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The UN's Political Engagement in the Occupied Palestinian Territories: Reconceptualized
Strategies in Humanitarianism and Diplomacy in the Middle East Peace Process

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Spring 2018

SIT Switzerland: International Studies and Multilateral Diplomacy

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Abstract

This paper studies the humanitarian crisis in the occupied Palestinian territories, focusing on the Palestinians' short-term needs in emergency relief as well as their long-term needs regarding sustainable development, good governance, legal and physical protection. Against the backdrop of a cost/benefit analysis of the current UN humanitarian operational model, the paper then introduces new models of engagement, such the UN's positioning itself as a mediator between the PA and the civic society throughout the implementation of a decentralized development model. Within this framework, the UN is advised to complement its engagement by facilitating negotiations towards a unified Palestinian government that incorporates the PA's expertise in engaging the global political platform with the civic-based authority Hamas has within Palestine. The paper also proposes that the UN deploy a peace-keeping mission to help reduce the rate at which Israeli authorities and extremist settlers are pursuing a coercive environment in the WBGS. The last section of the essay highlights a reconceptualized diplomatic negotiation process spearheaded by the UN that complements its domestic operations. This reform essentially involves the expansion of the UN agenda to leverage the strategic partnerships the Gulf States, China, and Japan have with Israel and Palestine, as well as their financial powers to help sustain a viable Palestine until a settlement is reached.

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Introduction

Focus of the Study

Since Israel's independence in 1948, the UN has spearheaded the Middle East Peace Process [MEPP] to reach a settlement acceptable to both the state of Israel and the Palestinian state. Unfortunately, taking the most commonly accepted 1967 agreement as the basis for its operations, the UN has failed to implement his vision to establish lawful and just peace where two states co-exist with minimal tension. Rather, the Gaza Strip [GS] is under Israeli and Egyptian military blockade since 2007, severely restricting the movement of natural resources, goods and services, which in turn has created an emergent need for energy, clean water, and adequate medical attention. Further, the development model the UN has followed in Gaza has failed to build its infrastructure, especially in the face of the inflicted damage by the recurrent hostilities between Hamas and Israel's security forces. Comparably, the West Bank [WB] has been under Israeli occupation since the 1967 war. Under a discriminatory policy imposed on the territories in the West Bank and more recently in East Jerusalem [WBEJ], Israel is expanding its settlements by creating a coercive environment driven by settler extremism, evictions and demolitions, confiscation of Palestinian land for military purposes and its rezoning for Israeli economic growth, and freedom of movement imposed on Palestinians living near Israeli settlements. While the oPt receives frequent attention by global news agencies and humanitarian NGOs, the diplomatic process has come to a halt amidst the emerging wars and violent conflicts in the greater Middle East. Meanwhile, the welfare of Palestinians is at a rapid decline, making an eventual 2-state solution unviable should the negotiations ever proceed to that phase.

So, in light of the ineffective development models, the stagnated diplomatic process, and the distrust surrounding the neutrality of the conventional UN member states – the US and the EU - engaged in the occupied Palestinian territories [oPt], this essay asks the question, “what are the reconceptualized humanitarian strategies and diplomatic actors that the UN can embrace to help

sustain the Palestinian populations in the occupied Palestinian territories [oPt] throughout until the Middle East Peace Process is settled?”

Literature Review

In the UN Country Team Mission in the oPt July 2017 Report delineating Gaza’s development process in the last 10 years in areas of economic growth, infrastructure, basic social services like education and health, protection, and the preservation of human rights. After laying out the facts, it provides 3 essential drivers of the humanitarian crisis: the internal Palestinian divide between the West Bank and Gaza propagated by the disagreements between Fatah and Hamas; the Israeli closures be it in the form of blockades, checkpoints, or demolitions; and recurrent hostilities between the Israeli Defense Forces [IDF] and Hamas. Given the pace at which the conditions in the oPt change, this report is crucial to guaranteeing that an assumed reality checks out. Further, the reports published by the Office for Coordinator of Humanitarian Affairs [OCHA] from 2017 and the first few months complement the findings of the report, making it a credible source as foundation on which the essay builds its arguments.

With regards to the UN humanitarianism, Anne Le More’s *Killing with Kindness* is a bold scholarly article delimitating the process by which a development-focused UN engagement in Palestine shifted to a narrative of humanitarian aid in response emerging humanitarianism and evolving donor preferences. While 4 of the 5 interviews conducted has supported this argument, Sohail Luka of the European Commission [EC] Humanitarian Aid commission has stated that only around 5% of the EU’s operations focus on aid (Personal Encounter 27 February 2018), a large margin that challenges the theoretical position Le More takes in her piece. Still, 2 sources of peer-reviewed literature found in this essay further describe how the humanitarian frame in Palestine has damaged the socio-political setting. It is possible that while Luka emphasized the most recent quantitative dimension of the operations, the scholars are emphasizing the narrative

surrounding the UN involvement in the oPt that has been shaped since 1967. Another gap in knowledge this paper encounters with Le More is that she does not introduce any solutions that will address the problem she has described. So, to bridge that gap, Ben-Meir's *Development through Decentralization* is utilized. In this publication, a highly specialized mode of development is brought to the reader's attention, and its benefits to oPt are well-balanced with its potential costs. However, this paper posits that Ben-Meir's model is viable only with a unified Hamas-Fatah government; Palestine's history of corruption, authoritarianism, and political fragmentation makes it unlikely for the model to be self-sustainable under 2 modes of government.

In the last section, one main article the essay takes use of is Yakov Rabkin's piece on analysis regarding the payoffs of positioning China, Russia, and India as mediators of the MEPP. This publication is perhaps one of the most important sources to this paper, because its argument is one that has often been dismissed by the parties involved in the conflict who historically engaged in the Middle East. Further, the Baker Institute's piece on the Israel/Palestine conflict and the Gulf States makes the idea that it is time for non-US, non-EU member states to the UN to take over the MEPP more credible.

Research Methodology

To answer the research question and achieve its objectives, the project capitalizes on both primary and secondary sources of data. With regards to the former, the essay uses reports by the Office of the Coordination of Humanitarian Affairs [OCHA], by the World Health Organization [WHO], by Human Rights Watch [HRW], to describe the objective facts on the ground in the WBGS. It also uses UN Security Council [UNSC] and General Assembly [GA] Resolutions, articles of the Fourth Geneva Convention and the UN Charter, and the BADIL Resource Center's report on Operation Cast Edge when discussing the effectiveness of international law enforcement in

mitigating the violations of IHL and IHRL. A second source of primary resources is formal and informal interviews with 5 experts on the subject chosen depending on their personal and academic relevance, as well as the potential level of discretion surrounding the interview. When conducting the interviews, the project has put great effort into the ethical considerations that are necessary in the creation of credible research. As such, in each of the interviews, the student conducting the interview has explained that the interviewee had a right to anonymity, to refuse any/all of the questions, to terminate the interview at any point, and to keep any/all of the sensitive information and/or names confidential. The student has also clarified in all interviews that the answers are not reflective of the organizations with which the interviewees are associated. Complementarily, all quotes in the essay that are used in reference to an interviewee are approved beforehand by their corresponding expert.

The secondary sources of research in this project are twofold. On the one hand, it uses scholarly articles and peer-reviewed literature to gather different perspectives on how to approach the Palestinian crisis both in the short term in responding to the humanitarian crisis, and in the long-term when developing a viable Palestinian state. On the other hand, the essay draws on several news published within the last 10 months by credible news outlets to evaluate whether the arguments and predictions laid out by scholars still hold or have lost their weight given the rapidly changing conditions on the ground. While the majority of the data is qualitative, the essay also displays quantitative data on the conditions in the WBGS to demonstrate the gravity of the situation on hand.

Definitions and the Theoretical/Analytical Framework

To clarify the abbreviations and the definitions that will be used in this essay, “Palestine” refers to the historic Palestinian territories drawn by the 1967 De Facto Line. As such, a “Palestinian” is an individual both within and beyond the Green Line who identifies as a Palestinian. However, given its regional focus, the proposed strategies related to domestic civic development and foreign diplomatic engagement will refer to the Palestinian populations in Israel and Palestine, and will

exclude the migrants and refugees outside the two territories. Building on this premise, oPt encompasses the following three regions. First, following the Fourth Geneva Convention and the UN Charter, the IC considers the West Bank as divided into Areas A, B, C by the 1995 Oslo Accords under illegal Israeli occupation since 1967. Secondly, acknowledging the UN decision to make Jerusalem an international protectorate until a peace resolution is reached, this paper considers East Jerusalem to be under Israeli occupation since the 1967 war. Thirdly, although Israel has unilaterally disengaged from Gaza in 2005 and withdrew all of its settlements, this paper judges the Strip to be under continuous military occupation given the effective control Israel retains over Gaza's borders, as well as its land, maritime, and air space. Although the Golan Heights are also under Israeli occupation both in terms of military control and settlement expansion, they belong to Syria under international law, and thus are excluded from discussion. For full disclosure, this essay accepts the 2-state model as the solution to the Israel/Palestine conflict. However, the focus of this essay is not to discuss the validity of the two opposing frameworks. Rather, the project studies the ongoing humanitarian crisis in the oPt and introduces more effective strategies that will help sustain Palestinians so that a 2-state solution is still a viable option if/when negotiations are reintroduced.

In the initial section, this essay analyzes the IC's humanitarianism in the oPt since the Oslo Accords. Humanitarianism in this context is the practice of providing assistance to populations, non-state actors [NSAs] and governments in need of economic, political, military or human rights support. From a theoretical standpoint, the state is driven by an altruist, moral obligation to contribute to universal human welfare. By contrast, it is widely argued that humanitarianism in practice is influenced by domestic policy restraints, power politics, and spheres of influence. Then, the essay highlights two distinct types of humanitarianism: humanitarian aid and development. Building on a cost-benefit analysis of relief and emergency assistance in the oPt, it strategizes an international engagement framework that moves away from

the former and into the latter. For the purposes of this essay, humanitarianism in on itself is considered to be a legitimate commitment to Palestinian welfare, and the ethical conversations around the issue are excluded.

When discussing the different developmental methods available to Palestinians, the essay refers to two concepts. As a political development model, constitutionalism refers to efforts to prevent an arbitrary government by building good governance, rule of law, and independent judiciary, and effective law enforcement. In this essay, an ideological adherence to constitutionalism forms the basis for the analyses of Palestinian civic society and of political capacity-building measures. Complementarily, as a social development model, decentralized development refers to the transfer of the government's central socio-economic responsibilities to local communities within its territory, allowing each to follow regional, semi-autonomous development models and pursue independent partnerships depending on their specific needs (Ben-Meir 2009:1).

The second section of the essay discusses diplomacy in the MEPP. It uses geopolitics, an analytical framework studying the interactions between the geographic spaces between and the political processes of entities – both state and non-state – that influence intra- and inter-state relations (Csurgai Geopolitical Analysis lecture 2018). Within this context, the essay uses internal geopolitics to analyze the national policies of Israel, the PA, and Hamas independent of their relations with other foreign states to understands their priorities abroad. Complementarily, through external geopolitics, the essay utilizes

- Macro regional analysis to understand Egypt and Jordan's partnerships with Israel and Palestine;

- Continental analysis of the Middle East and North Africa [MENA] region to calculate the sustainability of bringing the Gulf States into the equation;
- Global analysis to broaden the IC's conflict resolution scope to emerging powers such as China and India;

Throughout these evaluations, the essay takes away from geopolitical factors relating to

- Natural resources – specifically oil, gas, and rare earth materials;
- Geography of populations – Israeli, Palestinian, Jewish, Muslim, and Christian identities as they relate to the ideological platforms of the aforementioned foreign powers;
- Economic factors – Israel's technology and innovation techniques in aviation, Israel's relative industrial growth, relative self-sufficiency levels of Palestine and Israel in energy and water, Israel's export industry in military equipment and weaponry, external states' potential investment plans in Israel, Palestine, and MENA, and global trade relations;
- Strategy of actors – the interplay between foreign powers' short-term and long-term policies in MENA, the policy preferences of the states with soft power in the IC, and the influence of public opinion in the external states' foreign policy considerations.

By doing so, the essay judges the actors who can play a strategic role in the MEPP, as well as specifying the particular responsibilities the chosen actors should take on to guarantee a more promising diplomatic model. In relation to the economic factors, this essay also uses a geoeconomic framework to highlight the non-violent, financial strategies Palestine can employ to protect its economy and its strategic agricultural sector, to help its local businesses acquire shares of the Palestinian market without being overpowered by cheaper imports from Israel and China. Complementarily, the concept of power projection – using one's economic power to drive foreign policy by means of soft power (Csurgai geoeconomics lecture 2018) – is touched upon

when discussing the potential means of entry of China, Japan, and India into the Middle East platform.

The Analysis

The Conditions on the Ground in the Gaza Strip

Since the takeover of Gaza by Hamas in 2007, Israel has maintained a military blockade around the city as a security precaution, creating a humanitarian crisis that revolves around 3 urgent areas. The recurrent rounds of hostilities in 2002, 2006, and 2014 have made existential blows to the city's infrastructure, leading on the one hand to chronic energy shortages.ⁱ The city is relying on back-up generators, which are “constantly at risk due to funding shortages for fuel, limited fuel storage capacity, recurrent malfunctioning due to overuse, and challenges in procuring spare parts and new generators due to import restrictions” (UN Country Team 2018:22). Most often, the Gazans experience daily blackouts that last around 20 hours (18). These shortages in turn are affecting the water treatment and health facilities. Given the short energy supply, only 2 of the 2 desalination facilities are working, producing 3-4 million cubic meters [MCM] water total in addition to the 55-60 MCM produced by the main water source in Gaza. (Reuters 2017) Unfortunately, not only is the current demand 200 MCM, but the water aquifer is contaminated by chemicals, seawater, and the sewage, making it 96.5% unusable (Reuters 2017). As a result, as of January 2011, “50% of the population receive[d] water for only 8 hours every 4 days ... [while only] 20% receive[d] water for 8 hours every 2 days.” (UN Country Team 2017:20). To improve their conditions, the Gazans have begun to rely on water trucks, which are more expensive, less regulated, and unreliable due to unscheduled roadblocks (20). The population has also crafted homemade wells and techniques to desalinate water, but the blockade makes it highly difficult to build institutional capacity to provide clean, affordable waterⁱⁱ. Without effective desalination facilities, the contaminated water supply is increasing the

risks of waterborne diseases, and thus outbreaks. Further, not only are the energy cuts life threatening for certain patients, but also, the subsequent disruptions in electricity are making it impossible for physicians to depend on uninterrupted cold chains, which is leading to failed immunization programs (UN Country Team 2017:22). As for the healthcare infrastructure, the Israeli closures of hospitals and health facilities, as well as the restrictions on the movements of drugs are depleting Gazan healthcare from 40% of its resources and affecting as many as 1.27 million people (WHO 2018). To make matters worse, the restrictions in the movement of patients out of the Strip into the WB, where healthcare is better, is making access to treatment extremely challengingⁱⁱⁱ

Much like healthcare, the blockade denies the provision of other basic social services like education. Given the increases in the literacy rate and the average years of schooling (UN Country Team 2018:24), it may seem at first glance like education has not been gravely affected by the crisis. Nonetheless, the issue at hand is the inability of the educational sector to find a stable footing. As of the end of 2017, 61.7% of the government schools and 70.4% of the UNRWA schools has worked on a double-shift system in which only 4 hours a day have been reserved to learning (24). Further, the lack of a regular budget, as well as the diversion of international funding to rebuilding the schools damaged by the hostilities and Israeli shelling, means that teacher go unpaid for months (24). Complementarily, the restrictions on travel prevent the IC from training teachers and globalizing the education system in Gaza, which makes a self-sustaining service industry only that much harder. In fact, although “Gaza has one of the youngest populations in the world, with 43% below the age of 15”, the youth in Gaza are marginalized in the job sector, have limited access to socio-cultural facilities, and drop out early for protection and income (17). Given that proper education and professional skill development

can increase participation in the Palestinian labor market and benefit Palestinian economy, inadequate education is detrimental not just to learning basic math, but also to the structural integrity of the Palestinian society.

The Conditions on the Ground in the West Bank and East Jerusalem

The condition on the ground in the WBEJ described in the simplest sense is a 2-tiered system that legislatively, executively, and judicially favors Israeli populations over their Palestinian counterparts in order to expand Israeli settlements in areas designated under international law as Palestinian territory. This highly organized framework proceeds under strategies that have since 1967 become ingrained in the governance structure of WBEJ. Firstly, there exists severe restrictions of movement. Following a wave of attacks by Palestinians across the border in 2002, Israel began to build a separation wall, “85% of which falls within the West Bank rather than along the GL... cutting off Palestinians from agricultural lands and isolating 11,000 Palestinians on the Western side ... who must cross the barrier to access their own property” (OCHA Increase in Settler Violence 2017). Similarly, the Fence around the 2 neighborhoods in Hebron City separates 1800 Palestinians from the rest of the H2 area Israel has installed two access checkpoints around and access restrictions within the fence^{iv}. Then, in January 2018, arguing that Palestinian children threw stones at Israeli vehicles travelling down the road, Israel blocked 3 access roads going into the Hizma Village to Palestinian traffic (OCHA increase in settler violence 2017).

Although they may seem like decisions driven by security policies, these infringements on the Palestinians’ freedom of movement are part of a systematic effort to fragment the oPt. The Wall in the WB demonstrates this agenda perfectly, as Palestinians need a permit to access the land between the GL and the Wall, which has a 55% approval rate Further, they need to coordinate at the gate through several bureaucratic stages to passage agricultural products such as fertilizers, seeds, and equipment (OCHA Impact of Barrier 2017). These conditions, when combined with random gate

schedules hurts the Palestinian agricultural productivity^v. Concerning H2, the access checkpoints for Palestinians are subject to an unpredictable schedule, which feeds into the isolation of the communities within the fence who often choose not to go out for social activities for fear of getting stuck on the outside. More importantly, although the ICRC coordinates with Israel, injured Palestinians in need of urgent healthcare need to cross the gate or even go through alleyways to reach ambulances, which often cannot enter upon short notice. Relatedly, 600 children enrolled in schools outside the fence have to take longer routes (OCHA Further Restrictions 2017). Similarly, blocking road access into the Hizma Village, a strategic location near EJ, diverts the North-South traffic, harming the commercial life in Palestine, and making access to teachers, doctors, and food delivery more painstaking (OCHA Increase in settler violence 2017). Such realities decrease Palestinians' welfare in the targeted regions, pushing them to leave their houses and lands for easier lives.

A second crisis the WBEJ is experiencing is the expanding settlements. On a systematic level, the Israeli government is passing legislation like the Regularization Law in February 2017, which "allow Israel to retroactively expropriate Palestinian land on which settlements have been built" in East Jerusalem and Area C (OCHA increase in settler violence). Subsequently, although Oslo requires that Israel stops all settlement activity, Israel is expanding into the WB at increasing rates^{vi}. By contrast, the Israeli governance makes it highly difficult, if not impossible, for Palestinians to obtain building permits, driving them to build unauthorized houses and businesses that are at constant risk of confiscation or worse, demolition. The crisis is even more existential now in 2018 that the government has broadened the scope of its demolition policy^{vii}, also complementing it with a coercive environment that pushes Palestinian communities out. These strategies involve arbitrary revoking of Palestinian residencies and evictions as retaliation for attacks on Israelis allegedly carried out by a family member in the house, lack of security provided by law enforcement to Palestinian residences,, restrictions on access to land and natural resources, and most significantly, the denial of basic public services (OCHA increase in settler violence 2017). In Area C, for example, as a result of

the demolitions, 40 of the 46 communities in Bedouin do not have access to a primary school within their neighborhoods, decreasing the overall quality of education and pushing them to drop-out early so that they do not face daily long distances, settler harassment, and searches at checkpoints (OCHA West Bank Demolitions 2018). Similarly, the security, administrative services, housing, education, and medical care Israel provides for about 607,000 in the WBEJ are less costly, more extensive, and more reliable than for their Palestinian counterparts (OCHA increase in settler violence 2017). Together, the housing laws and the low standard of living facilitates the rate at which Israeli settlers can acquire housing by erection or by purchase.

Humanitarianism in the oPt

Humanitarian engagement by the UN is divided into 3 distinct settings, with the work of the European Commission [EC] as the prevailing model due to the EU's being the primary financial donor of humanitarian assistance in the WBGs. Two of these 3 areas have to do with aid –relief and development. The first is delivered by means of “allocating funds to non-governmental partners such as the UN agencies, UNICEF, UNHCR, OCHA, WHO, or international NGOs like Save the Children, IRC, or IGOs like the ICRC” (Luka Personal Encounter 27 February 2018). While relief aid is on a case-by-case, need basis, the development type aid is long-termed and is focused on building the Palestinian infrastructure mainly through the UNRWA. A trend in the distribution of these 2 types of assistance methods is that despite being neutral and independent in theory, and being driven by a purely moral concern, relief aid has had socio-political consequences on the ground, namely the prioritization of the symptoms of the conflict at the expense of addressing its root causes. Throughout the 20th century, mainly through the UN Conciliations Commission in Palestine [UNCCP] and the UN Relief and Works Agency [UNRWA], the UN was able to facilitate the socio-economic development of Palestine, build its institutions, upgrade its infrastructure, and improve the living standards in the territories by driving the political process forward through the

1948 and '67 plans. Nevertheless, the fact is that, since the dismantling of the UNCCP and the emerging crises in the rest of the Middle East, the UN has shifted in the 1990s to an emergency assistance model that prioritizes the immediate needs of Palestinians: it has framed the issue from a humanitarian crisis perspective, which has not only left the Palestinians without legal protection, but it has also put on the back burn their historical claims to statehood and political goals – taking away their agency and reducing them to victims in need of donor funds (Odeh personal encounter 19 April 2018). When development did take place, it remained reactive and short-termed, as the UN put emphasis on emergency relief funds to address the intifada without listening to the Palestinian demands that were causing the intifadas to often reoccur; as a result, much of the progress the UN achieved in developing the infrastructure was destroyed with the next rounds of hostilities (Le More 2005: 992). Further, it primarily addressed poverty, unemployment, and invested in labor-intensive projects (Lovatt Personal Encounter 8 March 2018), which reduced the funding going into building administrative capacity – rule of law, a democratic and responsive PA, and a constitutionalist government with a monopoly on institutional violence, able to enforce the law. Most recently, the UN's primary attention is on responding to the described energy, water, and healthcare crisis in Gaza, and to the violence perpetuated against Palestinians in the WB. While these priorities are commendable in their efforts to alleviate the suffering of an entire population, they have also allowed the UN to let the MEPP lose momentum.

The negative impact of the prioritization of humanitarian aid on the UN's development efforts is seen by how little progress the IC has made in the last 10 years to change the course of the humanitarian crisis. For one, the redesigned Israeli demolition policy in Israel targets schools and hospitals funded and built by international donors and IGOs like the UNRWA, greatly undermining without consequence the structural changes they try to drive^{viii}. Comparably, in Gaza, the focus on the reconstruction of buildings and roads damaged or destroyed in the 2014

conflict has taken attention away from its structural needs, playing a significant role in the lack of institutional capacity of Palestine to provide its populations with electricity, clean water, healthcare, and education. On an even more structural level, Gaza's economy is still not on a self-sustainable path. For one, the share of the private sector in the Gazan economy is declining; the private firms in Gaza are "family-owned, family-operated, small with 1 to 4 workers, and are characterized by a low level of labor productivity, capital intensity, and technical efficiency" (UN Country Team 15). The IC has indeed spearheaded dozens of local projects targeting business and productive sectors to promote new jobs and expand the private network. However, when combined with limited access to raw materials, natural resources, and foreign markets, a weak infrastructure, and Gazan reluctance to invest in business, this case-by-case approach has had an entirely limited success^{ix}. Although the motivation behind prioritizing relief aid has merit, the damage it is causing in the long-term is undeniable, especially given its inability to fully realize its intended vision in the area. To demonstrate, one primary focus of humanitarian aid in oPT has been the return of displaced populations. As of July 2017, due to the restrictions on the imports of construction materials into Gaza, "only two thirds of the approximately \$500 million needed for the reconstruction of totally destroyed homes have been disbursed" (OCHA Three Years On, 2017). Correspondingly, lack of funding has interrupted the distribution of "Temporary Shelter Cash Assistance [TSCA] ... the primary form of assistance provided by the humanitarian community ... enabling families to rent accommodation until their homes are reconstructed or rehabilitated" (OCHA Three Years On, 2017). Despite the warnings and the funding, Gaza is on a de-development trajectory that is progressing even faster than the UN has projected in both relief and development.^x Clearly, the current aid framework is not working.

In reconceptualizing its humanitarian approach, the UN needs to switch back its attention to sustainable, institutional growth. To do so, the UN can help the PA implement the decentralized development framework. From the get-go, this model will give decision-making processes to local communities and help engage them in their own faith by organizing town hall meetings. Further, a collaborative mission between the UN and the PA can help the civic society build administrative, financial, and technical skills so that they manage their own initiatives. One main argument against this project is that often governments are reluctant to give up power. However, a proper, gradual implementation requires constant coordination between the central governments of a region – in this case the PA and Hamas – and their corresponding neighborhoods: while the smaller villages build development, national governments are responsible for allocation of resources, the macroeconomic policy, the foreign policy, the judiciary, and other large-scale schemes (Ben-Meir 2009:3). Subsequently, both parties will have a stake in maintaining the quod-pro-quo system. The transition to a decentralized government is also feasible from a financial perspective, since even a 3-year long, extensive involvement on the part of the UN in training, funding, and providing expertise to the relevant agents will require only \$500 dollars, compared to the \$7 billion it has pledged to Palestine (Ben-Meir 2009:9). Also, a significant political side-effect decentralization carry is the facilitation of a reconciliation between Fatah and Hamas, since a unified government would facilitate the management of the pockets of development within the oPt. On the other hand, what makes decentralization so valuable to the MEPP is that its implementation does not infringe on Israel's security concerns. To demonstrate, the blockades on the main roads and commercial centers in Gaza are restricting the movement of goods, natural resources, and materials from coming into regions that would use them to plan development projects. As such, "98% of industries are currently not active" (Ben-Meir 2009:10). By contrast, decentralization in Gaza would focus development in local village and disperse the projects, making it difficult for Israel to target a localized bustling area. However, if

such a development is to take place in such a structural level, the process has to be protected against aggression by Israel.

The lack of accountability surrounding the violations of IHL and IHRL in these strategies is partially related to the domestic judicial process in the oPt. Whether it be in the form of damage to Palestinian houses and vehicles, threats, intimidation, harassments, vandalism, or even setting fire to Palestinian farms, extremist settlers rarely face prosecution by the Israeli judicial authorities^{xi}. Complementarily, the IDF's arbitrary arrests of Palestinians and its denying the right to due process by holding them without trial^{xii}, its refusal to transfer governmental detainees outside the occupied territory^{xiii}, its improper handling of juvenile cases^{xiv}, and even its unlawful acts of killing Palestinian civilians^{xv} go unchallenged. To combat this issue, the UN needs to invest in effective Palestinian security and police forces. Currently, assistance is localized around training without arming. Subsequently, "the PA's security forces became professionalized, well-trained, and engaged in daily coordination with the Israeli counterpart...." (Tartir 2015:12). However, when coupled with the advanced weapons technology of Israel, the arming of the PSF only after Israeli permission depending on the proximity of the forces to settlements in the WB (Hunter and Jones 2006:28) created an asymmetrical power dynamic in which PSF was unable to both counter the settler violence and to face the excessive use of force by the IDF. Further, the lack of power checks by the PA on the existing PSF played into a police state in which the PSF became partisan, suppressed the freedom of speech of Palestinian neighborhoods, "[failed] to protect the foundation of a Palestinian democratic system, and [even sustained] the occupation through their sub-contractor role that protected Israeli security" (Tartir 2015:12). To combat these problems, the UN needs to deploy a Peacekeeping Mission in the oPt to non-militarily monitor the [non]compliance of international agreements by all parties involved, to strengthen the police institutions in the WB, and to serve as buffer. While this team will not focus on the development of Palestine, it will bring to humanitarian aid a new dimension that has gone unexplored, especially in the area of human rights protection.

Diplomacy in the Occupied Territories: Non-Conventional Actors

These introduced strategies involve a high level of commitment on the part of the donor UN member states, which will have to not only export a significant level of man power, funds, and resources to the oPt, but also reshape its foreign policy platform. To guarantee that the UN operations can continue under a long-term model rather than having to reapply for assistance, the UN has to complement its domestic missions in the oPt. To do so, it needs to strategize its diplomatic platform, primarily by reevaluating the value of its most influential member states, the EU and the US, in furthering the peace process. Reformed diplomacy should first and foremost focus on Palestine's partnership with Egypt, who has been a historical mediator of conflicts between Hamas and Israel. In the recent decades, Egypt has publicly supported Palestine while maintaining a private relationship with Israel in trade. However, "under the new leadership of Abdel Fatah el-Sissi, there appeared to have been a shift towards outright opposition to Hamas" (Taylor 2014) driven by Egypt's opposition to Islamist parties, and by Hamas' origins in the Muslim Brotherhood [MB]. Driven by this foreign policy, Egypt has maintained a military blockade in the Rafah crossing since 2007 as protection against Hamas, and shut down the smuggling route in 2014, closing a major channel through which Palestinians used to import food, raw elements, agricultural equipment, and construction material (OCHA locked movement 2017). A reconciliation between Fatah and Hamas, and the subsequent abolition of armed conflict by the latter entity has the potential to facilitate negotiations with Egypt to lift the blockade or at least ease the restrictions on travel and transportation. Further, following a settlement between Fatah and Hamas, Egypt can increase the cap on its energy supply to Gaza. In return for alleviating the urgent crisis, Egypt will be reinstating its influence in the progression of the negotiations, which is in Egypt's interests given the recent discussions by

the West to reanimate the negotiations after China announced its intention to be more active in the peace process. Although Egypt's taking a more favorable position to Palestine is contingent on Hamas' changing its most essential structure, incremental confidence-building steps can still be taken, especially since Egypt and Hamas has agreed this past February to a freer flow of goods through the Rafah crossing (Staff 2018).

Expanding scope of analysis, a strong regional player in the conflict is the Gulf Cooperation Council [GCC]; Qatar, the United Arab Emirates [UAE] and Saudi Arabia in particular have strong ties to the region. While the GCC has never been actively involved in negotiation processes, their recent policy platforms concerning religious extremism and Islamist parties like the MB are pushing the three states to reshape their partnerships with Palestine. On the one hand, Saudi Arabia's priority is reclaiming international legitimacy by positioning itself as a bastion against Daesh and terrorism. So, "in order to legitimize its efforts in the fight against terrorism, it has identified with the American, European, and Israeli views on the Palestinian issue" (Hannieh 2018), labeling Hamas as a terrorist organization even though its military operations have never gone beyond the oPt. Similarly, the UAE has a history of fighting against domestic Islamist movements. While it has pledged \$41 million to the reconstruction of Gaza, its support of Saudi Arabia and Egypt against the MB, and its increasing desire to align with US policy are minimizing its support of both Hamas and the Palestinian Government (Taylor 2014). Further, as an Islamist government, Qatar remains to be Hamas' main financial backer, and combined with Qatar's current isolated status within the GCC, this is giving Saudi Arabia and the UAE an additional reason to stay off of Palestinian politics. Likewise, Iran's call for the rearming of Hamas (2014) does not sit well with the Gulf states. On the other hand, Saudi Arabia, the UAE, and Israel have since the 1990s built a strategic partnership of "technocratic

cooperation related to shared concern over a critical resource namely water desalination” (Baker Institute 2014: 5). When combined with the Arabic identities of the GCC states, this relationship facilitates its perception of neutrality, and has strengthened its role as a mediator of conflict. The Middle East Desalination Research Center [MEDRC] is a testament to this condition, since it not only “brought together Arab states, the PA, and Israel to develop practical solutions to regional water challenges”, but the GCC’s grounding the MEDRC has allowed it to survive throughout the hostilities and the ever-changing political climate until it became the only operating organization from Oslo (Baker Institute 2014: 5). The GCC is aware of the soft power it can yield to influence Israeli policy, as evidenced by the Arab Peace Initiative launched by Saudi Arabia in 2002 and sanctioned by the Arab League^{xvi}. In fact, this influence is what pushed the US to reinvigorate the MEPP and put American leadership back in the map, while also recognizing the value of the Gulf in outreach. So, a UN that invests in the GCC will also help put the US back on the map.

While the GCC has substantial interest in the diplomatic process, Palestine has to take certain measures to increase the likelihood that Palestinian interests will align with those of Saudi Arabia and the UAE. The agreement between Fatah and Hamas is most crucial here for two reasons. For one, Hamas’ abandoning armed strategies will facilitate the process by which the GCC whitelists Hamas and opens a line of communication. Secondly, having a unified policy will create a stronger front when sitting down with states who will have particular visions for how the negotiations should proceed. Secondly, there needs to take place reconciliation between the Palestinian population and those of the Gulf states to rebuild the trust lost when Palestine publicly supported Saddam Hussein during the invasion of Kuwait. Thirdly, to balance the economic benefits Israel can offer to the GCC, Palestine ought to leverage their professional

and educational skills, which will be improved with the reformed development strategies, to offer the GCC labor supply by individuals who generally share the same language, cultural identity and historical heritage.

In today's globalized world, no conflict in the Middle East is localized, but rather projects social, economic, and political changes to the domestic and foreign policies of states miles and oceans away from ground zero. The popularization of humanitarianism since the end of the Cold War further means that any state who keeps its distance from human rights crises impossible incurs costs in its reputation and influence in the international arena. Still, throughout the 20th century, the global dimension of the Palestinian conflict has been centralized around the Western civilizations, namely the US and the EU, while non-Western UN member states have stayed relatively isolationist. Looking at the West's stagnated approach to the oPt, as well as at the emerging East who is expanding its foreign policy scope, the MEPP ought to consider the role historically non-conventional actors can play from 2018 on. For one, Japan can be a strategic player. Since 2006, Japan has pursued in the oPt a peace corridor, which facilitates the cooperation between Palestine, Israel, and Jordan in collectively developing the private sector, streamlining the transportation of goods and services, and investing in public enterprises to achieve sustainable economic development; the idea is that through economic cooperation, strengthened relationships between the three entities will foster political collaboration (Government of Japan 2006). This project is especially significant now that it has gained momentum in the past few years^{xvii}, which provides Japan with an financial in to the regional political platform. More importantly, Japan carries no cultural, political, or social ties to the conflict, and is concerned with having economic capital. Therefore, its taking up the mantle of

mediator will help isolate the economics of the oPt from its politics and build Palestinian society whose self-sustainability is not contingent on negotiation outcomes.

Complementing the fiscal dimension, a diplomatic coalition with China carries potential in approaching the MEPP from a new perspective. From a geoeconomic perspective, “as a key state along China’s ‘One Belt, One Road’ initiative, Israel’s unique geographic location, stable political and social order, as well as advanced technology are vital for China’s successful economic involvement in the Middle East” (Jin 2017). Beyond prospective partnerships, however, China already has established relations through trade contracts in weaponry, scientific knowledge, “agriculture, solar energy, information and communications, as well as construction” (Rabkin 2013: 13). Socially, the two states enjoy a substantial level of trust built on a historical, reliable friendship since China’s helping Jewish refugees and immigrants in World War 2. So, building on these socio-economic ties, China can use Israel not only to gain a competitive edge in the global world order, by modernizing in areas whose supplies are increasingly in high-demand, but also to construct a virtual bridge between the East and the West. On the other hand, Israel is an undeniable friend of the US, whose rivalry with China might push the latter the sponsor Palestine. More importantly, driven by geopolitical strategies, one of China’s biggest priorities is to gain a foothold in the oil-rich Middle East, and it needs soft power to do so. Therefore, if China is to build a favorable reputation with Arab and Muslim states, it needs to side with the oppressed and the colonized. Given these push-and-pull factors, China is most likely to follow a neutral role without overt support for either side. Given the excessively pro-Israeli stand the US has taken under Trump’s administration and the political backlash it has received from not just the Palestinians and the Arab World, but also the EU, this neutrality makes China worthy alternative to US-led peace negotiations.

Although there is merit in the argument that China is not interested in the complex political affairs of the Middle East, recent events demonstrate otherwise. For one, China approved the UNSC 2334, which denounced the Israeli settlements in the West Bank and East Jerusalem, which it recognized as Palestinian territory (UNSC 2016). Then, on August 2017, China introduced its “4-point Peace Plan” to facilitate the implementation of the Resolution; under this framework, it expressed the value of each of its partnerships with Israel and Palestine for its Belt Road Initiative, and proposed a “China, Palestinian, Israeli tripartite dialogue mechanism to coordinate the implementation of major assistance programs in Palestine” (Keinon 2017). This strategy of peace through integration puts China in a position of arbitrator of conflict when economic issues carry over to political discussions. In fact, such a transition may have already begun to occur, since, China has vowed to take a politically active role in the MEPP as of December 2017^{xviii}. Combined with China’s explicit support of the 2-state solution that rests on the 1967 territory lines^{xix}, the strategic power China holds with Israel shows promise in rehabilitating Palestine. This statement is particularly significant given the power dynamics at play, since an increased Chinese presence in the region will surely push the US to reestablish its central position within the peace talks, reviving the process and even reconsidering its approach to the Palestinian demands. Given the power China and Japan holds, the UN should lean into its non-Western member states rather than pushing for support by traditional actors.

Conclusion

The international humanitarian frame has come to regard the Palestinians as victims in need of constant help, dismissing their political agency. The subsequent downpour of humanitarian aid to assist the areas in need of absolute assistance – such as the energy sector, hospitals, schools, or sanitation – meant that the structural realities driving these crises in the first place have gone

unchallenged and entrenched themselves in the oPt. To face this failure, there needs to be a shift back to development that involves the Palestinian populations in the decision-making process, instead of isolating them to the receiving end of foreign assistance. There needs to take place serious levels of civic empowerment, which can take place either through foreign NGO partnerships with CBOs, or through the funding and training of CSOs by the PA and Hamas. Secondly, a reconciliation between Hamas and Fatah following Hamas' abandoning of its violent platform, and a subsequent partition of governmental responsibilities between the two entities depending on their perceived strengths and weaknesses is crucial to creating a united front. This settlement between a political Fatah and a social Hamas, where the economic dimension is handled by a coalition of both entities, has domestic benefits, since part of the crisis observed in the oPt is the economic stagnation and unemployment driven by a paralyzed administration. Before jumpstarting the MEPP, the UN should facilitate negotiations between Fatah and Hamas, which will build confidence, help restore the UN's credibility in Palestine, and help the MEPP gain momentum. Thirdly, to guarantee the long-term viability of these socio-political changes, the security of Palestinians should match that of Israel. the UN can undertake this project either through reform of the PSF or by deploying a peacekeeping mission.

Complementing domestic development within the oPt is revamped UN diplomacy abroad. On the one hand, the West still has a role to play in the MEPP. For one, it needs to reestablish its soft power by lifting its no contact policy with Hamas. While Hamas' use of violent strategies to challenge Israel in Gaza give merit to the decision by the US and the EU to enlist Hamas as a terrorist organization, having an open line of communication with entities on the terrorist list is relatively common. Therefore, refusing to sit at the same table, and rather speaking through messengers such as Switzerland, is not only making the peace process more

arduous, but it is also discrediting the West in the eyes of the Palestinians, who have freely and democratically chosen Hamas to represent their interests abroad. Secondly, before the EU engages with the MEPP, the member states who have been historically involved in the region through their cultural, trade, investment, and political ties (France, Germany, the UK) need to establish a unified platform; pursuing individual interests without a coherent long-term vision is causing the institutional capacity of Palestine to be depending on foreign aid, as showcased by the UNRWA's transition into a de-facto government in absence of Palestinian administration that could replace its educational and medical operations. On the other hand, there is great promise in expanding the MEPP to non-Western actors, namely China, and Japan. All these three states can use the conflict as a foothold through which they can become influential players, increasing their global status. Complementarily, the re-involvement of Gulf States in the conflict, which would be contingent on Hamas' abandoning of arms, will give Palestine a cultural Arab ally at the table. The financial support all these three players can offer in the development of the oPt is also crucial in sustaining Palestine throughout the negotiations.

Endnotes

ⁱ The current demand is 450 million watts per day. By contrast, the energy supply since 2006 has fluctuated around 210 million watts [MW]. Of this 210 million watts, 120MW is provided by Israel, while the Israeli strikes to the Gaza Power Plant [GPP] accounts for only 60 MW since the Israeli strikes to the plant in 2006 reduced its capacity by half. (UN Country Team 2017:18)

ⁱⁱ The restricted movement of construction materials makes it difficult to build large-scale desalination facilities. Relatedly, the restrictions on access to the building site and on the delivery of equipment has delayed the erection of the Northern Gaza Emergency Sewage Treatment Plant, which was planned to start operating by 2012. (UN Country Team 2017: 20)

ⁱⁱⁱ In Gaza, “the rising burden of non-communicable diseases has resulted in increased and unmet needs for prevention and treatment measures, while tertiary healthcare services in Gaza lag behind the standard expected in the region” (WHO 2018:23). In response, while the Minister of Health referrals of patients to the WB have tripled since 2006, Israel’s permit approvals for patients have dropped from 90% to 62% (WHO 2018:24).

^{iv} In 1997, the Protocol Concerning the Redeployment in Hebron between Israel and the PLO gave 80% of Hebron city to the PA and the rest, came to be known as H2, to Israel. Under this division, 30% of Palestinians in H2 live adjacent to the 4 Israeli settlements in the designated 20%. Within the Salaymeh and Gheith, the 2 neighborhoods in H2 around which the fence is built, there are severe access restrictions for security, including streets closed off to Palestinian pedestrians, military orders that close Palestinian shops, and the denial of access to Palestinian customers and suppliers (OCHA – Further Restrictions 2017).

^v“Data collected by OCHA in the northern West Bank show that the yield of olive trees in the area between the Barrier and the Green Line has reduced by approximately 65 per cent in comparison with equivalent trees in areas accessible all year round” (OCHA Impact of barrier 2017).

^{vi} Between July 2016 and June 2017, the parliament approved more than 2000 new housing units for Israeli settlers in the WB. Although this an 18% decrease from last years statistics, “Israeli authorities approved

plans for 85% more housing units in the first half of 2017 than all of 2016 (OCHA increase in settler violence 2017).

vii During the first 2 months of 2018 alone, Israel has demolished 34 structures in the West Bank, compared to 35 structures targeted during the *whole* of 2017. Comparably, Israel has approved of 36 demolitions in EJ, making the 2-month plan the highest rate of demolition in on its own since 2000 (OCHA West Bank Demolitions 2018).

viii “what [the EU] has seen is that Israel regularly confiscates or demolishes EU-funded projects. Sometimes, it even seems to be in retaliation – if the EU comes out and strengthens its policy against Israeli settlements or does something Israel finds disagreeable, then you see a slight ramping up of demolitions or confiscations of EU-funded projects as if Israeli authorities purposely go for buildings with EU flags” (Lovatt Personal Encounter 8 March 2018).

ix One can even argue that the focus of the IC’s financial support since the 2014 conflict has had no influence in Gazan economic development, since Gaza has observed a “50-60% decline in terms of capital assets, production and sales, employment and exports, compared to pre-2014 levels” (UN Country Team 2017:15).

x “in 2012, the UN projected an annual growth rate of real GDP per capita in Gaza of -.6-1.5%, or even as high as 5.7-6.6% if a significant easing of trade and other restrictions were to take place. Since then, real GDP per capita in Gaza has instead decreased.” (UN Country Team 2017: 3) As the financial discrepancy shows, Israel’s frequently changing the extent of the blockade is preventing the IC from creating a coherent humanitarian plan based on stable data on the ground.

xi “Between 2013 and 2016, the police closed 91.8% of cases of reported settler violence against Palestinians persons and property) (HRW 2018).

xii “As of November 1 2017, Israeli authorities incarcerated 6,154 inmates on what they consider security grounds, the overwhelming majority Palestinian ... held without charge or trial” (HRW 2018).

xiii “As of October 2017, Israel [had] 453 Palestinian administrative detainees without charge or trial in Israel” (HRW 2018).

xiv The IDF “arrests Palestinian children ... often using unnecessary force, questions them without a family member present, and makes the sign confessions in Hebrew, which most do not understand. [Further] it tries

the majority of the detained children in military courts, which have a near-100% conviction rate” (HRW 2018).

^{xv} “Between January 1st and November 6th, 2017, Israeli security forces killed 62 Palestinians, including 14 children, and injured at least 3,494 Palestinians in the WB, Gaza, and Israel, including protestors” (HRW 2018).

^{xvi} With this project, the GCC offered “full diplomatic and trade normalization for Israel with virtually the entire Arab and Muslim worlds as a major additional benefit to be acquired upon the conclusion of a peace agreement with the Palestinians” (Ibish 2017).

^{xvii} In September 2016, Israel added \$50 million to the project to generate capital in Area A and strengthen Israel’s trade ties with Palestinians (Lazaroff 2016). Then, on March 2018, “Japan and Jordan have affirmed they will keep working on a four-way development project intended to create a path toward peace between the Israelis and Palestinians” (Kyodo 2018).

^{xviii} Gong Xiasheng, China’s envoy on the Middle East, stated that “From now on, China will continue to pay attention to the Palestine-Israel situation, actively participate in the IC’s endeavors in advancing peace talks and negotiations, support and push forward the MEPS and play an active role in advancing the comprehensive, just, and lasting settlement of the Palestine-Israel issue at an early date” (Gao 2017).

^{xix} In a public statement, Chinese Foreign Minister Wang Yi reiterated that ‘China’s stance is clear and we have always upheld our claim – that is, we support the establishment of an independent Palestinian state that enjoys full sovereignty, with East Jerusalem as its capital and based on the 1967 border” (Gao 2017).

Abbreviation List

CBOs = Community Based Organizations	OCHA = Office of the Coordination of Humanitarian Affairs
CSOs = Civil Society Organizations	oPt = Occupied Palestinian territories
EC = European Commission	PA = Palestinian Authority
EJ = East Jerusalem	PLC = Palestinian Legislative Council
EU = European Union	PLO = Palestinian Liberation Organization
GA = General Assembly	PNA = Palestinian National Authority
GCC = Gulf Cooperation Council	PSF = Palestinian Security Forces
GL = Green Line	TSCA = Temporary Shelter Cash Assistance
GPP = Gaza Power Plant	UAE = United Arab Emirates
GS = Gaza Strip	UN = United Nations
HRW = Human Rights Watch	UNCCP = UN Conciliation Commission in Palestine
IC = International Community	UNHCR = UN High Commissioner for Refugees
ICRC = International Committee of the Red Cross	UNICEF = UN International Children's Education Fund
IDF = Israeli Defense Forces	UNSC = United Nations Security Council
IHL = International Humanitarian Law	US = United States
IHRL = International Human Rights Law	WB = West Bank
IRC = International Relief Committee	WBEJ = West Bank and East Jerusalem
MB = Muslim Brotherhood	WBGS = West Bank and Gaza Strip
MENA = Middle East North Africa	WHO = World Health Organization
MEPP = Middle East Peace Process	
NSAs = Non-State Actors	

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