entailed Turkey under the generals, Iran under the Shah and Ethiopia under Haile Selassie. Relations with Arab states are of a more recent but not entirely new vintage (Alpher, 2015). The breakthrough came in the Egyptian peace treaty brokered by US President Carter (which did include significant clauses and commitments regarding the Palestinians). The next major attempt to embed Israeli regional relations with Arab states in a push for peace with the Palestinians was in the 1991 Madrid conference (Office of the Historian, 1991), launching direct Israeli-Palestinian (with Jordanians) talks as well as negotiations with the other neighbouring states with whom Israel was still formally at war (Syria

and Lebanon) and creating a set of regional multilateral working groups across five issues involving most Arab states including all of the Gulf states.

With the collapse of the Oslo talks and of those regional working groups, a new bar appeared to have been set with the launch of the Arab Peace Initiative at an Arab League summit in Beirut in March 2002 (Arab summit, 2002). That initiative set out a clear sequence — offering Israel full normalisation and recognition by all Arab states in exchange for a full withdrawal to the 1967 lines and a comprehensive peace with all its neighbours, not least with the Palestinians — premised on the establishment of a Palestinian state.

Various US-led peace efforts attempted to compartmentalise and front-load aspects of normalisation offered by the Arab states but to little effect given Israel's unwillingness to make any meaningful compromise *vis-à-vis* the Palestinians. But quiet cooperation did proceed between Israel and certain Arab states, especially around intel sharing, technology, transfers, counterterrorism, cybersecurity and increasingly surveillance technologies in which Israeli companies, including the controversial NSO Group, are global leaders.

Second, the Abraham Accords came during a very specific confluence that included a moment of heightened regional polarisation, contestation, and division into competing zero-sum visions and political blocs. It is a regional configuration that has subsequently somewhat shifted but that took shape over time and especially in response to the wave of uprisings which began in early 2011 in Tunisia and then Egypt. Many Western actors had previously organised their positioning on the region around what the West termed as competing axes of moderation and resistance (albeit the label moderation was ill-suited to capturing the politics and approaches of many of the states considered part of this bloc, including Saudi Arabia, the UAE, Egypt and Israel).

However, new fault lines emerged in reaction to a popular push towards greater enfranchisement, political opening and democratisation. Given the nature of Arab politics and the kind of political and civic culture that was allowed under authoritarian systems, the opening up to popular participation would inevitably lead to some element of power for Islamist political movements. Of the regional states following these developments, Turkey and Qatar particularly aligned themselves with this emerging trend of greater political opening and had also retained working relations to these sometimes exiled and underground Islamist movements, with Qatar having the added value of a significant source of soft power through its Al Jazeera television network.

Opposed to the uprisings and democratizing trends were a set of monarchical and authoritarian leaderships who considered the broadening of the popular franchise in the region a threat that could impact their own systems and who had a particular concern about those same Islamist movements — one might call this the counter-revolutionary (and authoritarian) camp, its epicentre being the UAE (as well as Saudi Arabia and some monarchies facing uprisings).

Israel, too, looked nervously at this trend of democratisation and political participation — recognising that its quiet cosy dealings with Arab autocrats might not stand the test of greater public scrutiny. Palestine was not the cause of the uprising but continued and continues to carry an iconic status among much of the Arab public. Israel's concerns appeared to be borne out when democratic elections in Tunisia and Egypt both returned strong successes for Islamist parties and saw a hardening of positions on Israel's treatment of the Palestinians.

The Iranian-led resistance camp was for its part soon deeply embroiled in an uprising which threatened one of its key axis members — the Syrian Ba'athist regime led by Bashar Al Assad. As the resistance, uprising and counter-revolutionary camps squared off against each other, the cooperation between Israel and that third counter-revolutionary axis found significant overlapping common ground and practical cooperation, which was especially visible in working to overthrow the elected Morsi government in Egypt in 2013.

The USA under President Obama was increasingly viewed as an unreliable ally by that same camp, in their terms too willing to indulge the democratising trend and what came with it (Kagan, 2010). That all changed when President Trump, notably with the diplomatic manoeuvrings of his son-in-law and special envoy, Jared Kushner, sided firmly with the Israel-Saudi-UAE nascent axis.

The polarisation reached new heights during Trump's first visit to the region in May 2017 which included a visit to Riyadh, Saudi Arabia (as well as to Jerusalem) and a summit with Gulf leaders in which Trump was infamously understood to have greenlighted a joint Emirati-Saudi move against Qatar intended to curtail its support for the Islamists and the uprisings and in particular the influence of Al Jazeera in this respect. Overall, the policies of the Trump administration and the signing of the Abraham Accords have and will further militarise the region, potentially leading to new conflicts and the exacerbation of the already existing ones (such as that between Morocco and Algeria).

The ensuing four-country blockade against Qatar (Saudi Arabia, the UAE, Bahrain and Egypt — then heavily reliant on UAE and Saudi support) was a measure of unprecedented aggression within the Gulf Cooperation Council (GCC) and it cemented Israel's growing cooperation with the UAE in particular. This was a crucial backdrop to the Abraham Accords. For their own reasons, both the Emirati and Israeli leaderships viewed the oscillations in US policy as well as the continuity of what was essentially a US pivot away from the Middle East as inducements to reconfigure their own mappings of regional national security interests.

For Israel, any move towards improved relations with Arab states that could be insulated from the Palestine file was a no-brainer. But for the UAE, now militarily engaged across several fronts including Libya and Yemen, the warming ties with Israel were a way of signalling to a possible future non-Trump administration and keeping Democrats onside as well as an insurance policy in the face of uncertain future US policy — essentially taking cover under a second security umbrella of the region's most powerful and only nuclear state (Israel).

Third and finally, the most immediate and essential backdrop to the specific form that the Abraham Accords took was the unorthodox approach of the Trump administration and Kushner envoy towards the Israel-Palestine file. The Trump administration had broken with the traditional US consensus position, ineffectual but more aligned with the international consensus and with possible future peace-making, and had chosen to side with the Greater Israel leanings of both the Israeli hard-right including Israeli PM Netanyahu and what had become the most significant constituency supporting Israeli causes among Republican voters, namely the dispensationalist Evangelical community.

By the time the Abraham Accords were launched, the Trump administration had already relocated their embassy in Israel from Tel Aviv to Jerusalem thereby intentionally undermining future political negotiations (and as it turned out irreparably souring their relations with the Palestinians), had closed the US mission to the Palestinians, closed the PLO mission in Washington, ended all assistance to the PA as well as to the UNRWA and put forward a 'Peace to Prosperity' plan which envisaged permanent Israeli control over vast swathes of Palestinian and West Bank territory, among other misdemeanours.

It would come as little surprise then that they pursued an Israeli agenda of normalising with willing Arab states in ways that would most serve attempts to further derail and marginalise the Palestinians. The Abraham Accords by design did just that. There is a narrative which holds the Abraham Accords responsible for averting a possible Israeli annexation in the West Bank during the summer of 2020 (al-Mughrabi & Williams, 2020). However, that is not sustained when factoring in what was happening at the time in Israeli politics whereby the scale of prospective annexation would have been insufficient for crucial Netanyahu right wing coalition allies. After more than a decade in power, Netanyahu had not annexed, was unlikely to go through with this move, and was keen to cash in on this decoy move by being able to offer it as a fig leaf to his new Gulf allies.

Once the Abraham Accords deal was signed by the UAE and Bahrain and with a further normalisation agreement with Morocco and a breakthrough in relations in Sudan, the messaging from the Israeli side, never contradicted by the USA, was very telling. Netanyahu hailed this as a vindication of his approach of preventing a land for peace arrangement with the Palestinians and an endorsement of his overall hard-line negation of Palestinian statehood and of negotiations to that end (Israeli Prime Minister’s Office, 2022). Netanyahu proudly asserted that his longstanding position that Israel could achieve peace in exchange for peace without any concessions to Palestinians had been vindicated, that Palestinians would have to accept whatever was offered to them and would now be in a weaker position (Israeli Prime Minister’s Office, 2022). Netanyahu had successfully upended the sequencing of the Arab Peace Initiative. The Palestinian leadership felt betrayed but had also been faced with the consequences of its own weakness: its inability to challenge the status quo and to carry its own or broader Arab publics with it, having made so many concessions, as well as its bad relations with Arab states.

Box 6. Public perceptions of the Abraham Accords

The majority of the polls show that the Abraham Accords are mostly rejected among the Arab public. Least positively predisposed towards the deal are the Palestinians, among whom, according to the VII wave of the Arab Barometer, just 6 % strongly favours or favours normalisation of relations between Arab States and Israel (Arab Barometer, 2022). Among other Arab nations, the support for the Abraham Accords — already low at time of their signing — seems to be in decline. According to a March 2022 poll from the Washington Institute, the number of those viewing the accords in very or somewhat positive light ranged from 8 % in Lebanon to 13 % in Egypt (Washington Institute, 2022). The declining trend is true even in the countries where the accords were initially more popular; the number of Saudis, Bahrainis and Emiratis in favour of them halved from 41 %, 45 % and 47 %, respectively, in November 2020 to 19 %, 20 % and 25 % in March 2022, respectively.

In Israel, the opinions were more divided. A survey conducted in 2021 in Israel revealed that one year after their signing, both Israeli Jews and Israeli Arabs were split in their opinions on the Abraham Accords. 36 % of Israeli Jews thought that ‘the agreements are a turning point in Israel’s acceptance of the Middle East’; this view was shared by 25 % of Israeli Arabs. However, 30 % of Israeli Jews agreed that ‘Israel’s position in the Middle East has not changed significantly’, and 34 % of Israeli Arabs held such an opinion. Moreover, both in the case of Jews (34 %) and Arabs (40%), there was a significant share of respondents which did not have an opinion on this subject (MITVIM, 2021).

5.2. Where to next with normalisation and its implications?

Understandably, the normalisation accords have been seized upon as something with bi-partisan US and Israeli support, that brings a significant Arab actor into engaging with Israel, offers something new, and mentions peace, and therefore, it has been met with enthusiasm. Biden and his team welcomed the accords when they were announced during the presidential election campaign and have subsequently worked to strengthen and expand their reach. As was mentioned, Israel and the relevant Arab parties, notably the UAE and Bahrain, have continued to deepen their ties and aspects of this cooperation have been formalised and further institutionalised, including with US and more recently with Egyptian participation (notably, Jordan has stayed away from something which excludes Palestinians).

During US Secretary of State Anthony Blinken’s visit to Israel in March 2022, a Forum labelled the ‘Negev Summit’ met for the first time and was launched as an ongoing entity. The Negev Summit brought together foreign ministers from Egypt, Bahrain, the UAE and Morocco with Israel and the USA establishing working

groups to look into cooperation in the fields of national security (and the war on terror), education, health, energy, tourism, food and water (Wikipedia, 2022). Again, conspicuous by its absence was any specific mandate around Israeli and Palestinian peace or any Palestinian presence.

Another offshoot of the normalisation accords has been the creation of a what is being called the I2U2 Group consisting of the USA and UAE (U2) and India and Israel (I2), which met virtually at a leaders-level summit in July 2022, with an aim to deepen cooperation between the four on economic growth and trade synergies.

Despite expressions of European enthusiasm as to finding a role within this constellation and channelling this towards advancing a peace process with the Palestinians, it is hard to envisage how that might be the case:

- i. The EU and other European countries have not been included — this is a US-Israel and occasionally UAE led show. There is a degree of competition between Europe and the USA when it comes to investment and trade relations, for instance, with both the UAE and India (and sometimes Israel). If Europe attempts to come to the party, explicitly playing the 'let's make this work for the Palestinians card', then there will be even less Israeli appetite for European inclusion. However, if Europe joins and maintains Palestinian exclusion, then the exercise remains not relevant and indeed harmful to peace-making.
- ii. There is little indication of interest on the part of the Arab protagonists to incorporate the Palestinians — the UAE and Bahrain have made quite clear that there is no Palestinian-related conditionality to the deepening of their ties with Israel. In fact, the UAE trade deal with Israel is notable in failing to include a territorial clause and thereby incorporating trade with the settlements into this bilateral trade relationship (Lovatt, 2022b).
- iii. It is also noticeable that after two years, the circle of Arab or major Muslim normalising countries has not thus far expanded — despite efforts by the administration to do so and occasional rumours of imminent breakthroughs. Pressure was unsuccessfully applied on Indonesia, for instance. Most notably, Saudi Arabia has stayed out of the arrangement, even after the visit of President Biden, offering only minimal gestures regarding overflight rights. The U.S. - Saudi tensions over oil prices likely make a breakthrough harder for the U.S. to leverage. Informal efforts have attempted to explore Saudi Arabia, specifically offering and conditioning further upgrades in relations with Israel in exchange for deliverables on the Palestinian front but nothing has yet to materialise. In fact, at the UN General Assembly in September 2022, the Saudis co-convened a closed high-level meeting on the peace process and Palestinian question to note 20 years since the passing of the Arab Peace Initiative (API) — re-iterating the centrality of the API and offering perhaps a counter-narrative to immediate normalisation (Israel was not invited to the meeting — the EU and the Arab League also co-hosted, and a number of countries, including all six GCC states, Jordan, Egypt, and a number of EU MS as well as Norway and the United Kingdom attended)⁴⁵.

5.3. Other players

5.3.1. The Iran factor

It has been suggested that shared concerns of the threat posed by Iran is the force pushing Israel and various Arab, and in particular Gulf, states closer together, including with respect to shared concerns of a potential softening of the US position on Iran, especially in the context of negotiating a Joint

⁴⁵ Further, in the final statement of the Arab League summit which took place in Algeria in November 2022, the leaders pointed to the centrality of the Palestinian cause and declared their support to the API. However, the declaration did not refer to the normalisation agreements with Israel, but to the commitment to resolving the Arab-Israeli conflict 'on the basis of the principle of land for peace' (Said, 2022).

Comprehensive Plan of Action (JCPOA) renewal (Alsayaegh, 2022). It is certainly the case that Israel and many Arab states — notably Saudi Arabia, the UAE and Bahrain — share a threat perception in which Iran looms large. On occasion, this has induced cooperation and a broader shared interest in influencing and tag teaming US policy.

But it can also be exaggerated and should be kept in proportion. Israel (the only nuclear armed state in the region) is better positioned to militarily counter Iran and is also more irreversibly hostile to the current Iranian regime than any of its erstwhile allies on the anti-Iran front. The UAE acts as an important and quiet trade and financial conduit for Iran and maintains an ongoing security dialogue, including frequent mutual exchanges of high-level security officials (Research & Geopolitical Report, 2022).

Saudi Arabia has maintained a channel of talks with Iran, generally hosted by Iraq, since October 2021 and, historically, has combined areas of contestation and cooperation in that bilateral relationship (Reuters, 2022a). A regional dialogue ostensibly focused on Iraq but with the potential for a broader remit was launched in Baghdad, co-hosted by French President Macron in August 2021, known as the Baghdad Summit on regional security (al Jazeera, 2021). This included representation from all the major regional players (except Israel) — including Iran, Saudi Arabia, the UAE, Turkey, Jordan, Egypt and others. In short, an anti-Iran alliance, such as it is, is not a substitute for progress on the Palestinian track.

5.3.2. An expanded quartet to include Arab states?

Another mechanism that has occasionally been raised (including by some of our interviewees) as an option is to expand the Quartet to include Arab states (there were meetings and much talk of an Arab quartet to work alongside the original Quartet — normally considered to be Egypt, Jordan, Saudi Arabia and the UAE; at times Qatar has also been included). However, the Quartet itself is now essentially moribund given the state of relations between the West and Russia, and the normalisation accords have seriously diminished Palestinian confidence in such an Arab role and its potential efficacy.

5.3.3. China and the global south

Although there is a growing trend towards considering the entire globe as a field of competition between China and the USA, this is not necessarily the case and is hard to apply to the Middle East. China has maintained a narrower interest in trade, investment, sourcing and energy issues in the region (which features in the Belt and Road Initiative) and is particularly keen to advance energy contracts with the Gulf denominated in petro-yuan. However, China has not demonstrated an interest in engaging more deeply on regional security or conflict files including with regard to Israel-Palestine.

China adheres to international parameters and UN resolutions regarding the MEPP and maintains strong working relations with both the Palestinians and Israelis but has not thus far looked to play a mediating or leveraging role (Israel is under US pressure to downgrade its cooperation with China in 'sensitive areas'; Efron et al., 2020).

Elsewhere in the global south there are divergent trends. Israel has expanded its relationships in many parts of the global south, notably in some parts of Africa and the Muslim world while this is also a space in which frustrations at US policy and the lack of progress at achieving rights for the Palestinians is more palpable.

South Africa, Namibia, Algeria and other African states have for instance sponsored calls to examine Israeli apartheid at the UN and the Arab, Organisation of Islamic Cooperation (OIC) and African blocs all spoke of the need to challenge Israeli apartheid at the UN Human Rights Council in Geneva. Governments of the left in Latin America are more openly supportive of Palestinian positions, notably in Chile and Colombia; the new Lula administration in Brazil is likely to follow suit with Mexico not far behind. As global structures fracture and medium-level and emerging powers develop more assertive and independent stances in certain areas, it may be that a more meaningful challenge to the existing status quo on Palestine-Israel

comes from states in the global south. European countries looking to find likeminded alignments in shifting positions on the MEPP may look to some of these states as potentially constructive partners for collaboration.

Box 7. Consequences of the recent Russian military invasion in Ukraine on the MEPP

The Russian military invasion of Ukraine, which commenced on 24 February 2022, has had a huge impact on the global economy and foreign policymaking: from raising energy prices, through an increase in food insecurity, to unremitting concerns of a military confrontation between Russia and NATO or even of a nuclear conflict. In the context of the broader MENA region, additional spill-overs include a growing gap between the reactions to the Russian aggression expressed by countries in the EU's Southern Neighbourhood versus those of the EU, US, and the 'West' (Sidło & Cohen-Hadria, 2022).

Consequences for the MEPP are closely related to these broader trends. Arguably, the most important potential impacts include i) a danger of dwindling in importance of the Israeli-Palestinian dispute on the agenda of the Europeans and the Americans, ii) a change in attitudes among Palestinians and Israelis towards the EU and US presence in the MEPP due to their respective involvement in the war in Ukraine, iii) an increase in food insecurity and, more generally, a further drop in the already weak economic performance in Palestine, West Bank and Gaza, and iv) the impact of energy (in)security in Europe and, thus, the potential willingness of the EU to compromise certain aspects of their policies to secure energy imports.

Impacts of a political nature

With the war in Ukraine in its eighth month, both the EU and the USA — but especially the former — have further redirected their attention towards the situation in Ukraine. The foreign policy efforts of Brussels and the capitals of the EU MS have been focused predominantly on Ukraine; as pointed out by some of the interviewees, even during recent diplomatic visits to the MENA region, it was situation in Ukraine rather than the MEPP that was discussed.

At the same time, it should be stressed that even before the Russian attack on Ukraine, both the EU and the USA had been dedicating limited attention, energy and resources to the MEPP. Similarly, EU MS have for a long time been divided on the Palestinian issue and mostly unwilling to take initiative (interviews). In other words, the war in Ukraine exacerbated — rather than caused — the existing trends.

A new development that is a direct spill-over from the Russian invasion, however, is the paralysis of the Quartet on the Middle East, which is comprised of the EU, the USA, the UN, and Russia and was established in 2002 'to help mediate Middle East peace negotiations and to support Palestinian economic development and institution-building in preparation for eventual statehood'. In the past, when the Quartet became nearly non-functioning under the Trump administration, an informal 'Munich group' was created by Germany, France, Egypt and Jordan — not as a substitute for the Quartet, but rather as a way of filling a temporary vacuum. Under the current circumstances, however, as cooperation with Russia does not seem feasible in the foreseeable future, the creation of a new forum that would include UN as well as Arab states might be considered an option for ensuring continued dialogue. Hopefully, this can be facilitated by the fact that working together on situation in Ukraine has brought the EU and the USA closer (interviews).

It is also worth mentioning the role of Israel as a mediator in the Ukraine-Russian war, even if its efforts did not bring results on par with those of another mediating actor from the region, Turkey.

Impacts on mutual trust and relationship

The Palestinians (as well as many other nations throughout MENA region and significant parts of the global south, see, e.g., Sidło & Cohen-Hadria, 2022) expressed frustration and disappointment over the disparity in treatment and perceptions of Ukrainian resistance against the Russians versus Palestinians

fighting back against Israeli occupation⁴⁶. In the words of one analyst, 'Ukrainians resisting Russian occupation with Molotov cocktails are being lauded for their bravery, while stone-throwing Palestinian children are still called terrorists' (Doyle, 2022).

Similarly, the openness with which Ukrainian 'relatively [sic!] civilised' (MacLeod, 2022) refugees with 'blue eyes and blond hair' were welcomed into EU countries (notably in Poland which in the past refused to host any Syrian refugees; Cienski, 2017), which contrasted sharply with the indifference and oftentimes hostility experienced by Arab, including Palestinian, refugees, did not go unnoticed. Indeed, 57 % of the Palestinian public perceived reaction of the EU and the USA to the war in Ukraine as a display of 'double standards' if compared with their approach to the Israeli occupation of Palestinian territories (PCPSR, 2022b). Moreover, a majority of 76 % thought there was a difference in the manner in which Europe treated refugees from Ukraine compared to those hailing from the Middle East (PCPSR, 2022b).

Moreover, the firm reaction and active response that the EU and USA undertook in the face of the Russian invasion of Ukraine and the annexation of territories acquired by force showcased that they are capable of decisive foreign policy actions in the face of occupation and breaches in international law, bringing about accusations of hypocrisy and double standards in their treatment of Russian and Israeli actions (McGreal, 2022b).

Impacts of a socio-economic nature

Russian aggression on Ukraine and the response to it has had a significant adverse impact on the availability and cost of a number of staple food commodities, which have only just recovered from the COVID-19 pandemic-induced shocks. This includes wheat and sunflower oil as well as other related products such as animal products. Both Israel and Palestine are highly dependent on food imports. The West Bank and Gaza have a 91 % wheat and 95 % vegetable oil import dependency ratio (WFP, 2021). Both of these products are imported, directly and indirectly, primarily from Ukraine and Russia. Indirectly, to a large extent, from its key economic partner, Israel, which itself imported in 2020 over half of its wheat from Russia and Ukraine (EC DG for Trade, 2022; FAOSTAT, 2022).

While the prices of grains, cereals and oils seem to have stabilised as of August 2022 (World Bank, 2022), the adverse impacts of food price inflation — in particular on the poorest households in West Bank and Gaza — have been severe (World Bank Group, 2022). The latest (September 2022) 'Economic Monitoring Report to the Ad Hoc Liaison Committee' (World Bank Group, 2022) forecasts that — should the prices continue to rise in the second half of 2022 at the same pace as during the first half of the year — the prices of bread, flour, and vegetable oils will increase on average by 29.7 %, 80.6 %, and 23.5 %, respectively, between January 2022 and January 2023. At the same time, the effective inflation rate will be higher for the poorer households, which tend to spend a higher share of their income on food and consume more bread and cereals than more affluent households⁴⁷.

As a result of the Paris Protocol on Economic Relations (Israel & PLO, 1994) and the way it ties the Palestinian economy to that of Israel (among others, restricting room for manoeuvre when it comes to setting VAT rates), authorities in PA, West Bank and Gaza have limited tools to mitigate food price inflation. As noted by the authors of the 'Economic Monitoring Report to the Ad Hoc Liaison Committee' (World Bank Group, 2022), ensuing necessary updates to some of the provisions of the Protocol could help Palestinian authorities to more actively alleviate the situation (similar recommendations were made, albeit never implemented, in 2000 by the Wye River Ad hoc Economic Committee). More broadly,

⁴⁶ See, e.g., (al Jazeera, 2022b; Asbali, 2022; Mhawesh, 2022).

⁴⁷ Importantly, the adverse impact of Russian military actions in Ukraine on food price inflation was noted by 73% of Palestinians from Gaza, 65% from the West Bank, and 63% from East Jerusalem (even as their evaluation of the Russian invasion itself is far from unilaterally condemning – indeed, according to one poll from June 2022, it was viewed in a positive light by 41% of Palestinians from Gaza, 45% of the West Bankers, and 58% of the residents of East Jerusalem).

the report recommends that international actors more actively cooperate 'toward the goal of sustainable fiscal policy and economic development [... in order to] mitigate the impacts of rising food and fuel prices accelerated by the war in Ukraine' (World Bank Group, 2022).

Impacts on energy security

Before Russia invaded Ukraine, it was responsible for more than 45 % of the EU's natural gas imports and 40 % of its overall gas consumption (IEA, 2022). However, following the EU's decision to sanction Russia, the Kremlin decided to limit gas deliveries to Europe; this led to the EC's announcement of the REPowerEU plan (EC, 2022b), under which it hoped to reduce the demand for Russian gas in the union by two-thirds by the end of 2022 (in the longer term, hoping to make the EU completely independent from imports of fossil fuels from Russia by 2030). Accordingly, Brussels has been searching for alternative energy sources elsewhere — including in its Southern Neighbourhood.

Israel is one of the countries from which the EU hopes to import more gas in the future, even though, according to the current Israeli PM, Israel is capable of delivering approximately just 10 % of the gas that the EU used to import from Russia. To secure imports, on 15 June 2022, the EC signed a memorandum of understanding (MoU) with Israel and Egypt (EU Egypt & Israel, 2022); under the deal, Israel is to increase its gas exports via Egypt (significant long-term investments in infrastructure will be needed to achieve this goal). The deal raised controversies since it fails to acknowledge the differentiation policies (Lovatt, 2022a). While the EU clarified that the implementation of the (thus far non-binding) MoU would 'not apply in any form to the occupied Palestinian territory, which entails that Israeli supplies of natural gas as per the implementation of the memorandum of understanding may not originate from resources appropriated from Palestinian territories occupied by Israel' (EP, 2022c), the ability to maintain a balancing act between ensuring the EU's energy security and maintaining the EU's policies in principles in relation to the Palestinian-Israeli dispute remains a question.

6. The EU-US cooperation on the MEPP and the future of the peace process

6.1. The shaping of the EU-US division of labour

The shape and form of today's EU-US cooperation on the Middle East Peace Process is inherited from a division of labour that has taken shape progressively between both parties over the last decades. Under this unwritten and asymmetric division, the USA has been the key convener of negotiations between both parties, while 'the EU was relegated to a secondary and supplementary role and has mainly focused on economic and financial dimension of the peace process' (Özgür Kaya, 2016). Unlike the term of 'division of labour' may imply, this one has been neither mutually agreed nor satisfactory for the EU (although convenient to some extent as the EU has been able to use this in order to either pretend it was active and useful or on the contrary hide behind the USA to justify the lack of results). The EU has mostly been filling in where the USA allowed it. This division of labour emerged mainly with the Oslo peace process, when the EU was entrusted the task to focus on Palestinian state-building efforts and to provide the 'basic economic foundation of the peace process' (Özgür Kaya, 2016). Organically, this materialised with the EU assuming the role of chair of the Regional Economic Development Working Group in the wake of the 1991 Madrid Peace Conference. Financially, it materialised with a pledge of European Currency Unit (ECU)⁴⁸ 20 million to the occupied territories, which was approved on the same day of the signature of the Declaration of Principle, and, later on, ECU 500 million was earmarked for the period 1994-1998 (Persson, 2020).

In the 2000s, the EU's support to the Palestinians extended beyond economic development as such and started to encompass security aspects. As a result of the deal on the 'Agreement on Movement and Access from and to Gaza' between the Israelis and the Palestinians, brokered by the US Secretary of State, Condoleezza Rice, with the High Representative for the CFSP, Javier Solana, and the Special Envoy of the Quartet on the Middle East, James Wolfensohn, and signed in 2005, the EU deployed a civilian crisis management mission (EUBAM Rafah) with the mandate 'to monitor the operations at the Rafah Crossing Point and verify and evaluate the PA's performance with regard to the implementation of the Agreed Principles for Rafah Crossing and ensuring the PA's compliance with all applicable rules and regulations concerning the Rafah Crossing Point' (Özgür Kaya, 2016). In January 2006, the EU launched a second mission, EUPOL COPPS, with the objective to build Palestinian civil policy capabilities. Under the EU-US division of labour, the role of the EU has always been limited to civilian police while the USA has become a key stakeholder in terms of security cooperation involving other segments of the Palestinian security forces (interviews).

As a result of this division of labour, the EU has never been credited for an influential political role and has always been in the shadow of the USA. The USA often 'monopolised bilateral political talks' between the parties and sometimes did not associate the EU at all in its mediation efforts (e.g., 2010 proximity talks and 2014 Kerry negotiations) (Özgür Kaya, 2016). It is true that the EU has contributed to shaping international parameters that have later influenced negotiation processes in the 1980s and 1990s, when the principles and policies originally established by the EU later became mainstream in international arenas. However, the EU ended up being held hostage to this division of labour and its ability to influence progressively vanished (see Chapter 3 for further information).

6.2. Recent trends in EU-US cooperation on the MEPP

Against the background of the division of labour described above, the outcome of US elections has had only cosmetic impact in terms of EU-US cooperation on the MEPP. After the Obama speech on the Middle East in May 2011, European leaders welcomed the convergence of views between the EU and the USA. The

⁴⁸ A unit of account used by the European Economic Community in use until 1999.

dynamics changed after Donald Trump was elected President of the USA. The recognition of Jerusalem as Israel's capital, the relocation of the US Embassy to East Jerusalem, the interruption of US funds to UNRWA, the recognition of the Golan Heights as part of Israel in March 2019 and ultimately the release of parts of the 'deal of the century' in June 2019 challenged the unity of views between the EU and the USA. At the European Parliament (EP, 2017), a week after Trump announced the relocation of the Embassy, HR/VP Mogherini claimed that the peace process was in its 'darkest hours' and stressed the merits of the EU's credibility and predictability (Persson, 2020). Despite heavy Israeli and US pressure on EU MS, none of them followed the US precedent and relocated their embassy. However, Trump's policy departures challenged the EU's unity and some serious cracks appeared within the EU MS (see Section 3.2). Some leaders of Eastern European countries announced they would adhere to the idea of moving their embassies to East Jerusalem. Six MS abstained in the UNGA vote in December 2017 on declaring the unilateral US recognition of Jerusalem as Israel's capital as null and void. The EU did not manage to release joint statements in relation with Trump initiatives⁴⁹, obliging the HR/VP or groups of MS to release their own statements⁵⁰. Analysing the early responses and reactions to the Trump plan, Nimrod Goren (2020) found that they were rather mild and illustrated a 'reluctance to challenge the US president'. He also claimed that they had 'reinforced Netanyahu's narrative that the international community does not care much about the Palestinian issue' and that 'Europe is no longer a relevant actor now that some MS are willing to regularly block initiatives in Brussels on Israel's behalf' (Goren, 2020). Along the same lines, Muriel Asseburg writes that 'the delay in publication of Donald Trump's peace plan seemed to serve as an excuse for inaction' (Asseburg & Goren, 2019).

Following the election of President Biden, the rhetoric of the US administration changed. The US statements became more critical on violence, settlers' violence, settlements, evictions and human rights violations. This can be illustrated by the US mobilisation around the Atarot project at the end of 2021 or on the pressure around the E1⁵¹ project (which was postponed as a result of Biden's visit after being initially scheduled for 18 July). However, as explained in Chapter 4, the Biden administration has not completely changed course and managed to compensate Trump's excesses. Biden's visit to the region in the summer of 2022 confirmed that the MEPP would not be a priority for the years to come. Biden has not reversed the US recognition of Jerusalem as Israel's capital, nor has it relocated its embassy or re-opened a general consulate to the PA. As a result, the USA has not managed to rebuild trust with the PA (interviews). Omar H. Rahman also notes that 'the Op-Ed [President Biden] recently published in *The Washington Post* offering justification for his trip to the region never once mentions the goal of a two-state solution — a stark omission that says volumes about the state of US peace-making'⁵². Some interviewees were of the opinion that continuity prevails between Trump's and Biden's policies in the region (interviews).

Along the same lines, only the scenography of the EU-US cooperation seems to have changed with the new administration. Secretary of State Blinken visited Brussels in March 2021. A summit at the head of state level was organised between the EU and the USA in June 2021, leading to a joint statement that presents foreign policy cooperation as one of the four priorities. On the issue of the MEPP more precisely, some interviewees reported that Europeans had received signals from their US counterparts that the USA would not oppose political initiatives on the MEPP coming from the Europeans (interviews), such as the

⁴⁹ A joint statement of EU MS against the US decision was blocked by the Czech Republic, Hungary and Romania, sending an additional signal of EU's disunity.

⁵⁰ "In December 2018, a joint statement (Permanent Mission of the Federal Republic of Germany to the UN, 2018b) by eight Member States (Belgium, France, Germany, Italy, the Netherlands, Poland, Sweden and the United Kingdom) called upon the Trump administration to base its upcoming peace plan on the internationally agreed parameters for a just and lasting peace in the Middle East" (Persson, 2020).

⁵¹ The Atarot project refers to the plan to build almost 10,000 housing units on the abandoned site of the former Atarot airport, beyond the green line. After being approved by Jerusalem's local municipal planning committee, Israel announced at the end of November 2021 that it would shelve it. The plan to build more than 3,000 housing units in E1, which was mentioned by Netanyahu in the 2020 election campaign, would make a contiguous state of Palestine with East Jerusalem as its capital impossible.

⁵² Rahman's comments can be consulted at (ISPI, 2022).

Amman/Munich initiative (interviews). However, the MEPP has been largely outside the frame of improved cooperation between the EU and the USA, and the fundamental nature of the division of labour described above has not changed.

6.3. Uncovering EU-US differences and similarities on the MEPP

6.3.1. On capacities and methods

‘It would be unfair to compare the EU and the USA when it comes to the Middle East Peace Process’ (interviews). This statement is telling about the perception of EU and US capacities to steer the MEPP. The EU tends to be seen as a marginal player on this file. Europeans themselves seem to have become convinced by this narrative, as illustrated by the fact that the incapacity of the EU to achieve any significant result without the USA on the MEPP came up in most of the interviews conducted by the authors of this study. In addition to the security gap between the EU and the USA, the USA is seen as more efficient and is ‘definitely able to get their house in order more easily’ than the EU (interviews).

In addition to their different capacities — or perception thereof — the EU and the USA have also distinguished themselves traditionally by different approaches and methods, at least on three accounts: pragmatic vs. principles-based engagement, ‘behind closed doors’ vs. ‘megaphone’ diplomacy, and lastly unilateralism vs. multilateralism. As evidenced by the interviews conducted by the authors, many policymakers continue assuming that these traditional differences between the EU and US approaches still characterise today’s situation. Yet, these differences have vanished with time and the EU has lost track of its specific approach to a large extent.

A senior diplomat interviewed by the authors claimed that the main difference was that the USA was more pragmatic, ready to set the MEPP in ‘pause mode’ for a while, since the conditions were not ripe for any grand initiative to be launched. In turn, the EU was more principled and would insist on keeping the MEPP at the top of the agenda (interviews). However, as argued throughout this report, these claims are difficult to support in the light of recent developments and trends.

Along the same lines, the EU is seen by some as keener to use megaphone diplomacy, while the Americans prefer conveying their concerns bilaterally, in their direct dialogue with Israel (interviews).

More significantly, the EU and the USA would differ in the way they engage in multilateral fora on matters related to the Israeli-Palestinian conflict. It is true that this difference became particularly visible in extreme circumstances, i.e., when the US withdrew from the UNHRC in June 2018 and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in December 2018 and stopped funding UNRWA. The withdrawal occurred as the US president accused both multilateral institutions of sustaining an ‘anti-Israel bias’ (John, 2017). The Biden administration re-affirmed its commitment to multilateralism with Anthony Blinken — Biden’s Secretary of State — declaring in a speech at a United Nations Security Council (UNSC) debate in May 2021 that there is ‘some question whether multilateral cooperation is still possible. The United States believes it is not only possible, but also imperative. Multilateralism is still our best tool for tackling big global challenges’ (US Department of State, 2021). However, neither the USA under Biden nor the EU have shown tangible efforts to reactivate multilateral mechanisms for the benefit of the MEPP. The lack of commitment to multilateralism when it comes to the MEPP is a structural feature of US foreign policy and derives from the fact that the conflict is not treated as a sole foreign policy issue in the USA, but rather as a true domestic concern for all US presidents⁵³.

⁵³ See Galen Jackson’s work on President Ford’s term in office: (Jackson, 2015)

6.3.2. On the parameters of the MEPP

The EU has routinely recalled its attachment to the fundamental parameters⁵⁴ which should frame, from the EU's point of view, the peace negotiations: an Israeli return to the 1967 lines thereby establishing a sovereign Palestinian state alongside Israel, security arrangements for both Palestinians and Israelis, an agreed-upon solution to the refugee issue and a settlement on the status of Jerusalem serving as a capital for both states. The question here is how the EU and the USA converge and diverge on these fundamental parameters, although it is of the opinion of the authors of this study that in the absence of a real capacity and/or political will to challenge Israeli refusal to work towards such parameters, it would be an error to only focus on those differences.

The status of Jerusalem has probably become the most important point of friction between the EU and the USA (interviews), in particular since former President Trump made public his decision to recognise Jerusalem as capital of the state of Israel. On the day of the 70th anniversary of Israel's Declaration of Independence, on 17 May 2018, the USA relocated its embassy from Tel Aviv to Jerusalem. These decisions have not been reversed by President Biden. Secretary of State Anthony Blinken confirmed in a Senate hearing that the US embassy to Israel would remain in Jerusalem (Anadolu Agency, 2021). The European consensus on the status of Jerusalem has not changed and to this day, no EU MS has moved its embassy to Israel from Tel Aviv to Jerusalem, 'which is quite remarkable given the amount of pressure Israel put on EU MS to do so' (interviews). As an illustration of this divergence, EU representatives in Israel have not accepted to attend meetings within the premises of the US Embassy in Jerusalem. Interviews confirmed this local practice, which applied, for instance, to a meeting convened by the USA before the summer of 2022 on the issue of access to the West Bank for foreigners, to which Europeans declined to attend (interviews) or to the fourth of July party at the US Embassy in 2021 (Dag, 2021). However, some interviews conducted by the authors seemed to indicate that not all MS interpreted the local agreement in the same way.

The gap between the EU and the USA on the issue of the two-state solution based on pre-1967 borders also widened under the Trump administration. President Trump did not even mention the two-state concept in his speech in Bethlehem in 2017 (Beyond Mainstream Media, 2017). President Trump recognised Israel's sovereignty over Golan Heights in 2019. Mike Pompeo, Trump's Secretary of State, paid a visit to the Golan Heights and West Bank settlements in November 2020, the first visit of this kind made by a US Secretary of State (United States Department of State, 2019). Pompeo also announced that the USA no longer viewed the Israeli settlement in the West Bank as 'inconsistent with international law' (United States Department of State, 2019). On the occasion of his visit to the Psagot winery near Ramallah, he announced US guidelines for Israeli products made in the settlements to be labelled as 'Made in Israel' or 'Product of Israel' (United States Department of State, 2019), which directly opposed the Court of Justice of the European Union decision on Case C-363/18.

President Biden restored the US commitment to the two-state concept based on pre-1967 borders, although Secretary of State Anthony Blinken stated publicly in a Senate hearing that this was not a realistic option for now (Anadolu Agency, 2021). The USA has returned to a more critical declaratory policy in reaction to new settlements or forced evictions. The content of US and EU statements reacting to evictions or settlements is relatively similar⁵⁵. During her visit to Israel and Palestine in June 2022, Barbara Leaf, US

⁵⁴ Although the silence of the EU in this regard since the Council Conclusions on 18 January 2016 raises questions regarding the EU's commitment (Council of the European Union, 2016).

⁵⁵ For instance, when Israel, in Autumn 2021, announced a new plan for settlements in the West Bank, State Department spokesperson Ned Price's statement marked a shift in US public rhetoric on the matter: 'We strongly oppose the expansion of settlements, which is completely inconsistent with efforts to lower tensions and to ensure calm, and it damages the prospects for a two-state solution' (Lewis & Pamuk, 2021). This statement re-introduces the idea of a two-state solution in the post-Trump era. Yet, its tone is not as strong as the one used in the statements issued by the EU in late October 2021 on the matter: 'Settlements

Assistant Secretary of State for Near East Affairs, asked Israelis to halt demolitions and settlement activities (Ravid, 2022b), and during his visit to Bethlehem in July 2022, President Biden affirmed his support for a peace agreement that would end Israeli occupation (Hendrix, 2022). The return to critical language on settlements did not, however, lead to a diminishing trend of settlements. The Norwegian Refugee Council stated that since President Biden took office, settlement expansions and demolitions by Israeli authorities have been on the rise, with estimates showing that for each day President Biden sits in office, an average of three Palestinians are displaced (Norwegian Refugee Council, 2022).

Despite the return to a certain principled convergence between the EU and the USA on the issue of two-states and borders, there is also a remaining gap in terms of how far the EU and the USA are consequential with their stance. Although the rhetoric-reality gap in the EU's policies towards the conflict is regularly highlighted (Persson, 2020), it seems to be even larger for the USA in this case. The EU has indeed defined and implemented differentiation, which can be seen as the logical corollary to its stance on the border issues and to its commitment to implement the UN Security Council Resolution 2334 of December 2016, which imposes on states to distinguish in its agreements between the Israeli territory as existing in 1967 and the occupied territories (more details on differentiation can be found in Section 3.1.1, see also controversies surrounding the new gas deal with Ukraine in relation to lack of differentiation close in Box 7). The US approach has been less straightforward and has evolved over time; until 2020, at least theoretically, the USA also did apply differentiation. Indeed, while the US-Israel Free Trade Agreement (US Trade Representative, 2018) (even though extended to include the West Bank and Gaza) did not make a distinction between products coming from the settlements — which received duty-free treatment — under separate labelling regulations, all products from the West Bank and Gaza had to be labelled as such. However, changes introduced by the Trump administration in 2020 meant that products from Area C in the West Bank could be labelled as 'Made in Israel' (Congressional Research Service, 2022a).

Both the EU and the USA are committed to the security of Israel, another key parameter. The difference is rather on how their respective commitments are perceived and how capable they are to guarantee this security. There is a sense in Israel that the EU's commitment to Israeli security is not genuine enough (interviews). It is a fact that the security cooperation between the EU and Israel is much less intense than the US-Israel security and military cooperation. The EU is perceived as a marginal security partner in Israel. The EU's support to the Israeli security sector has largely been channelled through the EU's cooperation on Research and Development (R&D) through the Horizon 2020 programme, which granted support to Israeli defence and security companies, among which were Elbit Systems and Israel Aerospace Industries, under the 2014-2020 programming period⁵⁶. Even US security cooperation with the Palestinian Authority is seen mainly as an indirect contribution to Israeli security, and indeed tightly coordinated between the US and Israel, whereas EU security cooperation with the PA is designed in a more autonomous way (interviews). The EU's security assistance is mainly channelled through the EUPOL COPPS mission, which supports strictly civilian police and does not offer direct support to Palestinian Authority Security Forces (PASF)⁵⁷. The US provides security assistance to the PASF through the US Security Coordinator for Israel and the Palestinian Authority (USSC), a position created in 2005 and through which the US aims to contribute to military reform in Palestine in close dialogue with Israeli authorities. The issue however extends to the ways in which Israel defines security and indeed counter-terror measures — expansive definitions which have

are illegal under international law and constitute a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace between the parties. The European Union has consistently made clear that it is strongly opposed to the expansion of settlements' (the statement is available in EEAS, 2021a).

⁵⁶ Data was released by non-governmental entities at the launch of the cycle (ECC Palestine, 2015). On the funding of the Israel security complex under the research programme, Ben Hayes released information and details (Hayes, 2010).

⁵⁷ For instance, when Palestinian opposition activist Nizar Banat was killed in Hebron by the PASF on 24 June 2021, the Office of the European Union Representative (West Bank and Gaza Strip, UNRWA) stated on its Facebook page on 25 June 2021 that the EU does not finance in any way the PASF, therefore hinting at the fact that the EU could not be held accountable for political arrests and killings conducted in the West Bank.

enabled Israel to i) violate international law while claiming a security imperative as well as ii) using counter-terror in a ubiquitous fashion including to silence Palestinian NGO's and human rights defenders and to deny Palestinians the right to self-defence and to the use of armed struggle in the context of struggling for independence and against foreign occupation, as enshrined in UN General Assembly Resolution 45/130 (UN, 1990) on the rights of people to self-determination/ struggle. Europe has largely shared America's deference to these expansive Israeli definitions of security needs which deny Palestinians the protected right to self-defence and opposing foreign occupation, exacerbating European culpability and complicity in the denial of Palestinian rights.

6.3.3. On priorities

Essentially, for the USA, the Middle East Peace Process is secondary and independent to its relations with Israel, which have become almost an integral part of US domestic politics. In turn, the Europeans have historically linked the MEPP with their bilateral relations with Israel, although this linkage is challenged (as mentioned in other chapters of this report). As a consequence, the EU has been historically more prompt to be more publicly critical of Israel, while the USA often prefers pressuring Israel in a direct dialogue behind closed doors (Lehrs, 2022). This difference was also exemplified by the reactions to the death of Palestinian-American Al Jazeera journalist Shireen Abu Akleh. While the EU immediately demanded an independent probe into her killing on 11 May 2022 (EEAS, 2022b), the US State Department spokesperson Ned Price said the USA trusts Israel to carry out an independent probe (Reuters, 2022b) despite several international calls for the case to be investigated through the International Criminal Court. However, as explained elsewhere in this report, many decades of EU messaging in this regard, without any impactful action to support it, has proved of limited use. And even the critical dimension of the EU's declarations has lost traction in recent years. Under both President Trump and President Biden, the USA has clearly prioritised the process of normalisation of relations between Israel and Arab countries and more generally regional cooperation over the Middle East Peace Process, which also happens to be the Israeli agenda (interviews). The US line is that there is no political horizon for any initiative at the moment and that regional cooperation is a moveable object while the MEPP is not (interviews). The US' lack of appetite to frontload the MEPP can also be explained by its reluctance to open new fronts and become distracted from their focus on Indo-Pacific. The war in Ukraine has also forced the USA to invest some of its attention to this part of the globe and is therefore likely to reinforce the US' limited interest in the MEPP.

The EU's renewed divisions on how to deal with Israel and how to engage in the normalisation process are *de facto* also reducing the EU's capacity to concentrate on the MEPP, as exemplified by the fact that the MEPP has almost disappeared from the agendas of the EU's Political and Security Committee meetings or meetings of EU Foreign Ministers (interviews). The war in Ukraine has also captured most of the EU foreign policy efforts and diverted the EU's attention away from the MEPP (see Box 7 on the impact of the war in Ukraine). The MEPP has been only marginally on the agenda of recent visits of the HR/VP in the region (Egypt, Jordan) (interviews). So far, the EU has not been able to impose the view that there can be no comprehensive regional peace and normalisation without Israeli-Palestinian peace.

The difference in priorities between the EU and the USA also implies different dynamics when it comes to the relationships with the Palestinians. First, at the multilateral level, the EU cooperates with the Palestinians much more closely than the Americans do. The EU negotiates the Palestinian package each year directly with the Palestinians ahead of the UN General Assembly, resulting in the EU supporting some resolutions tabled by the Palestinians — although this is proving more difficult recently (as seen in Section 2.2. and interviews), while the USA has always opposed the Palestinian package as a matter of principle⁵⁸.

⁵⁸ However, the USA abstained from – instead of rejecting – a general assembly resolution on the right of return for Palestinian refugees, breaking the voting pattern under Trump but resuming a practice under Obama (Lazaroff, 2021).

Second, the EU and the USA also handle their economic and financial support to the Palestinians differently. The renewed focus on economic development of the USA is acceptable for the EU as long as it is not exclusive, i.e., it cannot be done to compensate for the lack of political engagement on the MEPP (interviews). The USA would also welcome more conditionality in the EU's assistance to the PA. While there is a debate on this within the EU at the time of writing this report and in the wake of the schoolbooks row, the EU is overall not keen on increasing the conditionality of its assistance, as it would possibly compromise its relationship with the PA. It is also worth recalling that humanitarian aid cannot be conditioned according to EU legislation (contrary to EU assistance under the Neighbourhood, Development and International Cooperation Instrument (NDICI)) (interviews)⁵⁹. Last, the extent to which the EU and the USA are ready to coordinate their respective assistance towards the Palestinians with Israel constitutes another dividing line. The EU is less keen to coordinate its development and humanitarian activities in the West Bank with Israel through the Coordination of Government Activities in the Territories (COGAT), which irritates Israeli authorities as this assistance may create *faits accomplis* that go against Israeli interests (interviews).

Third, and in line with what precedes, the way the EU and the USA cooperate with Palestinians in the security sector is very different, despite ongoing talks to consider mutual exchanges of personnel between EUPOL COPPS and the office of the US Security Coordinator (interviews). It is not only that EU and US security cooperation with the PA is very different in scale (see for instance section 6.3.2) and in nature (the EU only focuses on Palestinian civil police through EUPOL COPPS). The degree to which this assistance is coordinated with the Israelis is also very different. The head of EUPOL COPPS only has talks with counterparts at the Israeli Ministry of Foreign Affairs once per semester, while the security cooperation of the US with the PA is primarily framed as part of the cooperation with Israel and is consistently coordinated with Israeli authorities, in order to promote their interests (interviews).

⁵⁹ For a more in-depth discussion on the EU's use of conditionality towards countries in its Southern Neighbourhood, see e.g., (Sidło & Cohen-Hadria, 2022).

7. Potential scenarios for the MEPP and policy recommendations

On EU cooperation with the USA

As explained in depth in Chapter 6, the current — informal yet long standing — division of labour on the MEPP between the EU and the USA is asymmetrical and unfavourable to the former. While the USA has assumed the role of a key convener of negotiations between the Israelis and the Palestinians and has set the rules of the road in international institutions (notably the UN), the EU's function has largely been limited to that of issuing commentary via statements of intent while avoiding deploying negative leverage and providing financial and economic support to the peace process. To the extent the USA and EU participate in multilateral mechanisms such as the Quartet, the bar is set by the USA and consensus language lacks the clarity of EU positions that rely on international law and norms.

Moreover, the two actors differ in their approach (if not always in their practical application) towards the consistent application of international law to the Israeli-Palestinian conflict. Indeed, the nature of the US approach to the MEPP exacerbates the asymmetry of power between Israel and the Palestinians. Any change of the US approach towards upholding international law in the MEPP is unlikely due to domestic political constraints as well as policy differences (as opposed to practice), which continue to be too wide and unpredictable between Republican and Democratic administrations and Congresses. Unfortunately, the EU has also been unable to uphold international law in practical ways given its unwillingness to deploy leverage and conditionality, especially in its relations *vis-à-vis* Israel, and over time has been less and not more consistent in applying these principles in large measure due to its own disunity, something we address further below. This also makes it easier for the USA to dismiss the EU and its member states.

Finally, and not least importantly, it is apparent from our analysis — and indeed underlined by some of our interviewees — that the USA is not truly interested in closer cooperation with the EU on the MEPP. Indeed, there is currently only limited cooperation and no coordination with the Europeans, who were, for instance, not consulted prior to Biden's visit to the region but were rather debriefed afterwards. Similarly, the USA did not fully brief Europeans prior to the release of the Peace to Prosperity Plan and did not consult with them ahead of the announcement of the signing of the Abraham Accords. Despite multiple contacts at all levels between the EU and the USA, there is no structured foreign policy dialogue, such as the EU has with Canada for instance, which means that the regularity of the exchanges varies very much from one administration to the other (which explains that there were only limited channels between Brussels and the USA under the Trump administration). The wish list of the USA when it comes to cooperation in the region is for the EU (or individual MS) to support the US agenda on regional cooperation and normalisation and the economic development of the Palestinians as well as not increase pressure on the Israeli government with regard to human rights issues and settlements. While a Democratic administration might welcome EU measures to differentiate between Israel and the occupied Palestinian territories, a Republican administration is more likely to actively deploy its diplomatic weight to prevent such actions. Given this situation, and despite some US lip-service in support of the EU's initiatives (such as playing a supportive role in the working groups on issues such as water, climate, and telecommunications in support of the Negev protocol), the USA would continue to dismiss the EU and act unilaterally in case of any surge of violence.

Therefore, one of the key recommendations of the present report is that **instead of focusing on the creation of a new standing EU-US mechanism on the MEPP, the EU should act more independently and remain loyal to its own principles and its own approach towards the Israeli-Palestinian conflict**. This recommendation stands regardless of potential changes in the next US administration. At the same time it should be stressed that an additional step is that the EU must draw lessons from its experiences with the previous US administration and prepare for the eventuality of a new Republican administration that is

in flagrant violation of international laws and against established EU policies, possibly taking actions in furtherance of the Trump administration's Peace to Prosperity Plan.

With that being said, it should be stressed that i) the EU's traditional approach (from the 1980s-1990s) has largely vanished in recent years and ii) seeking more autonomy from the USA implies that the EU has a clear and united line, which it does not have at the moment. Indeed, the current developments within the EU and individual member states to a large extent paralyse European policy and prevent consensus around normative frameworks, as is very acutely felt in the case of the EU's approach towards the MEPP.

This situation of paralysis might change should the reforms imposing qualified majority voting (QMV) in foreign and security policy be introduced in the nearest future (additionally, if the debate on the EU's strategic autonomy gains renewed traction, this process could be supported by increasing the EU's capacity to be a more autonomous conflict resolution power in relation with crises that occur in its neighbourhood, and in particular the MEPP).

However, should this not be the case — and thus common action on an EU level proves unfeasible — like-minded member states should come together to define a more ambitious approach towards the MEPP. This should be done regardless of whether such a new approach wins support from the USA or whether it breaks the existing EU consensus (incidentally, exposing internal divisions should not likewise prevent the HR/VP and the EEAS from reimposing the issue of the MEPP on the agendas of council bodies [MaMa, PSC and FAC]). As it has been explained throughout the report, the approach that the EU has been pursuing in recent years has not yielded any results and has not only resulted in the EU having no influence over the MEPP or Israeli (and Palestinian) actions, but also has contributed to undermining the EU's legitimacy on the global scene. Indeed, as the reactions among the actors in the MENA region (and beyond) to the war between Ukraine and Russia have clearly shown, the contrast between the EU's reaction to the Russian invasion and to Israel's continued breaches of international law in their treatment of the Palestinians did not go unnoticed. This gave rise to both accusations of double standards and to the realisation that the EU can in fact act decisively should it wish to do so (implying that in the case of Israel, it was simply unwilling to take firm actions).

Regardless of whether pursued jointly by all or by a selected group of EU member states (which, admittedly, might be smaller and weaker than it could have been in the past given the rise of the non-standard right-wing across the EU), the new approach should be based on the realisation that the current status quo (i.e. the reality on the ground — erosion of the PA to the collapsing point and Israeli policies growing more extreme with every election), is not sustainable and, indeed, that the EU has a lot to lose should it be maintained. Pursuing a renewed common approach on the other hand would have the additional benefit of showcasing to the rest of the world that regardless of its internal problems, EU member states are capable of taking action in line with international legality and that there is consistency in the EU's response to state aggression and the treatment of civilians under military occupation.

In addition to this refreshed approach towards the Israeli-Palestinian conflict, a similar coalition of individuals could be formed within the EC, EP, and MS — champions of the issue, who would be willing to actively try, for example, to give more coherence and convergence to elements of EU conditionality, including around differentiation. This could be done building on the already existing Friends of the MEPP initiative of the EUSR.

This is not to say that the proposed approach will be easy. One contentious point will undoubtedly be that of maintaining a firm position on the two-states solution. Given that the precarious nature of the two-state option and the increasing likelihood that 75 years after the UN partition plan has been possibly rendered inoperative by Israel's illegal activities, other options might need to be taken into consideration as well. In the current situation, where no political horizon is in view, EU policy should be informed by the

myriad of human rights documentation and reports finding that an apartheid reality exists in Israel and the occupied Palestinian territories. The EU should prioritise human security and rights promotion and ensure that none of EU's actions and policies contributes to the entrenching of institutionalised racism or gross violations of human rights. Regardless of what political solution there may be in the future, equality under the law should be guaranteed for all those residing in a given territory.

On working with other international mechanisms and actors

Given the fact of the limited success of the Quartet and the fact that cooperation under this format has been rendered practically defunct following Russia's invasion of Ukraine, the EU should seek cooperation with other regional actors, going beyond those involved in the Abraham Accords. Indeed, the Munich Group or the meeting co-hosted with the Arab League and with the Saudis at the UNGA 2022 in September around the Arab Peace Initiative 20th Anniversary are good examples of such initiatives (I24NEWS, 2022b). In line with the recommendations listed above, such new formats can but do not necessarily need to involve the EU but rather a coalition of like-minded EU MS and should engage where relevant both Israel and the Palestinians (Arab countries could potentially ally with the EU on such an initiative if there was an escalation of the Palestinian-Israeli conflict).

Moreover, the coalition of the like-minded EU MS could work with emerging and medium size or intermediate powers on the world stage who have some interest in this file but are largely excluded from it and are not in traditional structures — mostly actors in the Global South, such as some of the members of the BRICS or TIMBI⁶⁰ groups but also beyond that including Latin America, large Asian countries such as Malaysia, and allies on the African continent, including for instance Senegal.

Finally, given the lack of unity among the Europeans on the Palestinian-Israeli issue on the UN forum, a coalition of like-minded MS should embrace a more active role, starting with, e.g., supporting the further development of the database of businesses operating in the Israeli settlements in the OPT (UN Human Rights, 2020) and promoting respect for institutions tasked with accountability such as the ICC.

On the EU's bilateral relations with Israel and the Palestinians and the issue of conditionality

Needless to say, the EU has very different relationships with the Israelis and Palestinians. Given the stateless and occupied nature of the latter, the relationship is primarily a donor-recipient/aid relationship — unlike in the case of Israel, which has a strong economy and military as well as R&D capacities.

However, if the EU frames the conflict in terms of how to enhance its bilateral relations with the state of Israel, how to insulate those relations from Israel's positions *vis-à-vis* the conflict, and how to better manage its aid/donor relationship with the Palestinians, then the EU is not in a position to have any effective or relevant role on the conflict itself. Indeed, the gymnastic contortions conducted by the EU in the context of the recent (October 2022) Association Council with Israel demonstrated that decoupling supersedes the MEPP and renders words about the MEPP largely irrelevant and therefore the EU ineffective as an actor in MEPP. Unless and until a decision is made to front-load addressing the deteriorating situation on Palestine-Israel and to place the bilateral relationship on the table to assert international law, EU policy will continue to suffer from the same shortcomings.

While the EU should be willing to use conditionality *vis-à-vis* the Palestinians, it should go beyond a discussion on the effective use of aid and has to enter the political realm. Moreover, it must be willing to put on the table elements of its bilateral relationship with Israel and to include conditionality and disincentives in those relations if it is to contribute to any prospect of progress and the prevention of further deterioration in the Israeli-Palestinian arena. More specifically, this should entail:

⁶⁰ BRICS - Brazil, Russia, India, China, and South Africa; TIMBI - Turkey, India, Mexico, Brazil, and Indonesia.

- Implementation of clear differentiation policies, ensuring that it is not violating its own legal and treaty obligations by engaging in trade and other forms of exchange and cooperation with what international and European law (confirmed in European policy) has deemed to be Israel's illegal settlements project in the OPTs. In line with UNSCR 2334, Europe should differentiate between Israel and its illegal settlements in all bilateral treaties and trade and cooperation programmes, including any future deals on energy trade. Importantly, the EU should hold off on participation in the US funding mechanism created under the Middle East Partnership for Peace Act until it can be assured that strict differentiation will be applied to grants under the fund.
- Prompt preparation of an internal document listing all concrete measures that the EU should activate without delay in order to react to the 'rampant annexation' pursued by Israel on the OPTs. Rather than being a wish list for future potential implementation, this document should serve as a concrete step-by-step guide of immediate actions that the EU — or the coalition of the like-minded MS — will implement in response to the continued violations of international law by the Israeli government;
- Creation of mechanisms for ensuring that Israeli destruction, in particularly of EU-funded projects in the OPTs, incurs financial/relational penalties;
- Work with the relevant authorities to end the Gaza blockade and the separation of the Strip from the rest of the occupied territories and reverse any EU policies treating Gaza and the West Bank as separate territorial and administrative units;
- Take a consistent position at the ICC that supports the continued investigation into the situation in the State of Palestine since 13 June 2014 and that does not single out Israel for a lower bar of exceptional treatment regarding the ICC.

Maintaining a policy of employing conditionality only in its relations with the Palestinians would be a mistaken premise in terms of legality and international law and any universal or standardised approach to the protection of human rights (with a special focus on women's rights and the rights of the minorities). It not only exacerbates the asymmetry between the parties but is also morally indefensible (to only pressure an occupied people and not their occupier who acts in daily violation of international law). Furthermore, it is practically a net contributor to making the conflict worse rather than creating the building blocks for future progress.

On the EU's principles in regard to international legality, rule of law and human rights

The EU declarations to apply universal norms and principles *vis-à-vis* its response to Russia's actions in Ukraine are (similar to those of America) — as already explained — treated with great suspicion in much of the world and for very good reason. The principles the EU claims to stand for are best tested not when they can be laid at the door of an established adversary and competitor but when they have to be considered *vis-à-vis* partners, allies and friends.

Indeed, the EU must maintain a firm position on respecting international law and human rights regardless of the shape of the future Israeli governments. It should avoid being blindsided should the next Israeli administration be ostensibly 'pro-European' and keen on improving its relationship with the EU, while simultaneously engaging in violations of European policy, international law and UN resolutions in its actions towards the Palestinians, as has been the case under the Bennett-Lapid-Gantz government. It is precisely under these circumstances that Europe has to make a clear connection between improved relations and a cessation of these violations, while of course also doing so under (the perhaps easier) circumstances of a more pugnacious Israeli administration keener to pick fights in Europe.

On supporting Palestinian political renewal and reform

The EU needs to employ a comprehensive approach incorporating both the political and aid/donor relationship with the PLO/PA, underlying and understating the importance of its role in encouraging Palestinians to undertake their own internal political process to encourage the emergence of political bodies that are representative of, accountable to, and deemed as credible by their own public. This should start with an emphasis on the national bodies and the PLO (which is crucial in representing Palestinian communities both inside and outside the OPTs, including refugees) and continue with the Palestinian Authority and its limited role on the ground.

This should be done with an understanding that political reform cannot happen without internal political reconciliation. Ending the West Bank-Gaza division is an important goal in its own right and is also a necessary prerequisite for reversing the dangerous decline in Palestinian political institutions. Europe should reconsider its position regarding the Quartet conditions, as well as Hamas political participation, and should withdraw its own vetoes regarding elections and government formation, setting a bar that relates exclusively to respect for international law and therefore by extension the non-targeting of civilians of any parties to a Palestinian government or national movement supported by Europe. Moreover, in order to encourage reconciliation and to bring the West Bank and Gaza back under one governing authority towards ending the blockade of Gaza, the EU should support Egypt's and Algeria's roles in national reconciliation. It should also encourage the formation of a broader coalition to mediate between the Fatah-led PA and Hamas in support of implementing a power-sharing agreement that includes understandings about holding PA elections and that address Israel's long-term security concerns. Following that, the EU should provide technical, financial and monitoring support for the resumption of PA security control over and tax collection authorities at border crossings and should allow aid to the PA for Gaza reconstruction, development and humanitarian assistance after it assumes administrative control there.

European support for Palestinian political renewal should include, but not be limited to, support for elections. National and local elections should be transparent, inclusive, and as free and fair as possible given that they will be conducted while Palestinians remain under military occupation. This includes encouraging the Palestinian leadership to go through with elections and allowing Palestinian Jerusalemites to vote and campaign. However, in the absence of an ability to hold elections, other modalities for developing consensus should be considered and, where relevant, supported by Europe. Moreover, EU aid to the Palestinians, and in particular to the PA, should be reviewed through the lens of whether the institutions being supported are acting in a transparent and accountable manner. This would include any support for the security sector, the rule of law sector and other institutions. In the absence of oversight mechanisms, and where there is clear evidence of abuse and repressive/authoritarian practices, EU support should be withdrawn (see below).

As the political and security situation in the occupied West Bank including East Jerusalem continues to deteriorate, Israeli repression against Palestinian civilians is likely to escalate. The EU should anticipate such a situation and work with key stakeholders and mechanisms including the Munich group to take steps to prevent rights violations and increased Palestinian displacement on a massive scale under the fog of the rising violence. The EU should direct aid to Palestinian civil society organisations engaged in sustaining the population on the land, including the popular committees and rural cooperatives.

On European aid to the Palestinians

It is very difficult to justify significant European aid to the Palestinians as being linked to a project of upholding international law, supporting rights, or even of promoting state-building and conflict resolution. In line with the arguments made above, aid to the Palestinians has become part of a status quo in which the actual terms of the Palestinian existence are deteriorating, Israel is in permanent violation of international law, and a resolution has become less rather than more likely. In this respect, the following steps should be considered:

- The EU is sending an unhelpful signal in the highly selective approach it has taken in conditioning Palestinian aid around the issue of what is taught in Palestinian textbooks. Aid has been blocked for spurious reasons, it encourages a de-contextualised overall approach to the conflict, it has dramatically increased Palestinian public scepticism and hostility to Europe. The political game surrounding the textbooks should be discontinued and the case of their review terminated.
- As noted above, the aid relationship should be premised on what advances Palestinian economic viability and rights on the ground, rather than what assists an ineffective PA. In particular in this respect, support for PA institutions involved in security and policing must be assessed through the prism of the respect those institutions maintain or violate towards the freedoms, rights and well-being of their own citizens. This could involve a clearer European role in the overall framing of the functioning of the security apparatus in the absence of a solution and of the ending of the conflict. To the extent that the EU supports the PA's overall budget, aid is a tool that could be conditioned to push for democratic reform (separation of powers) and elections as well.
- The EU should continue and increase its commitment to strategically financially support the UNRWA, which is both a necessary component of security and political resolution in the future and also part of an international unrealised commitment to Palestinian refugees.
- In the light of all of the above, Europe should consider expanding its aid to the Palestinian civil society sector, including to human rights defenders under attack, both domestically and by Israel (see below).
- The EU should carry forward these positions in its involvement with and interaction in the ad hoc liaison committee (AHLC), which is a donor coordinating body. For instance, in line with the recommendations from the latest report to the AHLC, the EU could push for adjusting the Paris Protocol on Economic Relations to give Palestinian authorities more room for manoeuvre when it comes to e.g., setting VAT rates. The EU can do this in close coordination with Norway which chairs the AHLC.

On the role of the EP

As much as divisions within member states have flared up within the Council of the European Union on issues connected to the EU's relations with Israel and Palestine and have practically materialised in the MEPP disappearing from the agenda of Council bodies, the increasing polarisation within political groups of the EP on those issues has resulted in the EP losing sight of the MEPP and of its responsibility.

It is true that the EP has limited competence when it comes to the definition and implementation of the EU's foreign policy. The EP had no specific role ahead of and during the Association Council meeting between the EU and Israel on 3 October⁶¹. Since the Egypt-EU-Israel trilateral agreement signed in June 2022 was an MoU, the EP was not entitled to use its power of 'consent' that the EU Treaties foresee for legally binding international agreements to make the case for the introduction of the territorial clause in the report (see Chapter 3.1.1)⁶². A year earlier, in May 2020, the EP ratified the EU-Israel Aviation Agreement amid Israeli announcements about a possible annexation of parts of the West Bank (EP, 2019b). Moreover, ratification of a protocol to the Euro-Mediterranean Interim AA on trade and cooperation between the EU and PA on the general principles for its participation in Union programmes is in the pipeline as well.

⁶¹ Ahead of the Council decision to reconvene an Association Council, a group of 158 members of the EP had addressed a letter to Ursula von der Leyen, Josep Borrell and Oliver Várhelyi asking for such a development. Two weeks ahead of the Association Council, a group of 47 MEPs sent a letter to Josep Borrell asking to cancel the meeting or to condition it.

⁶² A group of MEPs could only send a written question on that issue on 23 June 2022 (EP, 2022d) to which the HR/VP replied on 28 July 2022.

This leaves the EP with the possibility to use two remaining assets: its political clout as a recognised defender of human rights⁶³ and its budgetary power.⁶⁴ Yet, the EP's track records on these fronts are also rather limited. Internal debates within various bodies of the EP on issues related to the EU's relations with Israel are more polarised under the current legislature (2019-2024) than under previous ones, as exemplified by the EP Plenary debate on EU strategy towards Israel and Palestine in May 2021 that did not lead to an adopted resolution. This has resulted indeed in the EP being less vocal on political developments related to the MEPP and the EU's relations with Israel and Palestine, and in particular on human rights violations (EP, 2021c). Except for statements released by the chair of the Palestine Delegation of the EP (EP, 2021b), there is little trace of press releases related to those issues on the webpages of the EP's Committee on Foreign Affairs (AFET) and the EP's Subcommittee on Human Rights (DROI)⁶⁵. A group of MEPs from the DROI sub-committee was supposed to visit Israel and Palestine in July 2022, but the visit was cancelled following objections from the Israelis⁶⁶.

Instead of endorsing the role as an MEPP champion in the EU institutional system and acting as a vocal supporter of human rights, the EP has joined the Council in adopting a very careful position whereby the concern of not antagonising Israel has prevailed. In this regard, the visit of the President of the European Parliament to both Palestine and Israel, including her speech to the Knesset, was criticised for being too cautious.⁶⁷ While she stressed common EU and Israeli values and reiterated EP's firm support to the MEPP as well as to a 'two-state solution - with the secure State of Israel and an independent, democratic, contiguous, viable Palestinian State living side by side in peace and security', she did not include any reference to terms such as annexation or occupation.

In the light of the developments described above, the authors:

- Recommend the EP to use the opportunity of the own-initiative recommendation on EU relations with Palestine scheduled for early 2023 to broaden the scope of the EP's attention, beyond the textbook issue;
- Recommend to extend the scope of any debate on conditionality, incorporating other concerns such as indefinite postponement of the elections, human rights abuses, and erosion of rule of law. Moreover, the authors recommend that conditionality towards assistance to the Palestinians should only be pursued if conditionality is applied to Israel in its EU relations as well in regard to its violations of international law and human rights;
- Recommend the EP to exercise its consultation role as part of the CFSP, with the objective to press the EEAS to prevent bilateral EU-Israel relations from being further disconnected from the MEPP;

⁶³ For instance, EP representatives sent a written question on Israel's decision to designate six Palestinian human rights NGOs as terrorist organisations to the HRVP in November 2021 (https://www.europarl.europa.eu/doceo/document/E-9-2021-004982_EN.html).

⁶⁴ Besides, the EP can also use the regular political dialogue and scrutiny of CFSP per exchanges with the HR/VP, EEAS, EUSRs, and through the approval of the annual CFSP budget. The EP (AFET and DEVE committees) also conducts a twice-yearly geopolitical dialogue with EU Commissioners for Neighbourhood and Enlargement, for International Partnerships, and with the HR/VP on the strategic orientations of the NDICI-Global Europe. For example, aid to Palestine under NDICI-Global Europe was discussed in the high-level geopolitical dialogue on 15 June 2021. See more on the EP's foreign policy powers and instruments: (EP, 2021a).

⁶⁵ From hundreds of press releases made available on the dedicated webpage of the DROI Committee (EP, 2022e; consulted by the authors on 30 September 2022) between July 2019 and 22 September 2022, none include Israel, Palestine or the Middle East Peace Process in its title. On the issue of the designation of Palestinian organisations as "terrorist organisations" by Israel, the EP was also relatively silent.

⁶⁶ The last visit of AFET representatives to Israel and Palestine took place in January 2017 (EP, 2019a).

⁶⁷ Her speech in the Knesset was first interrupted by shouting from Knesset member Ahmad Tibi of the Joint List (Times of Israel & Keller-Lynn, 2022). It was also criticised in an opinion piece by another member of the Knesset representing the Joint List, Sami Abu Shehadeh (Shehadeh, 2022), and in an open letter addressed to her and published by some Palestinian Civil Society Organisations (Addameer Prisoner Support and Human Rights Association et al., 2022).

- Recommend that, for future ratifications of international agreements between the EU and Israel, the EP should carefully consider the political context and likely impact of such a decision on the MEPP, ensuring that they do not stand in violation of international law and EU differentiation policies;
- Recommend the EP to request an external evaluation on the implementation of differentiation across EU member states;
- Recommend the EP to promote a debate on shrinking space for civil society, including on the issue of the listing of organisations as terrorist organisations by Israel, to ensure that the precedent of May 2021 (whereby the EU was one of the only donors to suspend EU funding to Palestinian organisations after the Israeli designation) does not repeat itself, and to press for relevant EU authorities to incorporate into their language an explicit requirement (backed by a list of potential consequences should their conditions be unfulfilled) that the Israeli authorities reverse their decision on the designation of organisations;
- Encourage the AFET Committee to press the EU to consider further practical support through the European Endowment for Democracy (EED) to Palestinian or Israeli organisations under exceptional circumstances as the EED did in other cases around the region;
- Recommend the EUSR to involve the EP in its 'Friends of MEPP' initiative;
- Recommend the EP to work with EU institutions and member states towards ensuring that MEPs are no longer refused entry into Gaza (the last MEP who visited Gaza was in 2015). This also applies to the president of the EP or the HR/VP. Recommend that all visits to Israel are suspended until this issue is resolved.

On supporting civil society and the digital rights of Palestinians

In the light of the 2016 NGO Law as well as the ongoing practice of labelling NGOs as terrorist organisations without due process, the EU must provide support to actors in the third sector. In particular, it should:

- Encourage easing of PA restrictions on NGO funding and registration;
- Encourage social media platforms to put in place mechanisms to de-platform those inciting violence and ensure these mechanisms function without discrimination as to the identity or the language of the inciting party;
- Discourage governmental restrictions on freedom of speech and publication;
- Encourage the EU to establish an independent monitor of government hate speech, dehumanisation and incitement so that each party can be held to one standard;
- Encourage the EU to explore avenues of countering attempts to conflate what is legitimate criticism of Israel and Zionism (including the Boycott, Divestment, Sanctions [BDS] movement) with antisemitism e.g., through the work of the EEAS Task Force South which could work on counter-communication strategies; this should be done with an understanding that exclusively working with, and further codifying, a reliance on the International Holocaust Remembrance Alliance (IHRA) is a problematic way forward which should be revisited and focus less on free speech around Israel, including by referencing the Jerusalem Declaration on Antisemitism put forward by hundreds of highly prominent scholars in the field of Jewish history, contemporary Jewry and antisemitism studies. Jerusalem Declaration on Antisemitism (JDA, 2021).

Beyond these needed but rather symbolic actions, more concrete steps should be taken as well. For instance, the EU could accelerate and expand funding (e.g., through the European Endowment for Democracy) to the human rights groups and other groups criminalised by Israel unless and until Israel offers proper evidence and due process.

Moreover, the EU should consider the employment of reciprocal punitive measures being placed on Israel if it does not remove the COGAT restrictions on the entry of foreigners, including EU citizens and non-resident Palestinians, to the West Bank and Gaza, which affect families, businesses and academia alike. The lifting of restrictions on student life/access to education in the OPT and the ability of foreign teachers and students to teach and study in the OPT could be a condition for the expansion of cooperation between the EU and Israel in the field of education and research (e.g., under the Erasmus+ Programme).

Finally, Palestinians' fundamental rights are also systematically discriminated in the digital realm and face significantly cumulative challenges in that regard. The Palestinian digital space, an essential avenue for communication, expression and professional undertakings, is still far from the safety, justice, and protection of rights and freedoms that international law guarantees. These insufficiencies increasingly intersect with the phenomena of shrinking space for civil society and erosion in Europe, the USA and worldwide.

Palestinians are subject to a complex multi-layered surveillance system encompassing unlawful monitoring, tracking and profiling. Israel has become a global leader in the high-tech field mainly by testing spyware and other sophisticated surveillance software and technologies on the Palestinian population for years. The NSO (Niv, Shalev and Omri) and other Israeli initiatives go hand in hand with the militarised nature of the country's hi-tech sector and the Israeli authorities' total control of the Information and Communication Technology (ICT) infrastructure in all of Israel/Palestine. The numerous Pegasus scandals reveal the unprecedented extent of surveillance at the global level, but also the extent of Israel's security grip on the Palestinian digital space, notably by integrating facial recognition with a growing network of face-scanning cameras and unmanned drones, among others. Cases in point have been the mass surveillance initiative Blue Wolf, as well as the demonstrated hacking with Pegasus spyware of the six Palestinian NGOs later designated as 'terrorists'. The multiplication and intensification of these surveillance tools in occupied East Jerusalem documented by 7amleh — The Arab Center for the Advancement of Social Media — illustrate the petrifying impact on Palestinians' day-to-day lives. These technologies act contrary to both the EU and US foreign policies, principles, and even security interests.

In line with the 2021 US Department of Commerce decision to add the NSO Group to its trade restriction list, the EU should prohibit and sanction the use of the NSO Group's Pegasus spyware and include the NSO Group in its restrictive measures (sanctions) regime, further imposing an immediate moratorium on the sale, export, transfer and use of surveillance technology until adequate human rights safeguards are in place.

Surveillance technologies have also contributed to the monitoring, intimidation and harassment, and ultimately to the censorship and repression, of Palestinian content and voices in the digital realm worldwide. The intensification of these delegitimising practices over the past years is a by-product of the politicisation of the rights of the Palestinian people, part and parcel of a global effort to shrink Palestinian civil society's work inside and beyond Palestine, both online and offline. Violations of freedom of expression, association and thought, among others, have become commonplace, and 7amleh's report Hashtag Palestine 2021 highlighted a rise in violations of Palestinian digital rights in the last months. Palestinian fundamental freedoms on the Internet are violated by state actors. Israel's so-called Facebook Law allows the country's Public Prosecution to refer to the Israeli courts to issue binding decisions to remove any content online. The Palestinian Authority and Hamas as the *de facto* authority of the Gaza Strip regularly assault basic freedoms, as well as rights to privacy and data protection. Additionally, Internet providers act as essential gatekeepers, their content moderation mechanisms and lack of transparency leading to the systematic over moderation of Palestinian content and under moderation regarding incitement to hate against Palestinians.

Algorithmic bias against Palestinian digital rights has also derived in pronounced rates of predictive policing and consequent censorship.

Since the EU intends to set global standards regarding digital transformation (which might also inspire US legislators), the operationalisation and implementation of the EU's Digital Services Act will need to guarantee the protection of digital rights in clarifying the relationship between Big Tech companies and their users.

Last but not least, Israel's complete control of the ICT infrastructure prevents Palestinians' equal access to free, high-quality and safe Internet. Among other consequences, Palestinians suffer from economic deplatforming and financial censorship and the prevention of financial flows through digital platforms impacting all kinds of economic activity and opportunities. The primary example is PayPal's denying access to Palestinians in the OPT but providing services to illegal Israeli settlers in the West Bank.

The EU should foster connectivity and protect the Internet's openness by condemning and fighting against network discrimination: addressing the digital divide regarding Israel/Palestine must take into consideration Israel's multi-layered occupation.

References

- Abu Tomaeh, K. (2022). *Palestinians launch initiative to change political system, rebuild institutions*. The Jerusalem Post. <https://www.msn.com/en-us/news/world/palestinians-launch-initiative-to-change-political-system-rebuild-institutions/ar-AA101LHT>
- Addameer Prisoner Support and Human Rights Association, & et al. (2022). *Open Letter to the President of the European Parliament - Denial of European Members of Parliament into Palestine by Israel's Apartheid Regime*. <https://media.euobserver.com/27a5920d85fd1ab31a37d79c046679f9.pdf>
- al Jazeera. (2021). *Iraq hosts summit aimed at easing regional tensions*. <https://www.aljazeera.com/news/2021/8/28/iraq-hosts-regional-summit-aimed-at-easing-regional-tensions>
- al Jazeera. (2022a). *Israel boosts ties with Arab allies, Palestinians not included* . <https://www.aljazeera.com/news/2022/3/28/blinken-and-arab-foreign-ministers-meet-at-negev-summit>
- al Jazeera. (2022b). *Why is Ukrainian and Palestinian resistance treated differently?* . YouTube. <https://www.youtube.com/watch?v=2qQN9KprwFc>
- al-Mughrabi, N., & Williams, D. (2020). *Stop or suspend West Bank annexation? Devil in the detail for Israel-UAE deal*. Reuters. <https://www.reuters.com/article/us-israel-emirates-usa-communique-idUSKBN25T2FE>
- Alpher, Y. (2015). *Periphery: Israel's Search for Middle East Allies* . <https://rowman.com/ISBN/9781442231016>
- Alsayaegh, A. (2022). *Dangers of an Anti-Iran Military Alliance*. Carnegie Endowment for International Peace. <https://carnegieendowment.org/sada/88005>
- Anabtawi, S., & Brown, N. J. (2019). *Why Mahmoud Abbas dissolved the Palestinian parliament — and what it means for the future*. The Washington Post. <https://www.washingtonpost.com/news/monkey-cage/wp/2019/01/18/heres-what-the-dissolution-of-the-legislative-council-means-for-the-future-of-palestinian-governance/>
- Anadolu Agency. (2021). *US embassy to remain in Jerusalem: Blinken*. <https://www.aa.com.tr/en/americas/us-embassy-to-remain-in-jerusalem-blinken/2115976>
- AP News. (2020). *US, Israel extend science accords into West Bank settlements*. <https://apnews.com/article/science-israel-west-bank-international-law-jerusalem-0fd5bd1b2fadd80c8486c16c14a22427>
- Arab Barometer. (2022). *How Do MENA Citizens View Normalization With Israel?* <https://www.arabbarometer.org/2022/09/how-do-mena-citizens-view-normalization-with-israel/>
- Arab summit. (2002). *Arab Peace Initiative*. https://www.kas.de/documents/268421/268470/7_file_storage_file_3659_1.pdf/9e869fab-4352-2a63-5795-a662f1139ad3?version=1.0&t=1539659741069
- Asbali, N. (2022). *Why is Ukrainian resistance celebrated but Palestinians' condemned?* Middle East Eye. <https://www.middleeasteye.net/opinion/why-resistance-valourised-ukraine-and-condemned-palestine>
- Asseburg, M., & Goren, N. (2019). *Divided and Divisive. Europeans, Israel and Israeli-Palestinian Peacemaking*. https://www.swp-berlin.org/publications/products/fachpublikationen/Asseburg_PAX_REPORT_Divided_Divisive.pdf
- Asseburg, M., & Goren, N. (2022). *Challenges for Israel, the EU and Israel-Europe Relations Democratic Backsliding and Securitization*. [https://www.swp-](https://www.swp-berlin.org/publications/products/fachpublikationen/Asseburg_PAX_REPORT_Divided_Divisive.pdf)

[berlin.org/publications/products/fachpublikationen/Asseburg_Goren_Democratic_Backsliding_PA_X_MITVIM_SWP_July_2022.pdf](https://www.berlin.org/publications/products/fachpublikationen/Asseburg_Goren_Democratic_Backsliding_PA_X_MITVIM_SWP_July_2022.pdf)

Awad, O. (2022). *Brief Report on the Population of Palestine at the End of 2021*.

<https://arabcenterdc.org/resource/brief-report-on-the-population-of-palestine-at-the-end-of-2021/>

AWRAD. (2021). *Results of a public opinion poll among Palestinians in the West Bank*.

Beinart, P. (2019). *It's Time to End US Blank Check Military Aid to Israel*.

<https://forward.com/opinion/424591/its-time-to-end-americas-blank-check-military-aid-to-israel/>

Beyond Mainstream Media. (2017). *President Donald Trump Palestine Speech, Press Conference President Abbas, Bethlehem Speech*. Youtube. <https://www.youtube.com/watch?v=z71ZMTXZ0J8>

Borrell, J. (2022). *The EU-Israel Association Council discussed the difficult path for peace in the region*. EEAS.

https://www.eeas.europa.eu/eeas/eu-israel-association-council-discussed-difficult-path-peace-region_en

Brown, N. J., & Pran, V. (2022). *A Procedural Guide to Palestinian Succession: The How of the Who - Carnegie Endowment for International Peace*. Carnegie Endowment for International Peace.

<https://carnegieendowment.org/2022/09/27/procedural-guide-to-palestinian-succession-how-of-who-pub-88020>

Carey, A., Salman, A., & Khadder, K. (2021). *Abbas postpones Palestinian elections, blaming Israel over East Jerusalem impasse*. CNN.

<https://edition.cnn.com/2021/04/29/middleeast/abbas-postpones-palestinian-elections-intl/index.html#:~:text=%28CNN%29%20Palestinian%20Authority%20President%20Mahmoud%20Abbas%20has%20announced,confirm%20it%20will%20allow%20voting%20in%20East%20Jerusalem.>

Carter Center. (2022). *2022 Municipal Elections - Final Report*.

https://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/west-bank-gaza-expert-mission-municipal-elections-final-report-041522.pdf

Ciensi, J. (2017). *Why Poland doesn't want refugees*. <https://www.politico.eu/article/politics-nationalism-and-religion-explain-why-poland-doesnt-want-refugees/>

Congressional Research Service. (2020). *The Palestinians and Amendments to the Anti-Terrorism Act: U.S. Aid and Personal Jurisdiction*. <https://crsreports.congress.gov/product/pdf/R/R46274/2>

Congressional Research Service. (2021). *U.S. Resumption of Foreign Aid to the Palestinians*.

<https://crsreports.congress.gov/product/pdf/IN/IN11649>

Congressional Research Service. (2022a). *Israel: Background and U.S. Relations*.

<https://www.hsdl.org/?view&did=868659>

Congressional Research Service. (2022b). *U.S. Foreign Aid to Israel*.

<https://sgp.fas.org/crs/mideast/RL33222.pdf>

Cook, S. A. (2017). *Moving the U.S. Embassy to Jerusalem Is a Bad Idea for Everyone—Except Israeli Hard-Liners and Their American Friends*. Council on Foreign Relations. <https://www.cfr.org/blog/moving-us-embassy-jerusalem-bad-idea-everyone-except-israeli-hard-liners-and-their-american>

Council of the European Union. (2013). *Press release — 3286th Council meeting*.

https://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/EN/foraff/140119.pdf

Council of the European Union. (2016). *Council conclusions on the Middle East Peace Process*.

<https://data.consilium.europa.eu/doc/document/ST-5328-2016-INIT/en/pdf>

Council of the European Union. (2022a). *Council decision amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)*.

<https://data.consilium.europa.eu/doc/document/ST-9344-2022-INIT/en/pdf>

- Council of the European Union. (2022b). *Foreign Affairs Council of 18 July 2022*. <https://www.consilium.europa.eu/en/meetings/fac/2022/07/18/>
- Council of the European Union. (2022c). *Relations with Israel - European Union's position for the Association Council's 12th meeting*. <https://www.consilium.europa.eu/media/59337/st13103-en22.pdf>
- Court of Justice of the European Union. (2010). *Judgement of 25 February 2010 in Case C-386/08*. <https://curia.europa.eu/juris/document/document.jsf?text=&docid=82274&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1&cid=13162615>
- Court of Justice of the European Union. (2019). *Judgement of 12 November 2019 in Case C-363/18*. <https://curia.europa.eu/juris/document/document.jsf;jsessionid=8E24C6DD535F584627130079981CC5EA?text=&docid=220534&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=1606690>
- Dag, B. (2021). *Some European envoys snub event at US embassy in Jerusalem*. Anadolu Agency. <https://www.aa.com.tr/en/europe/some-european-envoys-snub-event-at-us-embassy-in-jerusalem/2303289>
- Delegation of the EU to the UN. (2022a). *EU Statement - UN Security Council Open Debate on the Middle East*. https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-un-security-council-open-debate-middle-east_en
- Delegation of the EU to the UN. (2022b). *EU Statement — UN Security Council: Open debate on the Middle East, including the Palestinian question*. https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-%E2%80%93-un-security-council-open-debate-middle-east-including_en?s=63
- Delegation of the EU to the UN. (2022c). *EU Statement — United Nations Security Council: Situation in the Middle East, including the Palestinian question*. https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-%E2%80%93-united-nations-security-council-situation-middle-east-1_en
- Deutch, G. (2022). *Early optimism from Mideast peacebuilders following new U.S. grants*. <https://jewishinsider.com/2022/04/middle-east-peace-nita-lowey-israel-palestinians/>
- Doha Institute. (2018). *Arab Index*. <https://arabindex.dohainstitute.org/AR/Documents/AOI-Full-report-2017-2018.pdf>
- Doyle, C. (2022). *The West is right to hold Moscow to account for its crimes, but what about Israel?* . Middle East Eye. <https://www.middleeasteye.net/opinion/russia-ukraine-war-west-account-crimes-what-about-israel>
- Dror, T. (2014). 'Always the bridesmaid?' The EU role in the Middle East Peace Process. *ICSR*. https://icsr.info/wp-content/uploads/2014/07/ICSR_Atkin-Series_Tal-Dror-Paper.pdf
- Dumper, M. (2019). *The U.S. Embassy Move to Jerusalem: Mixed Messages and Mixed Blessings for Israel?* Review of Middle East Studies, 53(1), 34–45. <https://doi.org/10.1017/RMS.2019.2>
- EC. (1980). *Venice Declaration on the Middle East*. <https://www.un.org/unispal/document/auto-insert-209872/>
- EC. (2019). *EUROPEAN JOINT STRATEGY IN SUPPORT OF PALESTINE (2017-2020)* . https://neighbourhood-enlargement.ec.europa.eu/system/files/2019-01/european_joint_strategy_in_support_of_palestine_2017-2020.pdf
- EC. (2021a). *Israel joins Horizon Europe research and innovation programme*. https://research-and-innovation.ec.europa.eu/news/all-research-and-innovation-news/israel-joins-horizon-europe-research-and-innovation-programme-2021-12-06_en
- EC. (2021b). *JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on strengthening the EU's contribution to rules-based multilateralism*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021JC0003&from=en>

- EC. (2022a). *Biennial evaluation of 2018–2019 Pegase Direct Financial Support ('Pegase DFS') to the Palestinian Authority*.
<https://www.eeas.europa.eu/sites/default/files/documents/Final%20Report%20Biennial%20Eval%20PEGASE%20DFS-1.pdf>
- EC. (2022b). *REPowerEU: Joint European action for more affordable, secure energy*.
https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1511
- EC DG for Trade. (2022). *European Union, Trade in goods with Occupied Palestinian Territory*.
https://webgate.ec.europa.eu/isdb_results/factsheets/country/details_occupied-palestinian-territory_en.pdf
- ECC Palestine. (2015). *EU funding to Israeli military companies and institutions through Horizon2020*.
<https://www.eccpalestine.org/eu-funding-to-israeli-military-companies-and-institutions-through-horizon2020/>
- Edmondson, C. (2021). *House Approves Funding for Israel's Iron Dome*. The New York Times.
<https://www.nytimes.com/2021/09/23/us/politics/israel-iron-dome-congress.html>
- EEAS. (2019). *Development Programmes (East Jerusalem, Area C, Water, Civil Society)*.
https://www.eeas.europa.eu/node/65569_en
- EEAS. (2020). *MEPP: Speech by HR/VP Josep Borrell in the EP on the US Middle East initiative*.
https://www.eeas.europa.eu/eeas/mepp-speech-hrvp-josep-borrell-ep-us-middle-east-initiative_en
- EEAS. (2021a). *Israel: Statement by the Spokesperson on new settlement expansion*.
https://www.eeas.europa.eu/eeas/israel-statement-spokesperson-new-settlement-expansion_en
- EEAS. (2021b). *Palestine: Statement by High Representative Josep Borrell on the postponement of the elections*. https://www.eeas.europa.eu/eeas/palestine-statement-high-representative-josep-borrell-postponement-elections_en
- EEAS. (2021c). *The European Union and Israel*. https://www.eeas.europa.eu/israel/european-union-and-israel_en?s=200#3472
- EEAS. (2022a). *European Parliament President Roberta Metsola speech to the Knesset*.
https://www.eeas.europa.eu/delegations/israel/european-parliament-president-roberta-metsola-speech-knesset_en?s=200
- EEAS. (2022b). *Israel/Palestine: Statement by the Spokesperson on the killing of Al Jazeera journalist*.
https://www.eeas.europa.eu/eeas/israelpalestine-statement-spokesperson-killing-al-jazeera-journalist_en
- EEAS. (2022c). *Palestine: Statement by the Spokesperson on Israeli actions against a number of CSOs in Ramallah*. https://www.eeas.europa.eu/eeas/palestine-statement-spokesperson-israeli-actions-against-number-csos-ramallah_en?s=206
- Efron, S., Schwindt, K., & Haskel, E. (2020). *Chinese Investment in Israeli Technology and Infrastructure: Security Implications for Israel and the United States*. <https://doi.org/10.7249/RR3176>
- Elgindy, K. (2012). *THE MIDDLE EAST QUARTET: A Post-Mortem*. https://www.brookings.edu/wp-content/uploads/2016/06/02_middle_east_elgindy_b-1.pdf
- Elgindy, K. (2017). *Trump just sabotaged his own peace process*.
<https://www.brookings.edu/blog/markaz/2017/12/07/trump-just-sabotaged-his-own-peace-process/>
- EP. (2003). *Question to the Commission: Classification of Hamas as a terrorist organisation*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A92003E002774&qid=1661801082866#ntr2-CE2004070EN.01014001-E0002>

- EP. (2017). *Debates - US President Trump's announcement to recognise Jerusalem as capital of Israel (debate)*. https://www.europarl.europa.eu/doceo/document/CRE-8-2017-12-12-ITM-015_EN.html
- EP. (2019a). *ACTIVITY REPORT OF THE EUROPEAN PARLIAMENT'S COMMITTEE ON FOREIGN AFFAIRS (AFET)*. <https://www.europarl.europa.eu/cmsdata/185501/AFET-Activity-Report-2014-2019.pdf>
- EP. (2019b). *EU/Palestinian Authority of the West Bank and the Gaza Strip Framework Agreement: participation of Palestinian Authority in Union programmes. Protocol to the EC/Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip Euro-Mediterranean Interim Association Agreement on Trade and Cooperation (2019/0164)*. [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2019/0164\(NLE\)&=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2019/0164(NLE)&=en)
- EP. (2021a). *Foreign policy: aims, instruments and achievements*. <https://www.europarl.europa.eu/factsheets/en/sheet/158/foreign-policy-aims-instruments-and-achievements>
- EP. (2021b). *Israel-Palestine conflict: MEPs call for immediate end to violence*. <https://www.europarl.europa.eu/news/en/press-room/20210517IPR04114/israel-palestine-conflict-meps-call-for-immediate-end-to-violence>
- EP. (2021c). *Transcript of the debate on the EU strategy towards Israel-Palestine*. https://www.europarl.europa.eu/doceo/document/CRE-9-2021-05-18-ITM-010_EN.html
- EP. (2022a). *Amendments 1-185 to the draft report of the Committee on Budgets on General budget of the European Union for the financial year 2023 - all sections (2022/0212(BUD))*. https://www.europarl.europa.eu/doceo/document/BUDG-AM-736655_EN.pdf
- EP. (2022b). *General budget of the European Union for the financial year 2023 - all sections*. https://www.europarl.europa.eu/doceo/document/TA-9-2022-0366_EN.html
- EP. (2022c). *Parliamentary question - Answer given by HR/VP Borrell i Fontelles on behalf of the EC*. https://www.europarl.europa.eu/doceo/document/E-9-2022-002264-ASW_EN.html
- EP. (2022d). *Parliamentary question - EU memorandum of understanding with Egypt and Israel on natural gas, and the absence of a territorial clause*. https://www.europarl.europa.eu/doceo/document/E-9-2022-002264_EN.html
- EP. (2022e). *Press releases | EP DROI Committee*. <https://www.europarl.europa.eu/committees/en/droi/home/press-releases>
- EP. (2022f). *Resolution of 17 February 2022 on the implementation of the common foreign and security policy*. https://www.europarl.europa.eu/doceo/document/TA-9-2022-0039_EN.html
- EP. (2022g). *Statement by the Bureau on the EU's decision to resume financial support for Palestine*. <https://www.europarl.europa.eu/delegations/en/statement-by-the-bureau-on-the-eu-s-deci/product-details/20220615DPU33221>
- EP. (2022h, February). *Guidelines for the 2023 budget - Section III*. https://www.europarl.europa.eu/doceo/document/TA-9-2022-0106_EN.pdf
- EU Egypt & Israel. (2022). *EU Egypt Israel Memorandum of Understanding*. https://energy.ec.europa.eu/eu-egypt-israel-memorandum-understanding_en
- EU Neighbours South. (2016). *Palestinians consider EU financial support effective, according to survey*. <https://south.euneighbours.eu/news/palestinians-consider-eu-financial-support-effective-according-survey/>
- EU Neighbours South. (2018). *Israel: EU launches first Twinning project in education*. <https://south.euneighbours.eu/news/israel-eu-launches-first-twinning-project-education/>
- EU Neighbours South. (2021). *Palestine - Imagine of the EU*. <https://south.euneighbours.eu/wp-content/uploads/2022/07/factsheet-Palestine-22-EG-1.pdf>

- European Council on Foreign Relations. (2022). *Differentiation Tracker*. <https://ecfr.eu/special/differentiation-tracker/>
- FAOSTAT. (2022). *Detailed trade matrix*. <https://www.fao.org/faostat/en/#data/TM>
- Ferrerolf, J., & Cha, J. (2020). *Few in other countries approve of Trump's major foreign policies, but Israelis are an exception*. Pew Research Center. <https://www.pewresearch.org/fact-tank/2020/02/03/few-in-other-countries-approve-of-trumps-major-foreign-policies-but-israelis-are-an-exception/>
- Georg Eckert Institute. (2021). *Report on Palestinian Textbooks*. <https://owncloud.gei.de/index.php/s/FwkMw8NZgCAJgPW>
- German Federal Foreign Office. (2021). *Munich-format meeting in Paris: For peace and stability in the Middle East*. <https://www.auswaertiges-amt.de/en/aussenpolitik/munich-format-meeting-paris-middle-east/2447366>
- Goren, N. (2020). *Beyond the Trump Plan: How Can the International Community Advance Israeli-Palestinian Peacemaking?* <https://www.pij.org/articles/2002/beyond-the-trump-plan-how-can-the-international-community-advance-israelipalestinian-peacemaking>
- Gwertzman, B. (1981). *U.S. AND ISRAEL SIGN STRATEGIC ACCORD TO COUNTER SOVIET*. The New York Times. <https://www.nytimes.com/1981/12/01/world/us-israel-sign-strategic-accord-counter-soviet-text-memorandum-page-a14.html>
- Haj Yahia, D. (2022). *Eight Arab Citizens of Israel Explain Why They Won't Vote*. Haaretz. <https://www.haaretz.com/israel-news/elections/2022-10-03/ty-article-magazine/.highlight/eight-israeli-arabs-explain-why-voter-turnout-could-sink-to-a-new-low/00000183-9a17-de97-a5ff-baff51090000>
- Hassan, Z. (2018). *Trump's Plan for Israel and Palestine: One More Step Away From Peace*. Carnegie Endowment for International Peace. <https://carnegieendowment.org/2018/12/11/trump-s-plan-for-israel-and-palestine-one-more-step-away-from-peace-pub-77905>
- Hassan, Z., Hijab, N., Abdel Razek, I., & Younis, M. N. (2021). *Reviving a Palestinian Power: The Diaspora and the Diplomatic Corps*. Al-Shabaka. <https://al-shabaka.org/reports/reviving-a-palestinian-power-the-diaspora-and-the-diplomatic-corps/>
- Hassan, Z., & Muasher, M. (2022). *Why the Abraham Accords Fall Short*. Foreign Affairs. <https://www.foreignaffairs.com/middle-east/why-abraham-accords-fall-short>
- Hayes, B. (2010). *European Union R&D subsidises for Israeli security actors Submission to the London Session of the Russell Tribunal on Palestine*. <https://www.statewatch.org/media/documents/news/2010/nov/russell-tribunal-on-palestine-ben-hayes.pdf>
- Hendrix, S. (2022). *Biden visits Palestinians, Abbas ahead of Saudi trip, pledges Abu Akleh investigation*. The Washington Post. <https://www.washingtonpost.com/world/2022/07/15/biden-palestine-jerusalem-abbas/>
- Hermann, T., & Anabi, O. (2019). *Comprehensive Peace Agreement & Unilateral Withdrawal*. IDI. <https://en.idi.org.il/articles/26828>
- Hermann, T., & Anabi, O. (2020). *Israelis Believe Netanyahu's Investigations Will have the Greatest Impact on the Vote*. IDI. [https://en.idi.org.il/articles/29689?ct=t\(EMAIL_CAMPAIGN_2_3_2020_10_46\)](https://en.idi.org.il/articles/29689?ct=t(EMAIL_CAMPAIGN_2_3_2020_10_46))
- Holmes, O. (2021). *Israeli coalition ousts Netanyahu as prime minister after 12 years*. The Guardian. <https://www.theguardian.com/world/2021/jun/13/benjamin-netanyahu-ousted-israel-prime-minister-coalition-12-years>
- Hostovsky Brandes, T. (2019). *What Difference Does it Make to Fully Annex the Quasi-Annexed Occupied Territories?* <https://verfassungsblog.de/what-difference-does-it-make-to-fully-annex-the-quasi-annexed-occupied-territories/>

- Human Rights Watch. (2022). *Palestine: Impunity for Arbitrary Arrests, Torture*.
<https://www.hrw.org/news/2022/06/30/palestine-impunity-arbitrary-arrests-torture>
- I24NEWS. (2022a). *Israel Hosts Moroccan Military Chief In Historic First*.
<https://www.i24news.tv/en/news/israel/defense/1663094228-israel-hosts-moroccan-military-chief-in-historic-first>
- I24NEWS. (2022b). *Saudi Ambush At UN: Israel Not Invited To Meeting On Palestinian Issue*.
<https://www.i24news.tv/en/news/israel/diplomacy/1663767800-saudi-ambush-at-un-israel-not-invited-to-meeting-on-palestinian-issue>
- ICG, & USMEP. (2022). *Israel's Winning Coalition: Culmination of a Long Rightward Shift*.
https://usmep.us/media/filer_public/8b/5f/8b5f757e-7a45-4ff7-a605-3b532e188a53/israel-elections-q-and-a-08xi22.pdf
- IDI. (2021). *Israeli Voice Index - October 2021*.
https://en.idi.org.il/media/16910/israeli_voice_index_data_2110_eng-%D7%9E%D7%A7%D7%95%D7%A6%D7%A8.pdf
- IEA. (2022). *How Europe can cut natural gas imports from Russia significantly within a year*.
<https://www.iea.org/news/how-europe-can-cut-natural-gas-imports-from-russia-significantly-within-a-year>
- International Crisis Group. (2022). *Realigning European Policy toward Palestine with Ground Realities*.
<https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/realigning-european-policy-toward>
- ISPI. (2022). *Biden in the Middle East: Reigniting the US Agenda for the Region?*
<https://www.ispionline.it/en/pubblicazione/biden-middle-east-reigniting-us-agenda-region-35739>
- Israel & Egypt. (1978). *Framework for Peace in the Middle East and Framework for the Conclusion of a Peace Treaty between Egypt and Israel (Camp David Accords)*. <https://peacemaker.un.org/egyptisrael-frameworkforpeace78>
- Israel & Egypt. (1979). *Peace Treaty Between the State of Israel and the Arab Republic of Egypt*.
<https://peacemaker.un.org/egyptisrael-peace treaty79>
- Israel & PLO. (1993). *Declaration of Principles on Interim Self-Government Arrangements (Oslo I)*.
https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_930913_DeclarationPrinciplesnterimSelf-Government%28Oslo%20Accords%29.pdf
- Israel & PLO. (1994). *GAZA-JERICHO AGREEMENT - ANNEX IV Protocol on Economic Relations between the Government of the State of Israel and the P.L.O., representing the Palestinian people*.
<https://www.peaceagreements.org/viewmasterdocument/36>
- Israel & PLO. (1995). *Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II)*.
<https://www.refworld.org/docid/3de5ebbc0.html>
- Israel, & Bahrain. (2020). *Abraham Accords: Declaration of Peace, Cooperation and Constructive Diplomatic and Friendly Relations*. https://www.state.gov/wp-content/uploads/2020/09/Bahrain_Israel-Agreement-signed-FINAL-15-Sept-2020-508.pdf
- Israeli Ministry of Foreign Affairs. (2021). *Israel's Disengagement from Gaza and North Samaria (2005)*.
<https://www.gov.il/en/departments/general/israel-s-disengagement-from-gaza-and-north-samaria>
- Israeli Ministry of Foreign Affairs. (2022a). *Israel and Morocco sign economic cooperation and trade agreement*. <https://www.gov.il/en/departments/news/israel-and-morocco-sign-economic-cooperation-and-trade-agreement-21-feb-2022>
- Israeli Ministry of Foreign Affairs. (2022b). *Israel-UAE to sign historic Free Trade Agreement*.
<https://www.gov.il/en/departments/news/israel-uae-to-sign-historic-free-trade-agreement-30-may->

[2022#:~:text=The%20comprehensive%2C%20significant%20and%20groundbreaking,agriculture%2C%20cosmetics%2C%20medical%20equipment%2C](#)

Israeli Prime Minister's Office. (2022). *PM Lapid's Speech to the United Nations General Assembly*.

<https://www.gov.il/en/departments/news/event-speech-un220922>

Jackson, G. (2015). *The Showdown That Wasn't: U.S.-Israeli Relations and American Domestic Politics (1973–75)*. *International Security*, 39 (4), 130-169. . <https://www.jstor.org/stable/24480609>

Jalal, R. A. (2018). *Why Abbas wants to dissolve legislative council*. *Al-Monitor*. <https://www.al-monitor.com/originals/2018/10/palestinian-legislative-council-abbas-dissolution-amas.html>

JDA. (2021). *The Jerusalem Declaration on Antisemitism*. <https://jerusalemdeclaration.org/>

Jewish Virtual Library. (2022). *Israeli Elections - Voter Turnout (1949 - present)*.

<https://www.jewishvirtuallibrary.org/israeli-central-elections-committee>

John, T. (2017). *Why the United States is Saying Goodbye to UNESCO*. *Time*.

<https://time.com/4979481/unesco-us-leaving/>

Kagan, R. (2010). *Allies Everywhere Feeling Snubbed by President Obama*.

<https://carnegieendowment.org/2010/03/17/allies-everywhere-feeling-snubbed-by-president-obama-pub-40359>

Kashti, O. (2022). *Tel Aviv and the Israeli Government Spar Over School Maps Showing 1967 Borders*. *Haaretz*.

<https://www.haaretz.com/israel-news/2022-08-23/ty-article/.highlight/tel-aviv-schools-barred-from-using-map-of-israel-showing-green-line/00000182-c71f-dae5-a58e-d79fc42e0000>

Keller-Lynn, C. (2022). *Jewish Israeli voters have moved significantly rightward in recent years, data shows*.

The Times of Israel. <https://www.timesofisrael.com/israeli-jewish-voters-moved-significantly-rightward-in-recent-years-data-shows/>

Kingsley, P. (2022). *Why the Latest Palestinian Leader in the West Bank Is Unpopular - The New York Times*.

The New York Times. <https://www.nytimes.com/2022/07/15/world/middleeast/hussein-al-sheikh-palestinian-authoritywest-bank.html>

Kuttab, D. (2018). *Why was the Palestinian Legislative Council dismantled?* . *Al-Monitor*. <https://www.al-monitor.com/originals/2018/12/palestinian-legislative-council-abbas-dismantle-amas.html>

Lazaroff, T. (2021). *US changes its UN vote from 'no' to 'abstention' on UNRWA affirmation*. *The Jerusalem Post*.

<https://www.jpost.com/international/us-changes-its-un-vote-from-no-to-abstention-on-unrwa-affirmation-684542>

Lazaroff, T. (2022). *Palestinians will have 'an entity,' not a state, says Gantz*. *The Jerusalem Post*.

<https://www.jpost.com/middle-east/article-697070>

Lehrs, L. (2021). *Is the Middle East Quartet still relevant?* <https://mitvim.org.il/en/publication/is-the-middle-east-quartet-still-relevant/>

Lehrs, L. (2022). *One step forward, one step back: International discourse on advancing Israeli-Palestinian peacemaking*.

<https://mitvim.org.il/wp-content/uploads/2022/01/English-Lior-Lehrs-One-step-forward-one-step-back-January-2022.pdf>

Lehrs, L., Odeh, M., Goren, N., & Arqoub, H. A. (2021). *Addressing Needs, Promoting Peace: A Proposal for an International Incentives Package for Israeli-Palestinian Peace*.

<https://mitvim.org.il/wp-content/uploads/2021/02/A-Proposal-for-an-International-Incentives-Package-for-Israeli-Palestinian-Peace-February-2021.pdf>

Leifer, J. (2019). *The Real Target of Trump's Executive Order*. <https://jewishcurrents.org/the-real-target-of-trumps-executive-order>

Lerer, L., & Medina, J. (2021). *Tensions Among Democrats Grow Over Israeli-Palestinian Conflict*. *The New York Times*.

<https://www.nytimes.com/2021/05/15/us/politics/democrats-israel-palestinians.html>

- Lewis, S., & Pamuk, H. (2021). *Biden administration issues sharpest rebuke yet to Israel over settlements*. Reuters. <https://www.reuters.com/world/middle-east/us-voices-opposition-israels-plans-new-west-bank-settlement-homes-2021-10-26/>
- Lovatt, H. (2016). *EU differentiation and the push for peace in Israel-Palestine*. European Council on Foreign Relations. <https://ecfr.eu/publication/eu-differentiation-and-the-push-for-peace-in-israel-palestine7163/>
- Lovatt, H. (2021). *Back to democracy: Europe, Hamas, and the Palestinian elections*. European Council on Foreign Relations. <https://ecfr.eu/publication/back-to-democracy-europe-hamas-and-the-palestinian-elections/>
- Lovatt, H. (2022a). *From my info: Member states only approved the EU-Israel energy agreement on condition that it include a territorial clause referencing Israel's 1967 borders. The European Commission - which argued against - made a (half-hearted) late min attempt. Then gave in when Israel refused*. Twitter. https://twitter.com/h_lovatt/status/1537718151172980736?s=20&t=htHQRWIHmgijy-JPmdgfTiQ
- Lovatt, H. (2022b). *It is curious that there has been no Israeli reporting on UAE's inclusion of settlements. Had this been an EU agreement, Israel's govt and settlers would be taking a victory lap. A cynic could think there is a deliberate effort not to spook the UAE by drawing too much attention'*. Twitter. https://twitter.com/h_lovatt/status/1491028862389551107
- MacLeod, A. (2022). *The most racist Ukraine coverage on TV News. 1. The BBC - 'It's very emotional for me because I see European people with blue eyes and blonde hair being killed' - Ukraine's Deputy Chief Prosecutor, David Sakvarelidze*. Twitter. <https://twitter.com/AlanRMacLeod/status/1497974245737050120>
- MAS. (2022). *Background Paper, Round Table (3) - Resumption of US Aid to Palestine under the Biden Administration: Old Wine in Old Bottles?* <https://mas.ps/en/publications/6189.html>
- McGreal, C. (2022a). *Pro-Israel groups denounced after pouring funds into primary race*. The Guardian. <https://www.theguardian.com/us-news/2022/aug/04/aipac-pro-israel-groups-primary-race>
- McGreal, C. (2022b). *US accused of hypocrisy for supporting sanctions against Russia but not Israel*. The Guardian. <https://www.theguardian.com/world/2022/mar/07/us-sanctions-against-russia-but-not-israel>
- McGreal, C. (2022c). *US senators refuse to let killing of Shireen Abu Akleh drop with Israel*. The Guardian. <https://www.theguardian.com/world/2022/sep/26/shireen-abu-akleh-us-senators-israel>
- Melhem, A. (2022). *Hamas gains popularity in Jerusalem amid ongoing violence*. Al-Monitor. <https://www.al-monitor.com/originals/2022/04/hamas-gains-popularity-jerusalem-amid-ongoing-violence>
- Members of the European Parliament. (2022). *Reconvening the EU-Israel Association Council*. <https://www.antoniolopezisturiz.eu/wp-content/uploads/2022/07/letter-to-eC-HRVP-Association-Council.pdf>
- Mhawesh, M. R. (2022). *What the war in Ukraine taught us, Palestinians*. Al Jazeera. <https://www.aljazeera.com/opinions/2022/3/6/what-the-war-in-ukraine-thought-us-palestinians>
- Middle East Eye. (2017). *Hamas in 2017: The document in full*. <https://www.middleeasteye.net/news/hamas-2017-document-full>
- Middle East Monitor. (2022). *Israel court orders demolition of EU-funded school in West Bank*. <https://www.middleeastmonitor.com/20220811-israel-court-orders-demolition-of-eu-funded-school-in-west-bank/>
- MITVIM. (2015). *The 2015 Israeli Foreign Policy Index*. <https://mitvim.org.il/wp-content/uploads/2015-Israeli-Foreign-Policy-Index-of-the-Mitvim-Institute-2-1.pdf>

- MITVIM. (2016). *The 2016 Israeli Foreign Policy Index*. https://mitvim.org.il/wp-content/uploads/Report_-_2016_Israeli_Foreign_Policy_Index_of_the_Mitvim_Institute-1.pdf
- MITVIM. (2017). *The 2017 Israeli Foreign Policy Index*. <https://library.fes.de/pdf-files/bueros/israel/14808.pdf>
- MITVIM. (2018). *The 2018 Israeli Foreign Policy Index*. <https://library.fes.de/pdf-files/bueros/israel/14852.pdf>
- MITVIM. (2019). *The 2019 Israeli Foreign Policy Index*. https://mitvim.org.il/wp-content/uploads/English_Report_-_The_2019_Israeli_Foreign_Policy_Index_of_the_Mitvim_Institute.pdf
- MITVIM. (2020). *The 2020 Israeli Foreign Policy Index*. <https://mitvim.org.il/wp-content/uploads/English-Report-2020-Israeli-Foreign-Policy-Index-of-the-Mitvim-Institute.pdf>
- MITVIM. (2021). *The Israeli Foreign Policy Index for 2021*. <https://mitvim.org.il/wp-content/uploads/2021/10/English-Full-Report-2021-Israeli-Foreign-Policy-Index-of-the-Mitvim-Institute-October-2021.pdf>
- Morocco, & US & Israel. (2020, January). *Joint Declaration*. <https://www.state.gov/wp-content/uploads/2021/01/Joint-Declaration-US-Morocco-Israel.pdf>
- Morris, B. (2001). *Righteous victims : a history of the Zionist-Arab conflict, 1881-2001*. https://archive.org/details/righteousvictims00morr_0/page/252/mode/2up
- News Wires. (2021). *Jailed Palestinian leader Barghouti shakes up planned parliamentary elections*. <https://www.france24.com/en/middle-east/20210401-jailed-palestinian-leader-barghouti-shakes-up-planned-parliamentary-elections>
- Newton, C. (2021). *A history of the US blocking UN resolutions against Israel*. Al Jazeera. <https://www.aljazeera.com/news/2021/5/19/a-history-of-the-us-blocking-un-resolutions-against-israel>
- Norwegian Refugee Council. (2022). *For each day Biden spends in office, Israel displaces 3 Palestinians*. <https://www.nrc.no/news/2022/july/for-each-day-biden-spends-in-office-israel-displaces-3-palestinians/>
- Office of the Historian. (1991). *The Madrid Conference 1991*. <https://history.state.gov/milestones/1989-1992/madrid-conference>
- Official Journal of the European Union. (2011). *Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R1169&from=EN>
- Official Journal of the European Union. (2013). *OJ 2013/C 205*. <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:205:FULL:EN:PDF>
- Official Journal of the European Union. (2015). *OJ 2015/C, Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967*. https://www.europarl.europa.eu/meetdocs/2014_2019/documents/dpal/dv/4a_interpretativenoticeindicationorigin/4a_interpretativenoticeindicationoriginen.pdf
- Official Journal of the European Union. (2022). *OJ L 173/73*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022D1044&from=EN>
- Özgür Kaya, T. (2016). *The USA and the EU as a third party in Middle East peacemaking: an asymmetric division of labour*. *Journal of Transatlantic Studies*. <https://doi.org/10.1080/14794012.2016.1268791>
- Palestine National Council. (2022). *Statement by The Palestinian Central Council on Feb. 2022*. <https://www.palestinepnc.org/en/news/item/196-statement-issued-by-the-palestinian-central-council-pcc-31st-ordinary-session-ramallah-6-8-feb-2022-the-martyr-national-leader-jamal-muhaisen-session>
- PCPSR. (2017). *Palestinian-Israeli Pulse*. <http://www.pcpsr.org/en/node/678>

- PCPSR. (2018). *Public Opinion Poll No (70)*. <http://pcpsr.org/en/node/740>
- PCPSR. (2020). *Public Opinion Poll No (77)*. <https://www.pcpsr.org/en/node/819>
- PCPSR. (2021a). *Public Opinion Poll No (79)*.
<https://www.pcpsr.org/sites/default/files/Poll%2079%20English%20press%20release%20March%202021.pdf>
- PCPSR. (2021b). *Public Opinion Poll No (82)*. <https://pcpsr.org/en/node/866>
- PCPSR. (2022a). *Press Release: Public Opinion Poll No (84)*. <https://pcpsr.org/en/node/910>
- PCPSR. (2022b). *Public Opinion Poll No (83)*.
<https://pcpsr.org/sites/default/files/Poll%2083%20English%20press%20release%20March2022.pdf>
- PCPSR. (2022c). *Public Opinion Poll No (85)*. <http://www.pcpsr.org/en/node/920>
- Peace Now. (2022). *Population*. <https://peacenow.org.il/en/settlements-watch/settlements-data/population>
- Permanent Mission of the Federal Republic of Germany to the UN. (2018a). *EU members press stakeout on Khan al-Ahmar — France, Kingdom of the Netherlands, Poland, Sweden, United Kingdom, Belgium, Germany, Italy*. <https://new-york-un.diplo.de/un-de/20180920-joint-stmnt-khan-al-amar/2139144>
- Permanent Mission of the Federal Republic of Germany to the UN. (2018b). *EU8 statement for press stakeout on MEPP (France, Kingdom of the Netherlands, Poland, Sweden, United Kingdom, Belgium, Germany and Italy)*. <https://new-york-un.diplo.de/un-de/e8-mepp/2172242>
- Persson, A. (2020). *EU Diplomacy and the Israeli-Arab Conflict, 1967–2019* (Edinburgh University Press, Ed.).
- Peters, J., & Newman, D. (2013). *The Routledge Handbook on the Israeli-Palestinian Conflict*.
https://books.google.be/books?hl=pl&lr=&id=kftgQdNNDWAC&oi=fnd&pg=PR3&dq=history+of+the+israeli+Palestinian+conflict&ots=B6TDWjotVf&sig=Z23tZFzWpBWJO2qj7vXtQbou1uc&redir_esc=y#v=onepage&q=history%20of%20the%20israeli%20Palestinian%20conflict&f=false
- Pollock, D. (2022). *New Poll Reveals Moderate Trend Among East Jerusalem Palestinians*.
<https://www.washingtoninstitute.org/policy-analysis/new-poll-reveals-moderate-trend-among-east-jerusalem-palestinians>
- Qamar, Z. (2022). *More Democrats Than Ever Support The Palestinian Cause, And That's Dividing The Party*.
<https://fivethirtyeight.com/features/democrats-israeli-palestinian-conflict-divide/>
- Quartet. (2003). *Road Map to a permanent two-State solution to the Israeli-Palestinian conflict - Quartet - Question of Palestine*. <https://www.un.org/unispal/document/auto-insert-186742/>
- Ravid, B. (2022a). *Biden backs two-state solution along 1967 lines to end Israeli-Palestinian conflict*.
<https://www.axios.com/2022/07/15/biden-two-state-solution-palestinians-israel-conflict>
- Ravid, B. (2022b). *Scoop: U.S. asks Israel to avoid actions that could create tensions ahead of Biden visit*.
<https://www.axios.com/2022/06/15/israel-palestinians-biden-visit-abbas>
- Ravid, B. (2022c). *U.S., Israel and several Arab countries establish Negev Forum*.
<https://www.axios.com/2022/06/29/negev-forum-israel-bahrain-uae-us>
- Reliefweb. (2022). *Briefing to the Security Council on the Situation in the Middle East by Tor Wennesland Special Coordinator for the MEPP on Aug 2022*. <https://reliefweb.int/report/occupied-palestinian-territory/tor-wennesland-special-coordinator-middle-east-peace-process-briefing-security-council-situation-middle-east-25-august-2022>
- Research & Geopolitical Report. (2022). *UAE boosts trade partnership and investments in Iran*.
<https://www.specialeurasia.com/2022/02/18/uae-iran-trade-investments/>
- Reuters. (2019). *Palestinian President Mahmoud Abbas Grabs Power, Sidelines Hamas With New Court*.
<https://www.newsweek.com/mahmoud-abbas-hamas-court-power-decree-gaza-west-bank-446330>

- Reuters. (2022a). *Iraq to host another round of Iran-Saudi Arabia talks*. <https://www.reuters.com/world/middle-east/iraq-host-another-round-iran-saudi-arabia-talks-ministry-2022-03-12/>
- Reuters. (2022b). *U.S. State Dept says Israelis able to conduct a thorough probe of journalists' death*. <https://www.reuters.com/world/middle-east/us-state-dept-says-israelis-able-conduct-thorough-probe-journalists-death-2022-05-11/>
- Saad, L. (2021). *Americans Still Favor Israel While Warming to Palestinians*. <https://news.gallup.com/poll/340331/americans-favor-israel-warming-palestinians.aspx>
- Saad, L. (2022). *Americans Still Pro-Israel, Though Palestinians Gain Support*. <https://news.gallup.com/poll/390737/americans-pro-israel-though-palestinians-gain-support.aspx>
- Said, E. (2022). *Arab League voices 'total support' for Palestinians*. Al-Monitor: <https://www.al-monitor.com/originals/2022/11/arab-league-voices-total-support-palestinians>
- Saltzberg, E. (2019). *Reduce aid to Israel based on human rights violation*. Data for Progress. https://www.filesforprogress.org/memos/israel_palestine_2020_candidates/israel_palestine_polling_memo.pdf
- Sharon, J., & Magid, J. (2022). *In West Bank alongside Abbas, Biden endorses two states but says 'ground isn't ripe'*. The Times of Israel. <https://www.timesofisrael.com/in-west-bank-biden-endorses-two-states-but-says-ground-is-not-ripe/>
- Shehadeh, S. A. (2022). *Once again, Europe reveals it has surrendered to Israel*. Middle East Eye. <https://www.middleeasteye.net/opinion/israel-palestine-europe-reveals-surrendered-occupation>
- Shiloh, D. (1995). *Despite Pact, Israelis' Fear of Terror Remains*. <https://www.sfgate.com/news/article/Despite-Pact-Israelis-Fear-of-Terror-Remains-3023451.php>
- Sidło, K., & Cohen-Hadria, E. (2022). *A new agenda for the Mediterranean: Are the EU tools and means of action up to its ambitions?*. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/702558/EXPO_STU\(2022\)702558_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/702558/EXPO_STU(2022)702558_EN.pdf)
- Silver, L., & Fagan, M. (2022). *Most Israelis Express Confidence in Biden, but His Ratings Are Down From Trump's*. Pew Research Center. <https://www.pewresearch.org/global/2022/07/11/most-israelis-express-confidence-in-biden-but-his-ratings-are-down-from-trumps/>
- Smooha, S. (2020). *Still Playing by the Rules: Index of Arab-Jewish Relations in Israel 2019*. https://www.academia.edu/49106091/Still_Playing_by_the_Rules_Index_of_Arab_Jewish_Relations_in_Israel_2019
- Telhami, S. (2020). *Changing American Public Attitudes On Israel/Palestine: Does It Matter For Politics?* Project on Middle East Political Science. <https://pomeps.org/changing-american-public-attitudes-on-israel-palestine-does-it-matter-for-politics>
- Telhami, S. (2021). *Most Americans, including half of young Democrats, disapprove of Biden's handling of recent Gaza crisis*. <https://www.brookings.edu/blog/order-from-chaos/2021/07/29/most-americans-including-half-of-young-democrats-disapprove-of-bidens-handling-of-recent-gaza-crisis/>
- Times of Israel. (2022). *Poll predicts all-time-low Arab turnout in election, potentially boosting Netanyahu*. <https://www.timesofisrael.com/poll-predicts-all-time-low-arab-turnout-in-election-potentially-boosting-netanyahu/>
- Times of Israel, & Keller-Lynn, C. (2022). *European Parliament president to Knesset: To be antisemitic is to be anti-European*. <https://www.timesofisrael.com/european-parliament-president-to-knesset-to-be-antisemitic-is-to-be-anti-european/>
- Tocci, N. (2011). *The EU, the Middle East Quartet and (In)effective Multilateralism*. <http://www.mercury-fp7.net/>

- UN. (1967). *Resolution 242 (1967)*. <https://digitallibrary.un.org/record/90717?ln=en#record-files-collapse-header>
- UN. (1990). *UN General Assembly Resolution 45/130*. <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/565/19/IMG/NR056519.pdf?OpenElement>
- UN. (2020). *UN Secretary-General's Spokesman - on the announcement of an agreement between Israel and the Sudan*. <https://doi.org/10.2/JQUERY.MIN.JS>
- UN. (2022). *Heads of Mission of the EU and Likeminded Countries Visit Ein Samiya School Under Imminent Threat of Demolition - Press Release*. <https://www.un.org/unispal/document/heads-of-mission-of-the-eu-and-likeminded-countries-visit-ein-samiya-school-under-imminent-threat-of-demolition-press-release-non-un-document/>
- UN Human Rights. (2020). *Database of all business enterprises involved in the activities detailed in paragraph 96 of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem*. https://www.ohchr.org/sites/default/files/HRBodies/HRC/RegularSessions/Session43/Documents/A_HRC_43_71.docx
- UN OCHA. (2022a). *Protection of Civilians - occupied Palestinian territory*. <https://www.ochaopt.org/sites/default/files/poc-30-August-12-September-2022.pdf>
- UN OCHA. (2022b). *Protection of Civilians Report | 25 October - 7 November 2022*. <https://reliefweb.int/report/occupied-palestinian-territory/occupied-palestinian-territory-protection-civilians-report-25-october-7-november-2022#:~:text=This%20brings%20the%20total%20number,were%20shot%20with%20live%20ammunition.>
- UNGA. (2017). *Resolution adopted by the General Assembly on 21 December 2017 A/RES/ES-10/19*. https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_res_es_10_19.pdf
- UNGA. (2022). *Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan*. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/375/03/PDF/N2237503.pdf?OpenElement>
- United States Department of State. (2019). *Secretary Michael R. Pompeo Remarks to the Press*. <https://perma.cc/5L3G-GMER>
- UNRWA. (2021). *Governments and EU Pledges to UNRWA's Programmes in 2021*. https://www.unrwa.org/sites/default/files/government_and_eu_pledges_overall_ranking_1.pdf
- UNSC. (2002). *Security Council Resolution 1397*. <http://unscr.com/en/resolutions/1397>
- UNSC. (2016). *Security Council Resolution 2334*. <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>
- UNSCO. (2022). *AHLC & Socioeconomic reports*. <https://unsco.unmissions.org/ahlc-socioeconomic-reports>
- US. (2020). *Peace to Prosperity*. <https://trumpwhitehouse.archives.gov/peacetoprosperty/>
- US. (2022). *Limitation on assistance to the West Bank and Gaza*. [https://uscode.house.gov/view.xhtml?req=\(title:22%20section:2378c-1%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:22%20section:2378c-1%20edition:prelim))
- US & Israel. (2016). *Memorandum of Understanding*. <https://2009-2017.state.gov/documents/organization/265160.pdf>
- US Congress. (2021a). *Hamas International Financing Prevention Act (H.R.3685)*. <https://www.congress.gov/bill/117th-congress/house-bill/3685?s=1&r=73>

- US Congress. (2021b). *Palestinian International Terrorism Support Prevention Act of 2021 (S.1904)*. <https://www.congress.gov/bill/117th-congress/senate-bill/1904>
- US Department of State. (1997). *Foreign Terrorist Organizations*. <https://www.state.gov/foreign-terrorist-organizations/>
- US Department of State. (2021). *Secretary Antony J. Blinken Virtual Remarks at the UN Security Council Open Debate on Multilateralism*. <https://www.state.gov/secretary-antony-j-blinken-virtual-remarks-at-the-un-security-council-open-debate-on-multilateralism/>
- U.S. Embassy in Israel. (2022). *The Jerusalem U.S.-Israel Strategic Partnership Joint Declaration*. <https://il.usembassy.gov/the-jerusalem-u-s-israel-strategic-partnership-joint-declaration/>
- US Trade Representative. (2018). *Israel Free Trade Agreement*. <https://ustr.gov/trade-agreements/free-trade-agreements/israel-fta>
- Washington Institute. (2022). *TWI Interactive Polling Platform*. <https://www.washingtoninstitute.org/policy-analysis/twi-interactive-polling-platform>
- Weiss, M. (2022). *EU agrees to renew EU-Israel Association Council for first time since 2012*. The Irish Times. <https://www.irishtimes.com/world/middle-east/2022/07/19/eu-agrees-to-renew-eu-israel-association-council-for-first-time-since-2012/>
- WFP. (2021). *REGIONAL MARKET ANALYSIS: Economic Trends across RBC Region H1 2021 Update*. <https://docs.wfp.org/api/documents/WFP-0000130897/download/>
- White House. (2000). *Clinton Proposal on Israeli-Palestinian Peace*. https://www.usip.org/sites/default/files/Peace%20Puzzle/10_Clinton%20Parameters.pdf
- White House. (2009). *The President's Speech in Cairo: A New Beginning*. <https://obamawhitehouse.archives.gov/issues/foreign-policy/presidents-speech-cairo-a-new-beginning>
- White House. (2011). *Remarks by President Obama and Prime Minister Netanyahu of Israel After Bilateral Meeting*. <https://obamawhitehouse.archives.gov/the-press-office/2011/05/20/remarks-president-obama-and-prime-minister-netanyahu-israel-after-bilate>
- White House. (2016). *FACT SHEET: Memorandum of Understanding Reached with Israel*. <https://obamawhitehouse.archives.gov/the-press-office/2016/09/14/fact-sheet-memorandum-understanding-reached-israel>
- White House. (2019). *Proclamation on Recognizing the Golan Heights as Part of the State of Israel*. <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-recognizing-golan-heights-part-state-israel/>
- White House. (2022a). *FACT SHEET: The United States-Palestinian Relationship*. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/14/fact-sheet-the-united-states-palestinian-relationship/>
- White House. (2022b). *Readout of President Biden's Meeting with President Abbas of the Palestinian Authority*. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/15/readout-of-president-bidens-meeting-with-president-abbas-of-the-palestinian-authority/>
- White House. (2022c). *The Jerusalem U.S.-Israel Strategic Partnership Joint Declaration*. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/14/the-jerusalem-u-s-israel-strategic-partnership-joint-declaration/>
- Wikipedia. (2022). *Negev Summit*. https://en.wikipedia.org/wiki/Negev_Summit
- Williams, D. (2022). *Bahrain hosts Bennett as Israel wades into Gulf security*. Reuters. <https://www.reuters.com/world/europe/us-navy-eyes-israeli-robot-boats-bennett-visits-bahrain-official-says-2022-02-15/>

World Bank. (2022). *Food Security Update*.

<https://thedocs.worldbank.org/en/doc/40ebbf38f5a6b68bfc11e5273e1405d4-0090012022/related/Food-Security-Update-LXIX-September-15-2022.pdf>

World Bank Group. (2017). *Prospects for Growth and Jobs in the Palestinian Economy*.

<https://doi.org/10.1596/28893>

World Bank Group. (2022). *Economic Monitoring Report to the Ad Hoc Liaison Committee*.

<https://www.un.org/unispal/wp-content/uploads/2022/09/IDU0d06191180b10b040a709bde04af014ab10fd.pdf>

PE 702.573
EP/EXPO/AFET/FWC/2019-01/LOT2/R/02

Print ISBN 978-92-848-0034-6 | doi:10.2861/393357 | QA-04-22-277-EN-C
PDF ISBN 978-92-848-0035-3 | doi:10.2861/445199 | QA-04-22-277-EN-N