

Spain's recognition of the State of Palestine can make the difference

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Theme

The author, a former Director General of Israel's Ministry of Foreign Affairs, lays down the reasons for recognising the State of Palestine in order to create the conditions for a sustainable peace between Israelis and Palestinians.

Summary

The '7 October War' is a [strategic turning point](#) for the Israeli-Palestinian bilateral relations, as well as for Israel's regional and [global alliances](#). The concept marketed by the Israeli government that Hamas was contained and deterred, and that Israel could be integrated into the Middle East region without addressing the Palestinian issue –an idea that had been conveniently adopted by Western leaders– collapsed on that very day. In the midst of so much bloodshed and an enormous magnitude of destruction, talk of the need for a two-state solution has taken centre stage again. It is to be hoped that the international conversation on the 'day after' will dictate a strategic exit to this war that will bring about an Israeli-Palestinian peace agreement based on the two-states paradigm. A Spanish recognition of the State of Palestine at this stage can ignite the momentum that might lead to overall European and UN recognition.

Analysis

The Israeli occupation: a personal note

It is not easy at all for me, who served in Israel's diplomatic service for over three decades, to stand out clearly for the instant recognition of Palestine in sharp contradiction with my government's position. It needs some explanation.

I entered the Israeli diplomatic service at the beginning of the 1970s while fulfilling the dream of serving my country as a diplomat. There was no other option for me, I did not even consider another alternative. I entered the government four years after the 1967 Six-Day War, after fighting as a soldier and as an officer in Israel's armoured divisions. Born in Israel, to parents of German descent who had to flee their homeland, I felt that my young country deserved a decent place among the nations. My personal focus was mostly on the Middle East, which looked at the time very remote and different from us in its culture, religions and politics. I had a strong feeling that we should integrate into our immediate neighbourhood and most of the colleagues around me shared that view.

From day one of my diplomatic career, I discovered a peace-oriented diplomatic service. Israel already controlled and administered the occupied territories, but the declared aim was to exchange those territories for peace. It was a quite frustrating period as no Arab

country even considered recognising Israel. In November 1977 we encountered, for the first time, a dramatic Arab turning point. We hosted the Egyptian President Anwar Sadat in Jerusalem, and gradually built our peace with Egypt. I was among the first diplomats officially visiting Cairo in what seemed like a dream come true. The mood in the Ministry of Foreign Affairs as a result of our agreement with Egypt was euphoric. Simultaneously, outside the government, the emerging pro-peace civil society included many of my student-years personal friends. They named their movement 'Peace Now'.

In the early 1980s I was sent as a young diplomat to Ankara, Turkey, the only other Muslim country with which we had diplomatic relations at the time. The aim was to strengthen and further expand our diplomatic representation in the Middle East. Unfortunately, that did not happen during the whole decade. A wave of Israeli-Palestinian violence during 1987-89 slowed down the regional peace efforts.

During my years in Ankara, religious-nationalistic elements inside Israel were forcing the government to allow the establishment of civilian settlements in the West Bank and Gaza. They were highly motivated and well organised. It looked to me, watching the process from a distance, as a historic mistake. However, the Israeli leadership managed to convince us, young diplomats, that those settlements were needed for security reasons, that they were only temporary and would serve as a bargaining chip in due time. The declared plan was to evacuate the settlements when the Israeli-Palestinian peace process would be mature. 'Land for peace' was the diplomatic slogan that we proudly marketed all over the globe. I whole-heartedly believed in it. 'Two states for two peoples' was the declared official policy.

Nothing of this really happened in years to come. Even when we signed the Oslo Declaration of Principles with the Palestinians in September 1993, the settlements were not removed. Instead, they grew in size and population, gradually making a just and lasting agreement with the Palestinians more difficult. In November 1995, Prime Minister Yitzhak Rabin was assassinated during his effort to enhance the Israeli-Palestinian peace process. As a result, the well-intentioned Oslo Process entered a five-year period of deep freeze. In May 1999 Ehud Barak (heading the Labour Party) won the general election. Shortly after, he asked me to serve as the Foreign Ministry's Director General.

I saw this as a golden opportunity. I knew Barak personally and saw him as the politician that might U-turn the religious-nationalistic tendencies and lead the public into a just and lasting peace agreement with Yasser Arafat. I was convinced about Barak's sincere intentions. However, the negotiations that took place under US President Bill Clinton's auspices at Camp David in 2000 ultimately failed. As a result, a big wave of devastating violence broke out again (2000-03) and shattered the hopes for peace.

Israel rushed back into a strengthened religious-nationalistic momentum, further expanding the settlements during the following two decades, creating a reality that started to look irreversible. In the early autumn of 2023, already out of Israel's diplomatic service, I found myself in a very strange mood. I stopped believing that a Palestinian State was a viable possibility (in fact, the two-states goal had already disappeared from the official Israeli agenda a long time before), while simultaneously I was 100% sure that Israel's control over five million Palestinians in the West Bank and Gaza (still under

siege) was unsustainable. It looked like a tragic and explosive situation. The West Bank settlements kept expanding while the international community practically accepted them, including key countries in the Muslim world. As a professional diplomat, I had to admit on 6 October 2023, one day before the surprise attack on Israel, that Israel's international standing had never been better.

All the above has been changing dramatically since 6:30 am on Saturday 7 October, when the sirens woke all of us Israelis, and rushed us into our home shelters. That morning alarms and their aftermath had already changed our personal lives, as well as Israel's overall situation.

The Israeli-Palestinian global picture

The '7 October War' (its temporary name) already constitutes a strategic turning point for Israeli-Palestinian bilateral relations, as well as for Israel's regional and global alliances. The attack that Hamas launched that day turned out to be the most devastating military chapter in the history of modern-day Israel. It left Israeli society shattered and bewildered and ignited an urge for revenge among many Israelis. Simultaneously, the international community, particularly the US and the West, came to a meaningful awakening. The concept marketed by the Israeli government that Hamas was contained and deterred, and that Israel could be integrated into the Middle East region without addressing the Palestinian issue –an idea that had been conveniently adopted by Western leaders– collapsed on that very day.

The events of 7 October and those that followed exposed how irresponsible it was for the international community to neglect one of the most dangerous and volatile conflict areas on earth. Over the past six months we have seen the principal global players, with the US at the helm, spring into action to contain the fighting and prevent it from spiralling out of control regionally and globally. At the same time, talk of the need for a two-state solution has taken centre stage again. It is to be hoped that the international conversation on the 'day after' will dictate a strategic exit to this war that will bring about an Israeli-Palestinian peace agreement based on the two-states paradigm.

It is a pity that so much bloodshed and an enormous magnitude of destruction were needed to bring the international community back to its senses with regard to the Israeli-Palestinian conflict.

Unfortunately, to date there have been no indications from either of the fighting sides that they are prepared to adopt the course of diplomacy to resolve the conflict. On the contrary, the President of the Palestinian Authority, Mahmoud Abbas, appears to be concerned with protecting his political domain, while Hamas's leader, Yahya Sinwar, remains insistent on retaining Hamas's control over the civil and military governance of the Gaza Strip. The Israeli Prime Minister, Benjamin Netanyahu, continues to rule out Palestinian statehood and has declared that Israel will maintain 'security control' over Gaza in the aftermath of the war. He convinced the Knesset (Israel's parliament) to pass, by a great majority, a decision that rejects any external attempt to impose a Palestinian state on Israel. Furthermore, the political discourse in Israel is inundated with talk of

transferring the Palestinian population from the Gaza Strip and re-establishing Jewish settlements in that territory.

This dim picture must not deter the international community from action. On the contrary, it is further evidence of the conclusion drawn by the High Representative for Foreign Affairs and Security Policy of the EU, Josep Borrell, that 'the solution has to be imposed from the outside'.

When the fighting ends—soon, it is to be hoped— the suffering and devastation in Gaza, where some two-thirds of the population have become internally displaced and where the danger from Israeli bombardment is coupled with rising cases of disease and the threat of famine, will require both immediate and massive humanitarian attention and long-term planning. Gaza reconstruction, however, can no longer be separate from a political strategy designed to resolve the conflict. In addition to the loss of life and material damage, the hostilities are cementing the animosity and hatred between the two peoples with each passing day, making the need to end the fighting all the more urgent.

An urgent need appears to create conditions for a sustainable peace based on the following principles:

- The Gaza war should be brought to a halt in the shortest time possible. It should be the last war ever fought between Israel and the Palestinians. To this end, the aim of any peace agreement must be strategic coexistence between the parties, based on the two-state solution, in line with all relevant UN resolutions.
- Relations between Israel and Palestine must be conducted within the boundaries of the rule of international law and respect for human rights. These principles are non-negotiable and should be considered the fundamental framework of the political thrust to transform the historical enmity between the Israelis and the Palestinians into viable coexistence.
- International recognition of the State of Palestine and its acceptance as a full member of the UN should precede and must be separated from the success or failure of the peace process with Israel. The two protagonists in the negotiations should be granted equal international recognition. The State of Palestine should include the West Bank and the Gaza Strip, with East Jerusalem as its official capital.
- Full Palestinian membership in the UN will be based on compliance with the UN Charter, specifically Chapter II, Articles 4.1 and 4.2, which govern membership. If the Palestinian Authority is deemed to be deficient in meeting the terms, a roadmap with an affixed timetable should be drafted to guide the Palestinian Authority in making the necessary reforms.
- The international community must draft a political roadmap that will establish the terms of reference of the negotiations as well as a timetable for their conclusion. Incentives —but also disincentives— should be offered by the international community to the negotiating parties to bolster domestic support for the negotiations.
- UN Security Council Resolution 2334 should be revisited and fortified by a new resolution that builds on the principles adopted in December 2016 and reframes them in the context of geopolitical developments since its adoption. Similarly, the 2002 Arab Peace Initiative should be updated to reflect regional changes over the past two

decades. Together, a new UN Security Council resolution and an updated Arab Peace Initiative should serve as the basis for the diplomatic scheme.

The Spanish position

The Spanish Parliament called upon the government to recognise the State of Palestine on 18 November 2014. This was less than one month after the Swedish centre-left coalition, led by the Labour Party, recognised the State of Palestine, shortly after gaining power. Also, the Spanish decision came a few weeks after the British and the Irish parliaments registered such a call upon their governments.

One day before the Madrid vote, two Palestinian terrorists attacked an Israeli Jerusalem synagogue and killed four Jews at prayer. As a result of the attack, the original text of the non-binding parliamentary motion was altered. The initial text 'urged' the Spanish government 'to recognise' Palestine, but the then ruling Popular Party (PP), which held an absolute majority in the lower house, proposed an amendment to weaken the wording. The amended resolution appeared less ambitious than the original one and was accepted by an overall majority. The final text said: 'The Spanish Parliament urges the government to recognise Palestine as a state'. It also added: 'This recognition must be the consequence of a negotiation process between the parties', an addition that watered down the call to a certain extent. The wide media attention to the softened Spanish text was mostly due to the vocal denunciation that followed from Israel.

The Spanish move of 2014, that reflected the mounting frustration in Spain and the EU as a whole at Israel's expanding settlements and the collapse of the US-sponsored peace talks, brought about additional calls of eight more Western European parliaments for the recognition of the State of Palestine. Israel reacted to all these calls very negatively, exposing the growing fear in Israel of the legitimisation of a Palestinian state. It also reflected the eroding support inside Israel for the two-state solution.

The Western European pro-recognition momentum throughout 2014 collapsed on 5 January 2015. The terror attack by ISIS in Paris brought about negative feelings towards the Muslim world. As a result, the readiness to support the Palestinian cause also faded away. The mood in European parliaments changed as a result of the comparison that Israel's Prime Minister, Benjamin Netanyahu, drew between ISIS and Hamas. In retrospect, ISIS terrorism inflicted substantial damage on the Palestinian cause.

The 2014 recognition momentum came to a clear halt for almost a full decade until the catastrophic 2023-24 Gaza war.

The recognition issue and sanctions on settlers in 2024

Only four Western European countries have recognised Palestine so far: Iceland, Malta, Cyprus and Sweden. Only three of them (Malta, Cyprus and Sweden) are members of the EU. Only one of them (Sweden) recognised Palestine after joining the EU. Altogether, nine EU member states have recognised Palestine, but the recognition of the Eastern European countries could be seen as only partially valid as it was done long ago, under different international circumstances.

Internationally, 139 countries out of the 193 member-states of the UN have recognised Palestine as a state. Furthermore, in 2012 it was recognised as a state also by the UN General Assembly, but it failed to gain recognition as a full member state. In order to become a full member state, Palestine needs the approval of at least two-thirds of the UN General Assembly's members and of at least nine of the 15 members of the UN Security Council, with no vetoes from the five permanent members, which is so far a very high hurdle. As of today, the State of Palestine can sit as an observer at the UN General Assembly meetings but not vote.

The war that broke out on 7 October 2023 has changed dramatically Israel's international standing. The world is now more critical of Israel and more vocal in its support for Palestinian self-determination. It seems as if this can bring about the renewal of the Palestinian recognition momentum. Some Western European countries are already considering this as an option: Spain is one of them.

For Israel, the recognition of the State of Palestine by friendly countries is very worrying. The last thing this Israeli government wants to see is Palestinian statehood legitimised internationally (I would even say that for today's Israeli leadership this is no less than a nightmare). The levelling of Israel's and Palestine's legal status in the international arena –that is seen internationally as the gate to peace– is viewed in Israel as a diplomatic blow.

A Spanish recognition of Palestine at this stage can ignite the momentum that might lead to overall European and UN recognition. Spain's Prime Minister, Pedro Sánchez, recently announced his intention of recognising the State of Palestine before the summer, and to support its full membership of the UN. If the Spanish Council of Ministers approves the recognition of Palestine, Spain would become a meaningful player towards a new diplomatic momentum on the Israeli-Palestinian conflict, in line with its previous effort when it hosted the Madrid Peace Conference on the Middle East in 1991.

Another, though smaller, worry for the Israeli government at the moment are the sanctions imposed on extremist Israeli settlers who have violently attacked or committed human rights abuses against Palestinians in the West Bank. In Israel, this is considered to be related to the issue of Palestinian recognition. Leaders of the Israeli settlers are seen by the nationalistic part of the Israeli society as its modern pioneers –in other words, as its national heroes–. Restrictions on travelling to friendly countries or on the ability to register bank accounts by prominent settlers are seen as an international de-legitimation of the settlements and of Israel's control of the West Bank as a whole. Six countries have already taken such measures recently: the US, the UK, Canada, France, New Zealand and Spain. Also, the EU reached a political agreement in March to sanction extremist Israeli settlers. It is hard to tell if this is a beginning of a new international trend, but if it is, it might push forward the Western tendencies in favour of the recognition of Palestine.

Conclusions

The events of 7 October and those that followed exposed how irresponsible it was for the international community to neglect one of the most dangerous and volatile conflict areas on earth. The war that broke out that day has changed dramatically Israel's

international standing. The world is now more critical of Israel and more vocal in its support for Palestinian self-determination. It seems as if this can bring about the renewal of the momentum for Palestinian recognition. Some Western European countries are already considering this an option, Spain among them.

The Gaza war should be brought to a halt in the shortest time possible. It should be the last war ever fought between Israel and the Palestinians. To this end, the aim of any peace agreement must be strategic coexistence between the parties, based on the two-state solution, in line with all relevant UN resolutions.

Relations between Israel and Palestine must be conducted within the boundaries of the rule of international law and respect for human rights. These principles are non-negotiable and should be considered the fundamental framework of the political thrust to transform the historical enmity between the Israelis and the Palestinians into a viable coexistence.

International recognition of the State of Palestine and its acceptance as a full member of the UN should precede and must be separated from the success or failure of any peace process with Israel. The two protagonists in the negotiations should be granted equal international recognition. If the Spanish Council of Ministers approves the recognition of Palestine, Spain would become a meaningful player towards a new diplomatic momentum for the Israeli-Palestinian conflict, in line with its previous effort when it hosted the Madrid Peace Conference on the Middle East in 1991.