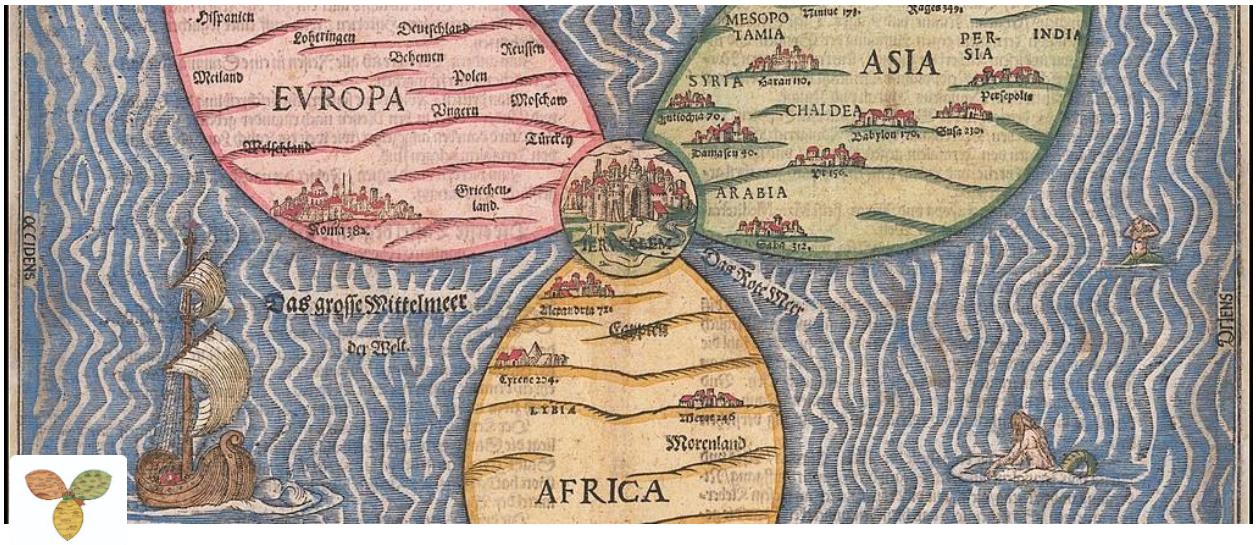


# Academic Exchange Briefing Book



AE | ACADEMIC EXCHANGE

# Contents

# Introduction

The purpose of this briefing book is to provide some basic information on Israel for Academic Exchange participants who have not had extensive contact with the country or the region.

The briefing book is organized around a series of issues that are likely to be of most interest to political scientists and students of international law. The book includes a short list of references if you choose to read further or integrate these issues into your own courses. The briefing book also contains an appendix with all of the relevant UNSC Resolutions cited in the text.

An important caveat at the outset: It is impossible to write about Israel or the Middle East without antagonizing someone. We don't imagine everyone (or anyone) will agree with everything written here. But we consider this a work in progress, a kind of wiki briefing book and curriculum that will be modified as we move forward. Please feel free to send your comments, criticism and annotation and we will work to incorporate them. If there are other topics or materials, or ways of approaching the existing topics, that you think would be helpful, we'd also like to hear your thoughts on that as well.

The briefing book was put together by a team under the direction of Asher Susser (Senior Research Fellow at the Moshe Dayan Center for Middle Eastern and African Studies and Professor, Tel Aviv University), including Duygu Atlas and Joyce van de Bildt. Additional references in the bibliography were provided by Tamara Coffman Wittes (Brookings). The modules have been reviewed by the Academic Exchange's Academic Board including Stephan Haggard (UCSD), Stephen Krasner, Judy Goldstein (Stanford University), Matthew Waxman (Columbia University) and Yedidya Naveh (Academic Exchange). Research assistance was provided by Brenna McKee and editorial assistance by Jason Moore.

# List of Abbreviations

| | |
|---|---|
| DOP | Declaration of Principles |
| Hamas | Harakat al-Muqawama al-Islamiyya (Islamic Resistance Movement) |
| ICJ | International Court of Justice |
| IDF | Israeli Defense Forces |
| OECD | Organization for Economic Cooperation and Development |
| PA | Palestinian Authority |
| PLC | Palestinian Legislative Council |
| PLO | Palestine Liberation Organization |
| UN | United Nations |
| UNHCR | The Office of the United Nations High Commissioner for Refugees |
| UNIFIL | United Nations Interim Force in Lebanon |
| UNLU | Unified National Leadership of the Uprising |
| UNRWA | United Nations Relief and Works Agency for Palestine Refugees in the Near East |
| UNSC | United Nations Security Council |
| UNSCOP | The UN Special Committee on Palestine |

# Preface

# The History of the Land

The Land of Israel and Historic Palestine lie at the center of the national narratives and collective imaginations of Jews and Arabs, Israelis and Palestinians. Here we provide a very brief survey of the land's history from ancient times to offer the backdrop of the modern national movements and historical developments described in the main body of this briefing book. These accounts draw on archaeological research but also on religious sources.

## The Iron Age

For thousands of years prior to the appearance of the ancient Israelites in the territory, the land between the Jordan River and the Mediterranean Sea was a land bridge connecting the civilizations of the Fertile Crescent with ancient Egypt. Known during this period as Canaan, the land was witness to repeated incursions and occupations by empires from beyond the Nile and Euphrates, as well as periods of greater or lesser independence by local Canaanite tribes. These were semitic peoples with varying polytheistic/pagan religions, and no independent political entity ever comprised its bulk.

Archaeologists first detect organized settlement that is recognizably Israelite in the central hill-country of Canaan in the thirteenth century BCE. During the first half of the first millennium BCE, we see a plethora of archaeological and ancient documentary evidence of two major Israelite kingdoms in Canaan: Israel in the north (with its capital at Samaria) and Judah in the south, whose capital was Jerusalem. Both of these kingdoms were centered in the central hills, while much of the coastal plain to the west was controlled by the Philistines, an Aegean people who first migrated to the area around the same time; as we will see the name Philistine is the origin of the later designation "Palestinian," leading to frequent but historically inaccurate confusion between the ancient Philistines and the modern Palestinian people. The Philistines and the Israelites were often at war.

## Biblical History

Researchers are divided as to what weight to accord the Hebrew Bible as a historical source. While many of the stories are unverifiable or based on supernatural assumptions, others match the archeological record. Numerous scholars view the broad strokes of biblical narrative from the book of Kings (roughly 1000 BC) onward as historically reliable to some extent. In any case, the biblical account of the proto-history of Israel is still of great significance to Jewish and Israeli identity and self-imagination, and so we will provide a summary of it here.

According to the Bible, all the ancient Israelites were descended from the single patriarch Abraham, through his son Isaac and Isaac's son Jacob, whose own twelve sons were the eponymous ancestors of Israel's twelve tribes. God's promise to Abraham regarding the inheritance of the land is repeated several times in the book of Genesis (see e.g., 12:1–7).

Jacob's twelve sons and their families descended to Egypt from Canaan due to the exigencies of famine. After the Egyptians enslaved the Israelites, the Bible reports how God sent the prophet Moses to redeem them from Egypt and bring them to the promised land of Canaan. The biblical books of Numbers, Deuteronomy, and Joshua describe the journey of the Israelites to Canaan and their conquest of it under the leadership of the prophet Joshua, Moses's heir. The land was gifted to the Israelites on the condition that they live up to certain moral and religious standards (see e.g., Leviticus 18:26) with the risk of exile if they did not. This covenantal structure—God's promise of the land to the Israelites as reward for obedience and threat of exile if they refuse—is a major theme of the Hebrew Bible. The Torah also prescribes ritual commandments specific to the Land of Israel, including laws related to agriculture, the monarchy, and the Holy Temple, which also link the Land of Israel to the Jewish faith.

After several hundred years of decentralized tribal rule among the Israelites, the Bible reports that a united monarchy was instituted under King Saul, followed by David and his son Solomon. The reign of the latter is portrayed as the golden age of Israelite political independence, with Solomon ruling an empire that stretched from the Sinai desert to the Euphrates River. Solomon also built a Temple in Jerusalem that would be a site of pilgrimage and the focal point of all Israelite worship until its destruction four hundred years later. The Temple was built on the spot where God had tested Abraham hundreds of years earlier by ordering him to sacrifice his son Isaac and then intervening at the last minute to save him. To this day, the site of the ancient Temple (now known as the Temple Mount in Jerusalem's Old City) remains the point toward which all Jews turn in prayer.

# Classical and Late Antiquity

From this point onward, both the biblical account and external historical sources agree the Israelite kingdoms fell under the shadow of the major Mesopotamian empires. In 732 BCE, Tiglath Pileser III of Assyria invaded the northern kingdom and exiled its inhabitants. In 586 BCE, following a revolt by the kingdom of Judah, Nebuchadnezzar of the Babylonian Empire destroyed Jerusalem, together with the Temple, and took its people captive in Babylon.

After the Persian King Cyrus conquered the Babylonian Empire around 538 BCE, the exiled Judahites (now called Jews) were gradually allowed to return to Jerusalem from their exile. In 515 BCE, they completed rebuilding a second Temple on the site of the first. Judea was an autonomous province of the Persian Empire ruled by a Jewish governor, a High Priest, and a supreme council of law (the Sanhedrin), all situated in Jerusalem. This system of governance continued under the empire of Alexander, but cultural and religious Hellenization began to threaten Jewish traditions and ways of life, climaxing under a series of persecutory laws by the Seleucid king Antiochus IV Epiphanes (215–164 BCE). The

Jews successfully rebelled, achieving a state of full independence under the Hasmonean dynasty of priest-kings that would last more than one hundred years. This victory is commemorated today by the Jewish holiday of Hannukah.

In 63 BCE, weakened by civil strife among the Hasmoneans, Judea submitted to Pompey (Rome's supreme commander in the East) and became a client kingdom of Rome. The Romanized Jewish king Herod the Great (72–4 BCE) was the most notable king during this period, and he started a significant enlargement of the Temple Mount that was finished in 37 BCE. The rebuilt Second Temple was the Temple in which Jesus preached and worshipped. Soon, however, the Jews rebelled again, this time against the Romans. In 70 CE, three legions of the Roman army led by Titus conquered Jerusalem and destroyed the Second Temple, putting an end to the revolt. The majority of Jews were again exiled and dispersed across the empire, beginning the great Jewish Diaspora. In 132 CE, a group of remaining Jewish fighters revolted once more against Roman rule under the leadership of Simon Bar Kokhba but were eventually crushed in the battle of Beitar in the Judean Hills.

Subsequently, the Romans utterly wiped out what was left the Jewish community in Judea. They renamed Jerusalem "Aelia Capitolina" after the emperor Hadrian, and they began to call Judea "Palaestina" in memory of the Jews' old nemeses, the Philistines. The term "Palaestina" did not refer to any existing population; the ancient Philistines had vanished centuries earlier after being conquered and absorbed by the Babylonians. The Roman use of this name was an effort to weaken Jewish identification with the land. The few Jews that remained in the land of Israel moved to northern towns in the Galilee. Elsewhere in the region, various local groups—including Samaritans (a Hebrew speaking community with its own Israelite tradition), pagans (Greco-Roman and local polytheists), and the earliest Christian communities (still small and diverse in practice)—continued to inhabit the area. In the five centuries that followed, Jerusalem remained under Roman and then Byzantine Christian rule. Until the Arab conquest in 637 CE, Jews were forbidden to enter the city.

The most important remnant of the Second Temple that is accessible today is the outer western retaining wall of the Second Temple compound: "the Western Wall" ("Wailing Wall" or "Kotel"). The Western Wall derives its significance from its proximity to the site of the Temple, whose inner sanctum, "The Holy of Holies," is the most sacred site in Judaism. Today, the Western Wall is the holiest place where Jews are permitted to pray. The Temple Mount itself is under the administration of the Muslim Waqf, which has forbidden non-Muslim prayers on the compound.

# The Return to Zion in Jewish Belief

After the destruction of Jewish independence by the Romans, the hope of seeing it restored became a central component of Jewish religious consciousness. The first exile by the Babylonians and subsequent return in the Persian period appeared to match biblical prophecies. Now the prayer for a second return to Zion (another biblical name for Jerusalem and, by metonymy, for the Land of Israel as a whole) was etched on the Jewish consciousness and expressed in countless rituals, prayers, and texts. The final verse of

Psalm 137 is traditionally recited at Jewish weddings, for example, underscoring that personal joy is never considered complete without the hoped-for rebuilding of Jerusalem.

The Jewish people's return to their land is described in numerous biblical prophecies, most notably the books of Isaiah, Amos, Jeremiah, and Ezekiel. This process is supposed to eventually usher in the messianic era, which will be heralded by the building of the Third Temple on the Temple Mount. Within Judaism, there are many different views as to the nature of this process, and how much the Jews themselves should contribute to advancing it.

During the years of exile, the Jewish rituals in the Temple were replaced with daily prayers at home and in synagogues, and the study of the biblical laws. A prayer for the ingathering of the exiles is included in the most central prayer in Jewish liturgy, the *Amidah*, which is recited facing the Temple Mount. Holidays of pilgrimage to Jerusalem were still observed, not with travel but with prayers for their restoration.

# Christian Palestine

From the late Roman and early Byzantine periods onward, Arabic-speaking populations began to appear more prominently in Palestine. Christian Arab populations—attested in ecclesiastical histories as early as the 3rd century CE—began to live along existing local populations. Palestine, situated on major trade and pilgrimage routes linking the Arabian Peninsula with the Levant and serving as the birthplace of Christianity, attracted migrants from the south for economic and religious reasons. These waves continued to increase after the official adoption of Christianity by the Roman Empire during the reign of Constantine I (r. 306–337 CE), the first Roman emperor to convert to Christianity. Among these new immigrants were the Ghassanids (also called the Jafnids), who emigrated from Yemen in the 3rd CE, gradually settling across parts of Palestine and the southern Levant. Their presence contributed to the early Arabization of the region, and by the Byzantine period they had become its most influential Arab group, ruling as a client-state of the empire. However, they were only one population among many in Palestine at the time and cannot be considered the 'Ur-Palestinians': modern Palestinian identity developed much later, through the Arabization and Islamization of the region after the 7th century and the blending of local Levantine communities under Islamic and Ottoman rule.

Under Byzantine rule—that is, after the eastern, Greek-speaking half of the Roman Empire took administrative control of the region in the 4th century CE—the Temple Mount was neglected as a symbol of God's rejection of the Jews. Worship instead was centered around the Church of the Holy Sepulchre, built over the burial site of Jesus by the emperor Constantine and his mother Helena. This church, as well as the Church of the Nativity built at the same time in Bethlehem, were sites of pilgrimage for Christians from across the empire and outside of it.

# The Arab Muslim Conquest of Palestine

After the Prophet Muhammad's death in 632 CE, the Muslim polity he had established in Arabia—centered in Medina and encompassing the rapidly unifying tribes of the Arabian Peninsula—was ruled by the Rashidun ("Rightly Guided"), the first four caliphs of Islam: Abu Bakr (r. 632–634), Umar (r. 634–644), Uthman (r. 644–656), and Ali (r. 656–661). Although the first Muslim-Byzantine skirmishes in Byzantine Palestine (*Palaestina Salutaris*) took place during the Prophet Muhammad's time, it was during the rule of the Rashidun Caliphate that the Levant was brought under Muslim control through military campaigns that lasted from 634 to 641.

Following the Battle of Yarmouk (636), where Muslim forces registered a decisive victory against the Byzantines, the Muslim army besieged Jerusalem. After a two-year siege, Sophronius, the Patriarch of Jerusalem, surrendered the city in 638. According to Islamic tradition, the Caliph Umar travelled to Jerusalem in person to receive the submission of the city. Upon his arrival, an agreement known as the Umariyya Covenant was signed between the sides. With this agreement, Umar granted the people of Jerusalem freedom of faith and guaranteed the protection of their holy places on the condition that they pay a special tax, the *jizya* (a per-capita tax levied on the non-Muslim subjects of a Muslim state). Umar also overturned the ban on Jewish worship on the Temple Mount and invited seventy Jewish families from Tiberias to settle in the area south of the Temple Mount.

Under Muslim rule, *Filastin* became one of the four districts (*jund* in Arabic) of *Bilad al-Sham* (the western province of the successive Islamic caliphates, corresponding to the region of Greater Syria) along with *al-Urdun* (Jordan), *Dimashq* (Damascus) and *Hims* (Homs). The administrative district of *Jund Filastin* existed until its fall during the First Crusade in 1099. The first Muslim settlers in Jerusalem were the Ansar, the people of Medina, and included some of the Prophet's closest followers. For example, Ubada ibn al-Samit, who came to the city with Caliph Umar, was appointed as the first Muslim judge (*qadi*) in the city and became the custodian of the Church of the Holy Sepulchre. His descendants, the Nusseibeh family, still hold the keys to the church.

# The Holy Land and Jerusalem in Islamic Tradition

As an Abrahamic religion, Islam shares the same Biblical traditions as Judaism and Christianity. Therefore, sites of reverence that feature in Biblical lore are held in high esteem in the Islamic tradition as well. The Qur'an mentions Palestine as "the holy land" (*al-ard al-muqaddasa*). "O my people!" it is written, "enter the Holy Land which Allah has destined for you [to enter]. And do not turn back or else you will become losers." (5:21)

The city of Jerusalem is not mentioned in the Qur'an by name, but later Muslim commentators interpreted several verses in the Qur'an as references to it. The most important of these is the term *al-masjid al-aqsa* ("farthest mosque") mentioned in 17:1. According to Islamic belief, Prophet Muhammad travelled on a single night from the Great Mosque in Mecca (*al-masjid al-haram*) to the Temple Mount in Jerusalem on a winged

horse-like creature known as *Buraq*. He was then accompanied by archangel Gabriel to heaven. During his ascension, Prophet Muhammad met Abraham, Moses, Jesus, and other prophets, and led them in prayer. The night journey (*al- israʿ*) and the ascension (*al-miʿraj*) is celebrated across the Muslim world annually on the 27th day of Rajab, called *Laylat al-Miʿraj* (The Night of the Ascension).

Jerusalem's importance in Islamic tradition also stems from Prophet Muhammad's adoption of Jerusalem as the first *qibla*, Muslim direction of prayer. For the first seventeen months after his migration to Medina, it is widely believed that Muhammad prayed toward Jerusalem, although it is not mentioned by name as the first qibla in the Qur'an but only in traditional biographies of the Prophet. Later, the direction of prayer was changed to the Ka'ba, the Great Mosque in Mecca. Since the night journey occurred between these two places, it established an important link between Islam and the pre-Islamic religions.

The importance of Jerusalem for Islam was further cemented in the architecture of Jerusalem by the construction of two important structures on the Temple Mount: the Dome of the Rock and the al-Aqsa Mosque. The construction of the Dome of Rock on the site of the Second Jewish Temple was ordered by the fifth Umayyad caliph Abd al-Malik (r. 685–705). This shrine, known as *Qubbat as-Sahra* in Arabic, houses the Foundation Stone, the place believed in Abrahamic tradition to be the site where God created the world and the first human, as well as where Abraham attempted to sacrifice his son. (In the Islamic tradition, it is Ishmael, the ancestor of the Arabs, not Isaac, who was to be sacrificed.) Abd al-Malik ordered the building of a second structure on the Temple Mount, the al-Aqsa Mosque, on the same axis as the Dome of the Rock. There is a disagreement as to whether it was built by Abd al-Malik or his son and successor al-Walid (r. 705–715).

# Umayyad and Abbasid Periods

The first Umayyad caliph Muawiya ibn Abu Sufyan was declared caliph in a ceremony held in Jerusalem in 661. Although he ruled from Damascus, the caliph held the city in high esteem; his coins featured the words "Iliya Filastin" (Aelia Palestina). He built the first Islamic place of worship on the Temple Mount, a small mosque that would be later replaced by the al-Aqsa Mosque. Abd al-Malik, who built the Dome of the Rock and the al-Aqsa Mosque in Jerusalem, founded the city of al-Ramla (present-day Ramle, Ramla) as the city of his administration. The city, which became a thriving commercial center and an example of an early Islamic city in Palestine, remained the district capital of Filastin until the First Crusade. When the Abbasid dynasty (descended from Muhammad's uncle, Abbas ibn Abd al-Muttalib) overthrew the Umayyad dynasty in 750, they moved their capital to Baghdad in the east. Due to a combination of political neglect and a series of earthquakes, Filastin saw a decline in importance during the Abbasid period.

# Crusader, Ayyubid, Mamluk and Ottoman Periods

Before the First Crusaders' arrival in Palestine, the region had switched hands multiple times among the Tulunid Dynasty (a Mamluk dynasty of Turkish origin which ruled over Egypt and Syria between 868–905), the Ihkshidid dynasty (another Mamluk dynasty of Turkic origin, 935–969), the Fatimid Caliphate (an Ismaili Shi'a caliphate operating out of Egypt, 909–1171) and the Seljuk Turks (1037–1194). In 1099, however, crusaders from Europe followed an appeal by Pope Urban II and conquered Jerusalem from the Fatimids who themselves had only just regained the control of the region from the Seljuk Turks. When the Crusaders captured Jerusalem, they indiscriminately massacred Muslim and Jewish inhabitants of the city and expelled from the Church of the Holy Sepulchre all the priests of Oriental rites, including Copts and Syrians.

The Crusaders established the catholic Kingdom of Jerusalem, which lasted in some form until 1291. However, they lost control of Jerusalem and much of Palestine in 1187, when they were defeated by Saladin (Yusuf ibn Ayyub ibn Shadhi), a Tikrit-born warrior prince of Kurdish origin. For expelling the foreign invaders and freeing the inhabitants of the land, Saladin remains a venerated figure throughout the Muslim world and a hero for modern Palestinians and the Palestinian nationalist movement.

In 1260, the Mamluk Sultanate overthrew the Ayyubid dynasty and assumed power in Palestine. During their almost three-hundred-year rule, the Mamluks built extensively in Palestine, expanding settlement both in rural and urban areas and thus contributing to the further Islamization of the Palestinian landscape. The Mamluk period is considered to be a time of economic and demographic growth in the region, leading scholars to believe that a firm Muslim majority in Palestine was first achieved during this time.

The Mamluks and the Ottomans were both contenders for the leadership of the Sunni Muslim world. Their rivalry concluded when the Mamluk Sultanate was conquered by the Ottoman Empire in 1517, bringing the Arabian Peninsula and Palestine under Ottoman rule and establishing the Ottomans as the guardians of Islam's holiest places: Mecca; Medina; and Jerusalem. During the reign of Sultan Suleiman the Magnificent (1520–1566), the walls of Jerusalem were rebuilt (these are the Old City walls that stand today), and the population of the Jewish community in Jerusalem began to increase.

For most of the Ottoman period, Jerusalem did not play an important role in imperial politics because of its location far away from the main roads. During the early period of Ottoman rule, local hereditary dynasties governed Palestine on behalf of the Sublime Port. In the mid-seventeenth century, however, the Ottoman government launched a process of centralization and gradually eliminated these local dynasties. Heavy taxation and exploitation of the local populations under the new governors led to the outbreak of Naqib al-Ashraf revolt (1703–1705), which is considered to be the first popular local uprising in Palestine, and a milestone in the history of Palestinian nationalism. This period also marked the rise of the notable Jerusalem families, such as the Husseinis, who came to play leadership roles in Palestinian politics during the nineteenth and twentieth centuries.

Ottoman rule in Palestine lasted four hundred years. Its final decades saw the rise of both Jewish nationalism (Zionism) in Europe and Arab Palestinian nationalism at home. Zionism began to bring waves of thousands of Jewish immigrants to Palestine to purchase land in the attempt to create the beginnings of a new national home for the Jews. At the same time, Palestinian Arab civil society began to organize, both to counter Zionism and to prepare for the day after the collapse of the teetering Ottoman regime.

The dissolution of the Ottoman empire in the wake of the First World War shaped the future not only of Palestine but of the whole modern Middle East. In 1917, British troops under general Edmund Allenby defeated the Ottoman Turks in Palestine and established control over Jerusalem. Shortly before that, the British Foreign Minister Arthur Balfour had issued the Balfour Declaration, which promised to reestablish a Jewish national home in Palestine. The declaration was met with chagrin and consternation by the local Palestinian Arabs. Nevertheless, in 1920, Great Britain obtained a mandate from the League of Nations to the purpose of realizing the Balfour Declaration. The advent of the British Mandate in Palestine forms the point of departure for the history described in this briefing book.

# "Palestinian": The Origin of a Collective Name

As noted above, the name "Palestine" derives from the ancient Philistines. The land those people controlled at the time was known to their neighbors as *Palastu* in Akkadian, *Purusati* in Egyptian and *Peleshet* in Hebrew. The form "Palestine" made its first appearance in the history of Herodotus in the 5th BCE. It was later adopted as the name of the whole country by the Romans after the Bar Kokhba Revolt. The name Palestine was appropriated by the Arab conquerors of the land in the Middle Ages, who called the territory *Filastin* in Arabic.

Modern Palestinian national thought views the Palestinians—as the principal non-Jewish indigenous inhabitants of the land—as the political and national heirs of the ancient Philistine and Canaanite peoples. Historically, however, the ancient Philistines and present-day Palestinians are distinct: there is no demonstrated linguistic or cultural continuity between them, and the Philistines ceased to exist as a separate people many centuries before the Arabization of the region. At the time of the British Mandate in Palestine, both Palestinian Jews and Palestinian Arabs would have called themselves "Palestinians," as a simple marker of where they lived. When the State of Israel was established, the Palestinian Jews became Israeli Jews, while Palestinian Arabs became simply "Palestinians."

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# Chapter 1

## The Evolution of Israel's Border

The territory that encompasses today's Israel and the occupied Palestinian territories became a separate entity under British rule on July 24, 1922. Known as the British Mandate of Palestine, it also included Transjordan until 1946. From the outset, the territory east of the Jordan River was not open to Jewish settlement, which was restricted by the British to Western Palestine until the end of the Mandate in May 1948. British rule in Mandate Palestine was complicated by the competing national interests of the Arab and Jewish populations in the territory. Arab-Jewish tensions resulted in riots and violence and erupted into large-scale rebellion by the Arabs in 1936, which lasted until 1939. In 1937, the British issued a proposal to divide the territory between its Arab and Jewish populations (the Peel Commission Plan). The partition proposal was rejected by the Arabs and subsequently withdrawn by the British.

In 1947, Great Britain announced its decision to withdraw from the Mandate and placed the Palestine question before the United Nations. The Special UN Committee on Palestine (UNSCOP) recommended that two separate Jewish and Arab states should be created, while Jerusalem should be placed under international administration. On November 29, 1947, the United Nations General Assembly adopted Resolution 181 by a two-thirds majority of the votes, recommending implementation of the partition plan (see Appendix I for all UN resolutions mentioned in this text). The Jewish leaders in Mandate Palestine accepted the partition, while the Arab leaders voiced their rejection to it.

Civil war between the Jews and the Arabs in Palestine broke out the day after the passage of the UN resolution, marking the start of Israel's War of Independence. On the day that the British forces finally withdrew from the mandate on May 14, 1948, the Jewish leadership declared the establishment of the State of Israel. The U.S. was the first country to officially recognize Israel, soon followed by the USSR. Fifty-four countries recognized Israel within the first year of its establishment, including most European and South American countries.

One day after Israel's declaration of independence, a coalition of Arab forces from surrounding countries—Egypt, Lebanon, Syria, Jordan and Iraq—invaded Palestine. The war in Palestine transformed from a civil war between the Jews and the Arabs in Palestine into the first Arab-Israeli war and generated the Palestinian refugee problem (see Chapter 4).

In 1949, armistice agreements were signed between Israel and the various Arab countries, officially ending hostilities. These agreements established an armistice line between Israel and its Arab neighbors known as the "Green Line." Under these arrangements, the West Bank, including East Jerusalem and the Old City of Jerusalem, remained under Jordanian control. Egypt withdrew to the borders that demarcated the former frontier between Egypt

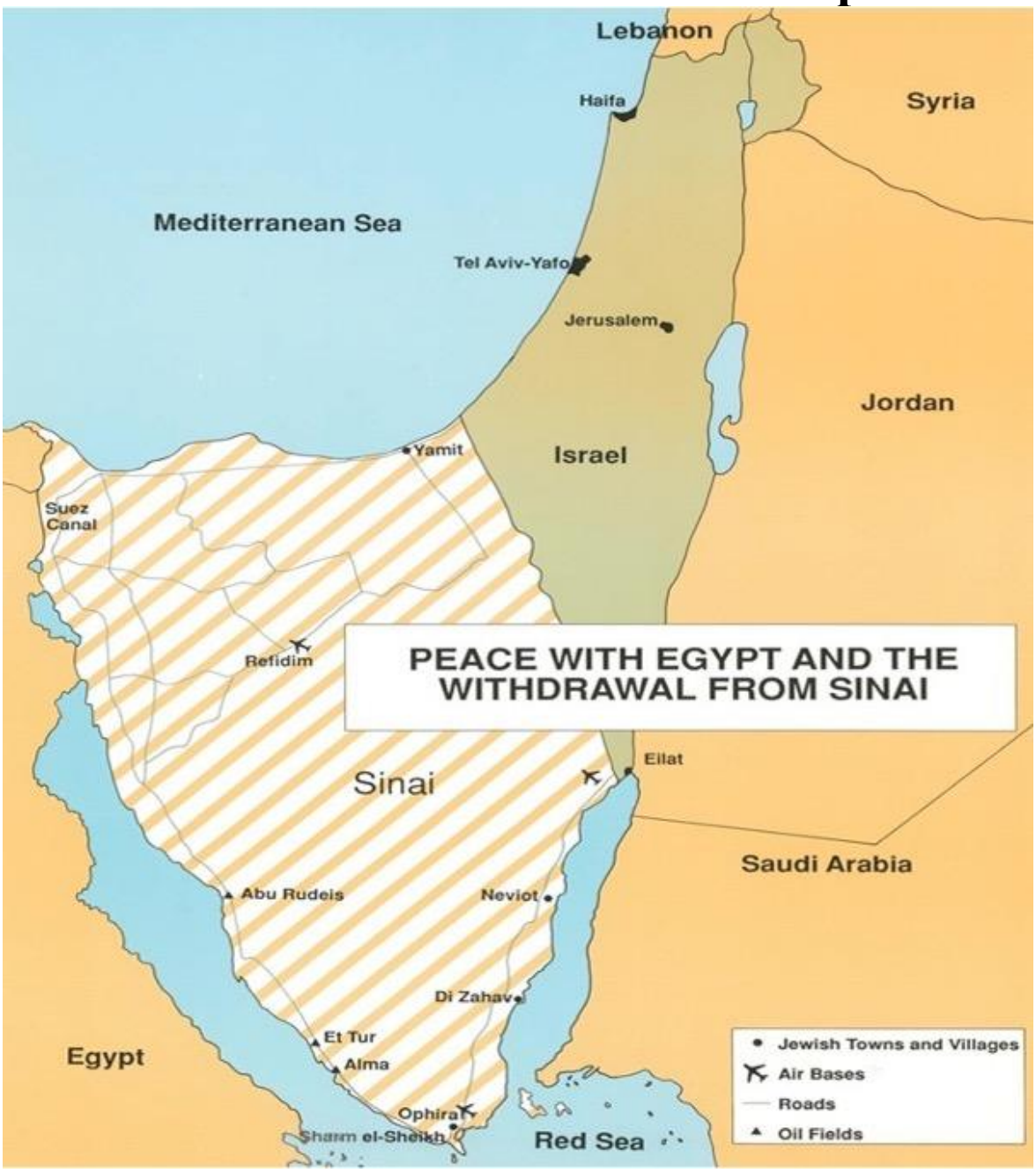
and Mandatory Palestine but remained in control of a strip of land along the coast, which became known as the Gaza Strip. Egypt did not annex the territory of Gaza but left it under military administration. Jordan, however, annexed the West Bank in 1950 and granted its inhabitants Jordanian citizenship.


Overall, as a result of the 1948 War, the Arab-controlled territory of Palestine was significantly reduced and was no longer contiguous, in contrast to the partition plan offered by the UN in 1947. In 1967, during the Six-Day War, Israel captured the West Bank and East Jerusalem from Jordan. It also took control of the Sinai Peninsula and the Gaza Strip

from Egypt, and captured the Golan Heights from Syria. Israel subsequently annexed East Jerusalem and later applied Israeli law to the Golan Heights, while the West Bank and Gaza remained under military occupation. In the aftermath of the war, the UN Security


Council passed Resolution 242, calling for Israeli withdrawal from territories it had occupied during the recent conflict in exchange for an end to the state of belligerency. This became known as the 'land for peace' formula: the idea that Israel would return captured territories to Arab states or, later, to a future Palestinian entity, in return for recognition, security guarantees, and a broader political settlement. Resolution 242 formed the basis of the Arab–Israeli peace process after 1967 and underpinned the peace treaties between Israel and Egypt (1979) and Israel and Jordan (1994). The same principle also guided the Oslo Accords signed between Israel and the Palestine Liberation Organization (PLO) in 1993 and 1995.

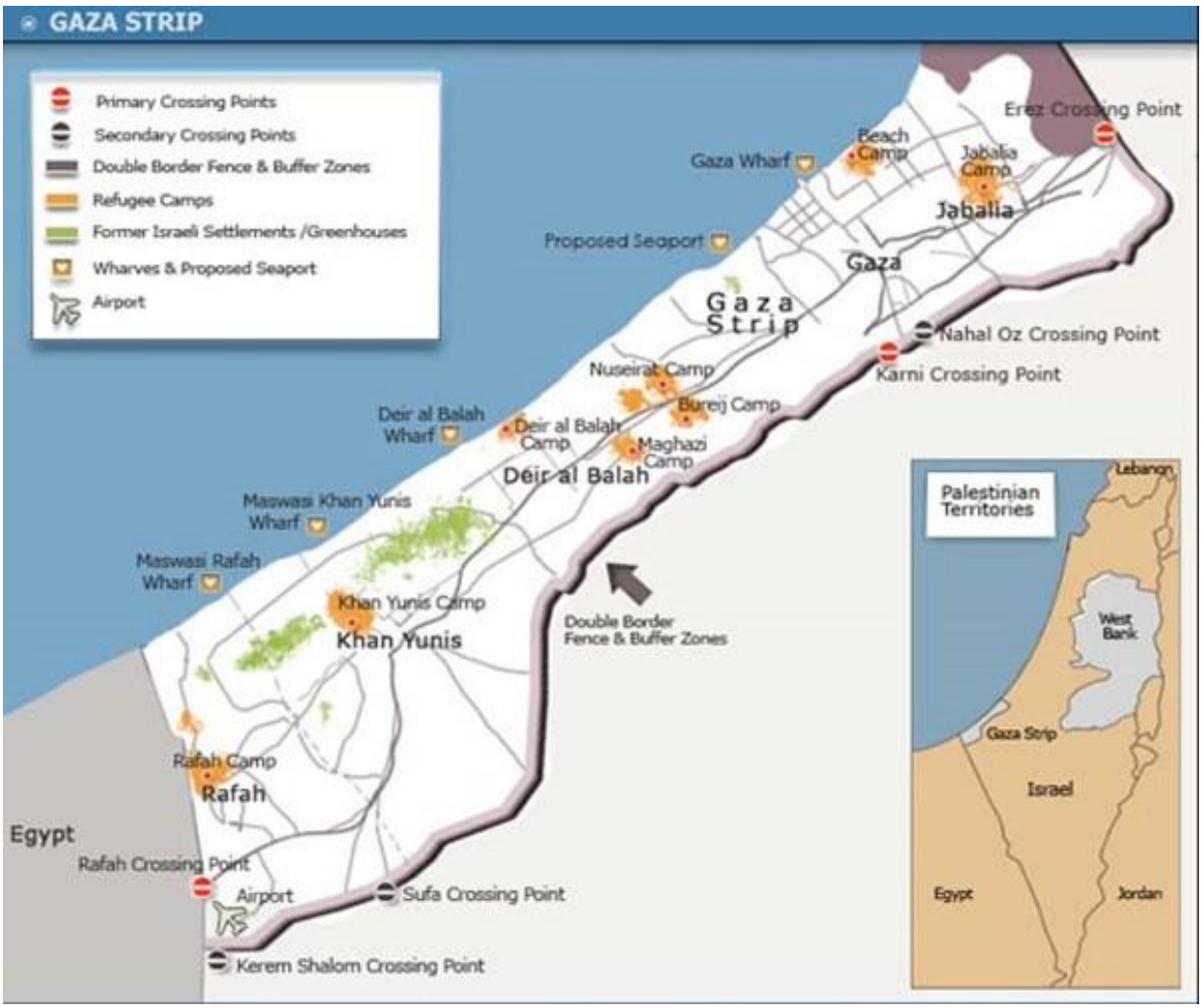
# The Sinai Peninsula and the Gaza Strip




After 1967, Israeli forces remained in the Sinai Peninsula until 1982. In that year, Israel completed its withdrawal from the territory as part of the agreements reached with Egypt after the 1973 Arab-Israeli War and the 1979 Israeli-Egyptian peace treaty.

At the same time, Egypt ceded its claims on the Gaza Strip to the Palestine Liberation Organization (PLO). However, the strip remained under Israeli military administration until 1994, when control over Gaza (except for a few settlement blocs and military areas) was transferred to the Palestinian Authority (PA) as part of the Oslo Accords. Under the Oslo Accords, however, Gaza's borders and air space remained under Israeli control.

In the summer of 2005, the Israeli government followed through on a decision to unilaterally disengage from the Gaza Strip. It dismantled all the Israeli settlements within the territory, leaving the Strip's administration to the PA. In 2006, Palestinian parliamentary elections were held in the West Bank and Gaza, and the Islamist movement Hamas won the majority of the seats in the Palestinian Legislative Assembly. A short-lived unity government of the Hamas and Fatah factions was established, until fighting broke out in the Strip between the two parties. The coalition government ended in June 2007 as Hamas seized control of the Strip. Since then, divisions between the Palestinian governing factions in Gaza (Hamas) and the West Bank (Fatah) have not been resolved, despite several attempts at reconciliation. In June 2014, Hamas and Fatah agreed to form a unity government, but it fell apart a year later. In 2016, Hamas announced its willingness to participate in Palestinian municipal elections planned for the Gaza Strip in 2017, and in preparation it appointed a new administrative committee to run Gaza's civil affairs. The elections were never held and were ultimately suspended.




In its bid to regain control over Gaza, the PA repeatedly sought to pressure Hamas through financial and administrative measures, cutting budget transfers for electricity, fuel, healthcare, and civil servants' salaries. An attempted reconciliation in October 2017

envisioned returning civilian control of Gaza to the PA in exchange for lifting sanctions, but implementation quickly faltered. A renewed effort in October 2022, known as the Algiers Declaration, once again pledged national elections within a year, yet like its predecessors the agreement collapsed. No Palestinian elections have been held since 2006, leaving both territories governed by aging leaderships, weak institutions, and deep public frustration.

Throughout the period of Hamas control, Gaza has remained under a comprehensive Israeli–Egyptian blockade to restrict the movement of goods, weapons, and people. Israel argues that the blockade is necessary to prevent arms smuggling and rocket production, while humanitarian organizations describe it as a form of collective punishment. The majority of Gaza's trade continues to pass through the Kerem Shalom crossing, with the Rafah crossing to Egypt operating intermittently. From 2017 to 2020, the PA intensified its own punitive measures, temporarily halting payments for fuel import duties and electricity, further worsening humanitarian conditions in the enclave. As of 2025, the PA still demands that Hamas disarm and cede control of Gaza; preliminary international talks have explored the formation of a technocratic administrative council under PA oversight, but implementation remains stalled amid ongoing hostilities and factional mistrust.

Attempts to challenge the blockade have periodically triggered regional crises. In May 2010, a flotilla of six ships organized by Turkish activists sought to deliver aid to Gaza and break the Israeli naval blockade. When the flotilla ignored Israel's directive to dock at Ashdod for inspection, Israeli commandos boarded the vessels; clashes aboard the Mavi Marmara left nine Turkish citizens dead and led to a sharp deterioration in Turkish-Israeli relations. Although diplomatic ties were gradually restored in the late 2010s, the incident left a lasting imprint on regional perceptions of Israel's Gaza policy.

Despite the blockade, a vast network of smuggling tunnels connecting Gaza and Egypt thrived during the late 2000s and early 2010s, facilitating trade and the movement of people but also weapons. Under President Abdel Fattah el-Sisi, the Egyptian military launched a campaign beginning in 2013 to destroy the tunnels as part of its counterinsurgency operations in the Sinai Peninsula. In 2014, Egypt began constructing a buffer zone along the Gaza border to prevent militant infiltration. While Cairo largely kept the Rafah crossing closed for security reasons through much of the 2010s, it has opened the terminal more regularly since 2018, turning it into Gaza's main civilian gateway and a key instrument of Egyptian leverage over both Hamas and Israel.

Hostilities between Israel and Hamas have erupted repeatedly since 2007, with major military escalations in 2008–2009 (Operation Cast Lead), 2012 (Operation Pillar of Defense), 2014 (Operation Protective Edge), 2021 (Operation Guardian of the Walls) undertaken in response to rocket attacks. The last and most prolonged and intense round of conflict broke following the attack on Israel on October 7 (Operation Iron Swords) and continued to the tentative ceasefire brokered in 2025 (for a detailed analysis of this most recent stage of the conflict, see Chapter 3).

# The Golan Heights

In 1981, Israel passed the Golan Heights Law, effectively annexing the territory. The UN

condemned the annexation of the territory with the passage of UNSC Resolution 497 and has repeatedly urged Israel to withdraw and engage in negotiations with Syria over the territory. During the 2000s, the two parties engaged in negotiations several times, in which they discussed the return of the Golan to Syria in exchange for security guarantees for Israel. No final agreement was reached. Lebanon, especially Hezbollah, also lays claim to a very small part of the Golan (the Shebaa Farms), but that claim is not supported by the United Nations, which considers the Shebaa Farms to be part of Syria.

Since 1967, Israel has established numerous settlements on the Golan Heights. The strategic depth and the mountainous terrains and valleys of the Golan Heights hold immense military benefits for Israel in terms of providing defensible borders. Economically, water resources play a key role too. Some of the main sources of the Jordan River, which flows into Israel's only freshwater lake, the Sea of Galilee, are situated there.

Following the 1967 Six-Day War and Israel's 1981 extension of Israeli law over much of the Golan Heights, a few thousand Syrians, mostly Druze, remained in the territory. They mostly held Syrian passports though offered Israeli citizenship in the 1970s. Many of the Druze accepted permanent-resident status in Israel, received social welfare benefits, and faced a divided loyalty between Israel and Syria. Since 1974 the area has been monitored by the United Nations Disengagement Observer Force (UNDOF) under a cease-fire agreement, and until recently the border remained comparatively quiet despite occasional spill-over from the Syrian civil war that began in 2011. In March 2019 the United States formally recognized Israeli sovereignty over the Golan Heights, becoming the first and so far only country to do so, while the European Union and most of the world continue to view the territory as occupied under international law.

After the fall of President Bashar al-Assad's regime in Syria in 2025, Israeli forces moved into part of the UN-supervised buffer (demilitarized) zone, taking positions from which the Syrian government had withdrawn. Israel's northern security doctrine shifted to disengaging from reliance on the old Syrian regime and treating the post-Assad Golan frontier as a "managed zone" of strategic depth. In this context, Syrian Druze in the Golan Heights have become more active. In 2025 dozens of Syrian Druze from across the separation line crossed into the Israeli-controlled Golan for the first time in decades, and Israel announced plans to allow Syrian Druze workers transit into the Golan Heights—moves interpreted as part of Israel's effort to strengthen ties with the Druze minority as a buffer against chaos in Syria. Tensions spiked in August 2025, however, when militias aligned with the new regime in Syria carried out a massacre of Druze civilians in several villages near Suwayda, triggering outrage among the Druze community in the Israeli-controlled Golan. Hundreds of Druze residents held demonstrations in Majdal Shams and Buq'ata, calling on Israel to protect their kin across the border and to allow humanitarian aid deliveries. The Israeli government permitted limited cross-border assistance coordinated through the Red Cross and eased movement restrictions for Druze residents seeking contact with relatives in Syria.

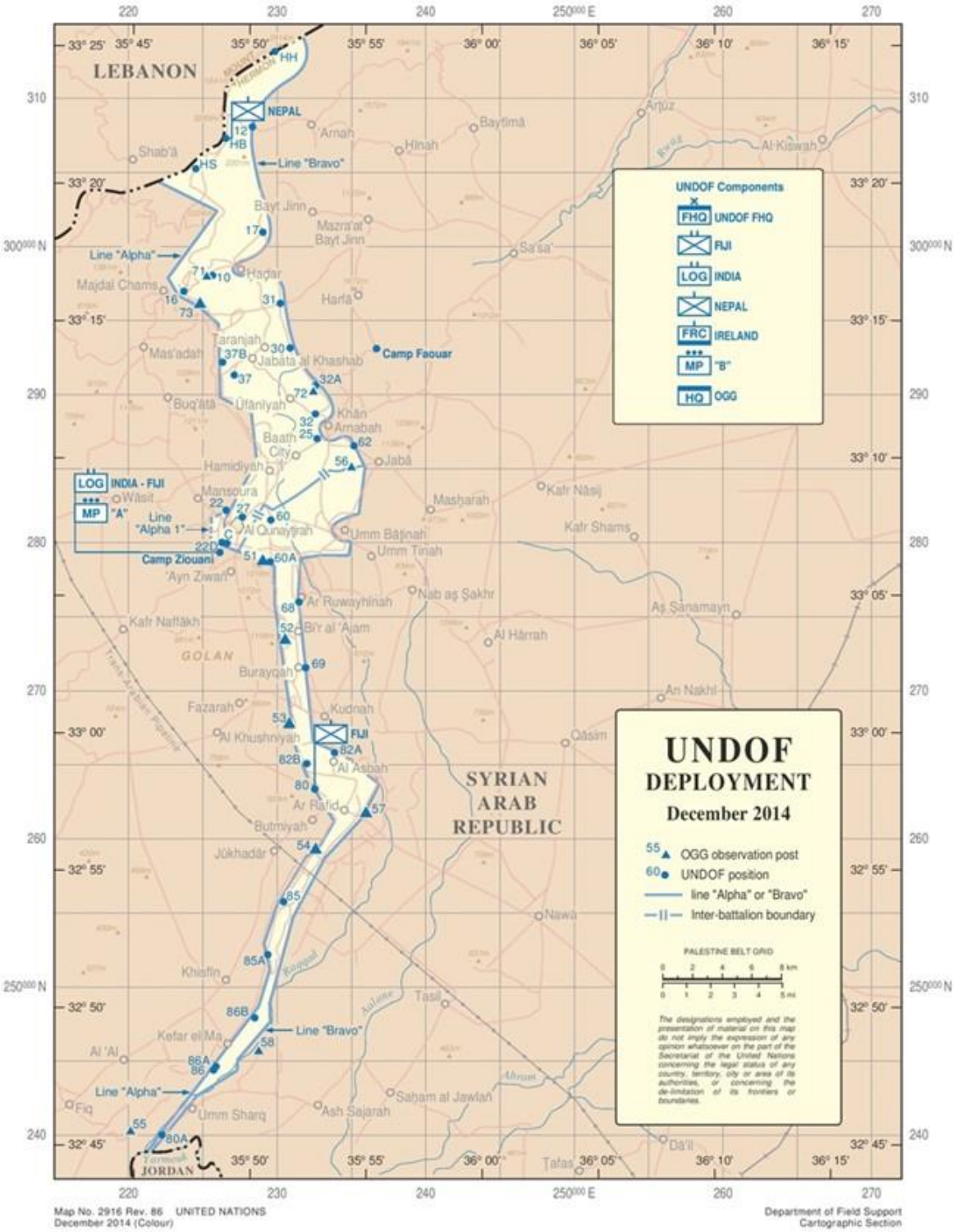



*Figure 1 Demilitarized zone between Israel and Syria*

# Jerusalem

The issue of Jerusalem lies at the heart of the Israeli-Palestinian conflict and the national, religious, and political discourses of both sides. At the moment, Israel has de facto authority over the city. In 1980, Israel passed a basic law in the Knesset, declaring all of Jerusalem, "complete and united," to be its capital. The UN did not recognize Israel's de-facto annexation of the eastern part of the city (UNSC Resolution 478), neither did any foreign governments accept the claim.

The 1993 Oslo Accords left the status of Jerusalem undecided. According to the Declaration of Principles (DOP) signed by the parties, the issue of Jerusalem was to be negotiated in the so-called "final status" negotiations within five years. The Camp David peace talks in 2000, convened by U.S. President Bill Clinton, did not bring any solution to the question of Jerusalem either.

The Palestinian Authority (PA) claims Arab Jerusalem, including the Temple Mount, as the capital of a future Palestinian state, and argues that West Jerusalem should also be subject to permanent status negotiations. The PA considers Jerusalem a symbol of Palestinian national identity, and believes it should be its geographical, political, administrative and spiritual capital. In 2000, the PA passed a law proclaiming Jerusalem as the capital of the State of Palestine, a law that was ratified by Arafat in 2002.

Formally, the UN still maintains that Jerusalem should be a 'corpus separatum' with a separate international status as stipulated in the 1947 Partition Plan (UNSC Resolution 181). In practical terms, the present international consensus, including in subsequent UN resolutions, is that the city should be divided between Israel and the Palestinians.

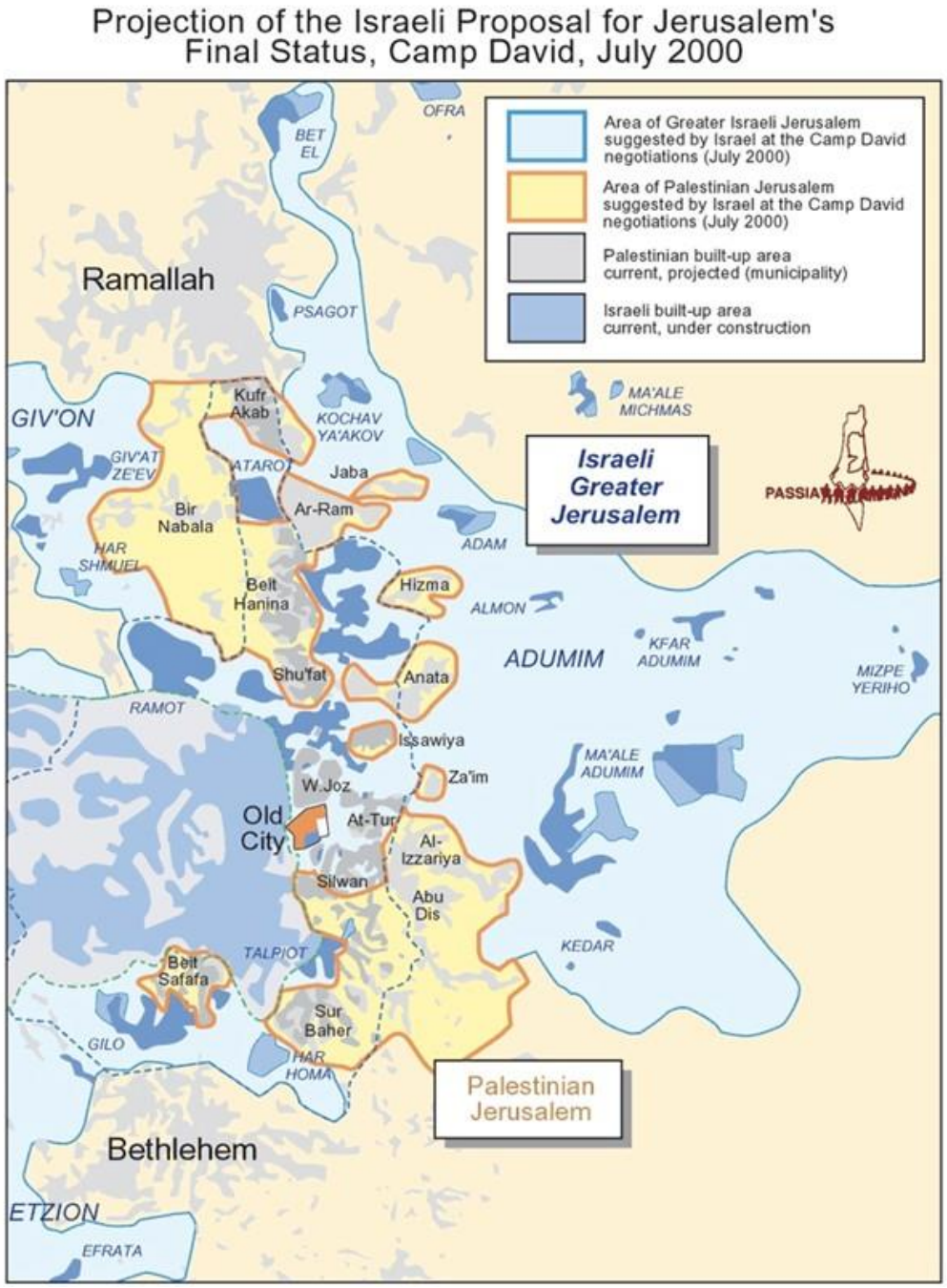
The status of Jerusalem involves five distinct issues:

1. The Holy sites
2. The Old City and the Historic Basin
3. Municipal boundaries
4. Jewish neighborhoods in East Jerusalem
5. The security barrier

The Holy sites form the first obstacle to a future agreement. The Temple Mount site has religious significance for both sides: In Judaism, it is believed to be the location where King Solomon built the "First Temple" and the place where the "Second Temple" stood. It is also believed to be the site of the "Holy of Holies," the inner sanctuary of the two temples where God's presence dwelt and where the Ark of the Covenant was kept. Both Jews and Muslims believe this is the place where Abraham was asked by God to sacrifice his son. Immediately below the Temple Mount lies the Western Wall Plaza, which provides access to the Jewish holy site of the Western Wall (or 'Wailing Wall'), which is the only accessible remnant of the Second Temple construct and one of the closest points to the 'Holy of Holies' to which Jews are allowed access.

Today the Temple Mount (referred to as *al-Haram al-Sharif* – 'The Noble Sanctuary' –

by Muslims) contains two Islamic holy places: The Dome of the Rock and the al-Aqsa Mosque. The construction of the Dome of the Rock was ordered by Umayyad Caliph ‘Abd al-Malik in the 7th century on the place from where Mohammed had traveled to heaven to speak to God and where he had left a footprint. Moreover, the Dome was built over the rock that Muslims believe to be the altar on which Abraham’s son was to be sacrificed. The al-Aqsa Mosque is considered the third holiest site in Islam (after the Ka‘ba in Mecca and the Prophet’s Mosque in Medina) and symbolizes the place to which Mohammed traveled during the ‘Night Journey’ “from Mecca to the farthest (*al- Aqsa*) mosque replaced by Mecca, the Temple Mount served as the first *qibla* (the direction of prayer for




Muslims).

In 1967, Israeli Prime Minister Levi Eshkol signed a law regarding the Protection of Holy

Places. The law stipulated that the holy places in Jerusalem's Old City shall be protected from desecration and that freedom of access shall be ensured to the members of the different religions to the places that are most sacred to them. The administration of the Temple Mount has remained in the hands of the Jordanian Waqf, an Islamic religious institution. The Israeli authorities control the Western Wall Plaza below as well as the rest of the Old City.

Until 2000, there were no restrictions on those who wanted to visit the Temple Mount, except during Islamic prayer times, as long as one dressed in a respectable way. Non-Muslims, however, are not allowed to pray inside the compound, or carry religious objects with them including yarmulkes, Bibles or prayer shawls. Since 2000, the situation has grown increasingly tense when these norms were challenged, and the site was at closed visitors for security reasons. A second issue complicating Jerusalem's status is the Old City and the 'Holy Basin' (the Old City and its immediately adjacent religious sites). The Old City is a mere 0.9 kilometer-square walled area within the city of Jerusalem that consists of a Jewish, a Christian, a Muslim and an Armenian quarter. This is also where most of the holy sites with special meaning to Judaism, Christianity, and Islam are located. Both on the Israeli and the Palestinian side there are those who refuse to divide the Old City and envision it as part of their future capital. During past peace negotiations (the Camp David negotiations in 2000-01 and the Annapolis Conference in 2008), solutions were discussed but rejected by the Palestinians, including a proposal for division of sovereignty.

The remaining points that impede an agreement on the final status of Jerusalem are related to the city's border regime and municipal administration, Jewish neighborhoods in East Jerusalem, and the security barrier. Developments on the ground since 1967 have complicated these issues. Most notably, Israel has expanded Jerusalem's municipal borders and established Jewish neighborhoods on the eastern side of the city, decreasing the prospect of the unification of the Arab populated parts of the West Bank and East Jerusalem in any future peace agreement.

Of similar importance is the fact that in 2002, Israel began building a barrier between the West Bank and Israel in order to prevent suicide bombers from crossing the border into Israel. In Jerusalem, the impact of the barrier has been especially notable, since it cuts off some Arab neighborhoods on the northern and eastern edge of Jerusalem from the rest of the city. Moreover, a large part of the city and surrounding area has become difficult to access for the Palestinian population of the West Bank, and Palestinian villages and land holdings in some cases were separated.

In 1967, Israel granted the Arab residents of East Jerusalem permanent residency status. With this document, they are allowed to live and work in Israel, have social benefits and vote in local elections. Under certain conditions, however, this permit may be revoked. Palestinians in Jerusalem can apply for Israeli citizenship if they fulfill certain criteria, including swearing allegiance to Israel and renouncing all other citizenships, but the great majority has chosen not to do so. The Palestinian Authority currently views East Jerusalem as territory occupied by Israel. It objects to the isolation of Jerusalem from the West Bank, and has declared that all of Jerusalem should be an open city without physical boundaries, enabling the free movement of people.

Following the inauguration of U.S. President Donald Trump in January 2017, Israel announced new housing construction in the Jewish neighborhoods of East Jerusalem and in the West Bank. Prior to his election, Trump signaled that he would not oppose such construction. Furthermore, on December 6, 2017, Trump announced U.S. recognition of Jerusalem as Israel's capital and gave instructions to move the U.S. Embassy from Tel Aviv to Jerusalem. The recognition and embassy relocation had already been stipulated in the Jerusalem Embassy Act, passed by Congress in 1995. However previous presidents consistently exercised the law's waiver and postponed implementation.

The recognition and embassy relocation were controversial because they could be construed to mean a de facto recognition of all of Jerusalem as Israel's capital, while leaving Palestinian claims to Jerusalem unaddressed. The declaration therefore specified that the U.S. was "not taking a position on any final status issues, including the specific boundaries of the Israeli sovereignty in Jerusalem, or the resolution of contested borders." Those questions were "up to the parties involved." Despite this clarification, Palestinian and Arab leaders staunchly opposed the recognition and the relocation of the embassy. When the new embassy was opened in Jerusalem in May 2018, protests in the West Bank and Gaza escalated, resulting in more than sixty Palestinian casualties especially along the border with Gaza.

After 2021, the Biden administration upheld the U.S. recognition of Jerusalem as Israel's capital and the embassy move to Jerusalem. In the second Trump administration, the U.S. officially closed its dedicated Office of Palestinian Affairs in Jerusalem in May 2025, merging it into the U.S. Embassy and thereby subsuming its independent diplomatic channel with the Palestinians into the embassy structure.

# The West Bank

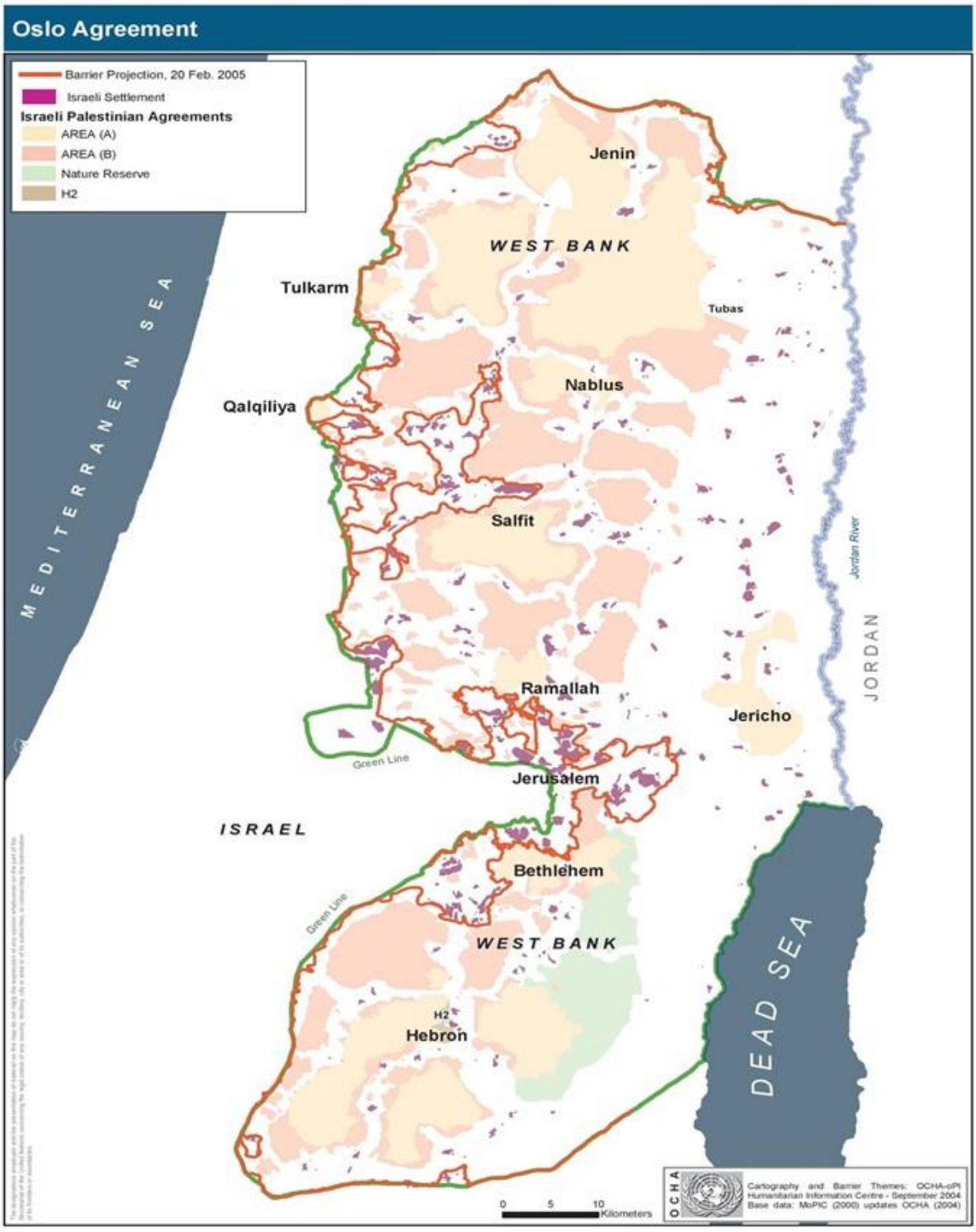
The majority of the international community, as well as the Palestinians, define the West Bank as 'occupied territory,' according to which any Israeli settlements within the territory are illegal. Israel argues, however, that the territory is not occupied, since before 1967 the West Bank was not under the recognized and legitimate sovereignty of any state. Jordan's control was for the most part unrecognized, as its 1950 annexation was considered illegal under the Fourth Geneva Convention. Therefore, in the Israeli government's view, the territory is 'disputed' rather than occupied, and its final status ought to be determined in negotiations.

After 1967, the West Bank (referred to as Judea and Samaria by Israel) remained under Israeli military administration. In 1979, the UN Security Council declared Israeli settlements in the West Bank illegal (UNSC Resolution 446) and called on Israel to uphold the Fourth Geneva Convention, according to which it may not alter the legal, geographic and demographic composition of an occupied territory by relocating its own citizens to the territory. As noted, Israel has rejected these arguments on the grounds noted above: that the territory is not "occupied" but "disputed." Israel also argues that this remains the case as long as no permanent borders have been established or recognized.

In 1988, Jordan withdrew all its claims on the West Bank in favor of the PLO as the sole

legitimate representative of the Palestinians. The First Palestinian Intifada (uprising), which broke out shortly before this decision, had anti-Jordanian overtones that also encouraged the Jordanians to disengage. From 1950 until 1988, the Arab residents of East Jerusalem and the West Bank had held Jordanian citizenship. This Jordanian citizenship was revoked with Jordan's disengagement in 1988. In 1967, Israel granted the Arab residents of East Jerusalem permanent residency status, but not citizenship.

Between 1993 and 2000, Israel and the PLO signed a series of agreements concerning the transfer of power from the Israeli military to the Palestinian Authority, which was created in 1994, in the context of the Oslo peace negotiations. In 1993, the two parties signed the Oslo I Accord, the Declaration of Principles (DOP) mentioned above, which established



the framework of the negotiations.

The Oslo II Accord, signed in 1995, was an Israeli-Palestinian Interim Agreement concerning the redeployment of Israeli forces on the West Bank and Gaza Strip, according to which the West Bank was divided into three areas—A, B and C—with the exception of the city of Hebron and Arab Jerusalem. Area A was characterized by significant Palestinian autonomy; Area B by limited autonomy, while Area C remained under Israeli control:

Area "A" comprised the six cities of Jenin, Nablus, Tulkarem, Qalqilya, Ramallah and Bethlehem (as well as Jericho, from which the Israeli forces had withdrawn in the earlier phase of the Oslo accords). The IDF had thus effected a withdrawal from the largest Palestinian population centers. In these areas, the Palestinian Authority would have full responsibility for internal security, public order, and civil administration.

Area "B" comprised the smaller Palestinian towns and villages in the West Bank. In these areas, the PA exercised full civil authority and was charged with maintaining public order, while Israel would remain in charge of security.

Area "C" comprised the largely unpopulated areas of the West Bank, areas of strategic importance to Israel, and the Jewish settlements. In those areas, Israel retained full responsibility for security and public order.

Since 1991, Palestinians need to obtain exit permits from the Israeli military to travel to Israel, Jerusalem or Gaza, a procedure that was formalized by the Oslo Accords. Within the West Bank, travel between the major Palestinian towns and villages are possible for Palestinians but cumbersome because of the numerous Israeli roadblocks and checkpoints that slow down and complicate freedom of movement. Most of these movement restrictions have been put in places to specifically restrict Palestinian access to roads used by Israeli settlers or to areas near or controlled by settlements.

Special arrangements applied to the city of Hebron because of the sensitive historical and religious aspects of the city and the Jewish presence in the heart of Hebron. The arrangements for the transfer of power in this city were outlined in the Hebron Protocol, signed in 1997, which stated that Israeli forces were to exercise their responsibilities vis-à-vis the Israeli residents living in Hebron, in an area referred to as H-2, and were to remain in control of the Old City and the entire area that links the Jewish Quarter to the adjacent Jewish settlement of Kiryat Arba and the Tomb of the Patriarchs / Ibrahimi Mosque (a shared Jewish and Muslim holy site). Other Israeli military forces would be redeployed, except for places and roads where their presence was necessary in order to ensure the safety and protection of Israeli citizens. At the same time, Palestinian police would be responsible for Palestinian residents in the area referred to as H-1.

As part of the Oslo II agreement, Israel withdrew its military from designated areas of the West Bank in a concrete step towards facilitating the future establishment of a Palestinian state in the West Bank. Although the autonomous divisions have remained largely in place, developments in the 1990s and early 2000s slowed down the peace process and changed the prospects for a future peace agreement. Israeli Prime Minister Yitzhak Rabin—a

central figure in signing the Oslo Accords—was assassinated by Yigal Amir, an Israeli right-wing activist; there was a significant rise in terror attacks perpetrated by Palestinian militants; and the Second Intifada broke out in September 2000. As a result, economic and social interaction between Palestinian citizens of the West Bank, the citizens of Gaza, and the citizens of Israel dropped to a minimum.

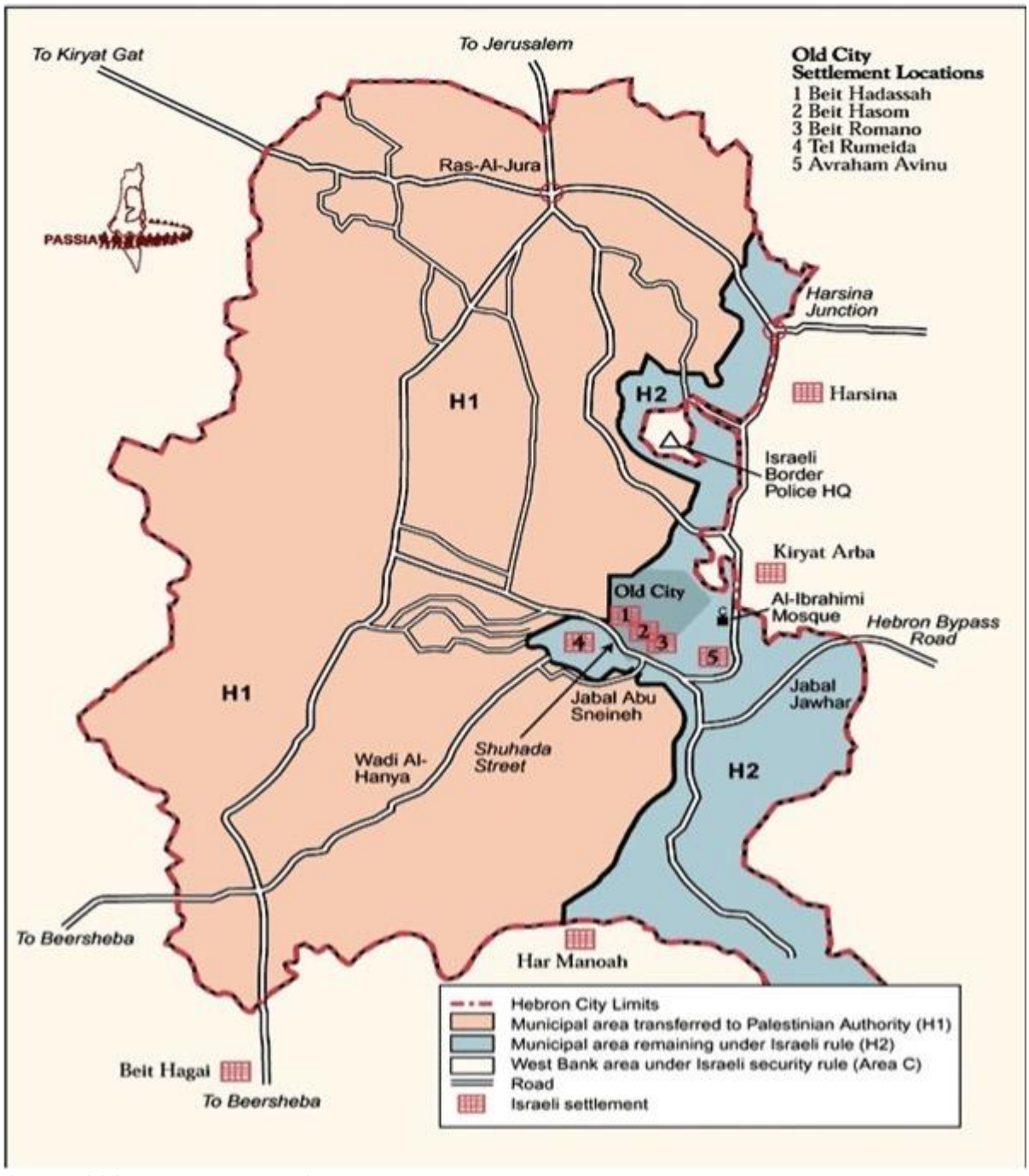



*Figure 2 Division on Hebron according to the 1997 agreement*

Following the rise in terrorist attacks and suicide bombings on Israeli soil, Israel started the construction of a barrier (mostly a fence, but a wall in some places) between the West

Bank and Israel. Israel argues that the barrier has contributed significantly to the prevention of illegal border crossings by Palestinian terrorists and that it has decreased the attacks. Israeli fatalities from terrorist attacks declined from hundreds a year to close to zero since the barrier construction. The General Assembly of the United Nations has adopted a resolution declaring that a part of barrier is in contradiction with international law, since it does not follow the Green Line but cuts into the West Bank in some places, thereby effectively annexing territories to Israel. The International Court of Justice (ICJ) issued an advisory opinion in 2004 according to which Israel's building of a barrier in occupied Palestinian territory was held to be illegal. The territories in question especially concern areas where the barrier was built around Jewish settlements and religious sites in order to protect them and to facilitate their access to and from Israel. The barrier, as well as numerous Israeli checkpoints and roadblocks, continue to restrict and control the internal movement of Palestinians in the West Bank.

In 2019, Prime Minister Benjamin Netanyahu proposed formally annexing a portion of the West Bank including the Jordan Valley and northern Dead Sea bordering Jordan, an area constituting roughly a third of the West Bank's territory. With the negotiation of the Abraham Accords, which normalized relations between Israel, Bahrain, and the United Arab Emirates, this proposal was placed on hold.

Since then, while no full-scale annexation has been formally executed, Israel's government and coalition partners repeatedly revive the language and legislative motions promoting the extension of sovereignty over the Jordan Valley. In 2024 and 2025, the Israeli security cabinet approved land-appropriations in the Jordan Valley and passed non-binding Knesset motions (e.g., on 23 July 2025) in favor of annexation.

In March 2024, the Israeli government declared approximately 8,000 dunams (about 1,976 acres) of land in the Jordan Valley as "state land," allowing for settlement expansion and infrastructure development. Later in June 2024, another tranche of 12,700 dunams was declared state land, making the total for the first half of 2024 alone one of the largest such appropriations since the Oslo Accords. In May 2025, Israel's security cabinet approved a plan to erect a high-tech barrier along its eastern border with Jordan, stretching some 425 km and accompanied by "national mission centers" in the Jordan Valley to bolster civilian and military infrastructure in the area.

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# Chapter 2

# Israel and Its Neighbors

## Egypt

Until the peace agreement between Israel and Egypt signed in 1979, the two countries had fought each other in a number of wars. Egypt was one of the leading parties in the Arab coalition that declared war on Israel following its declaration of independence on May 14, 1948. During this war, Egypt occupied the Gaza Strip. Despite the armistice agreements of 1949, in the years that followed, small guerilla groups referred to as *fedayeen* continued to carry out attacks on Israel from the Gaza Strip.

When Gamal Abdel Nasser became president of Egypt in 1954, he positioned himself as a leader of the Arab world and declared that one of his main objectives was to end the British occupation of the Suez Canal. Nasser used fierce rhetoric against Israel, which he viewed as an extension of the imperialist forces in the region and an act of Zionist aggression against the Palestinian people. In 1956, the Sinai Campaign or 'Suez Crisis' broke out after Nasser nationalized the canal. A coalition of Israeli, British and French forces invaded Egypt in response to Nasser's move but was checked by the United States. Under pressure, Israel withdrew its forces from the Sinai Peninsula in exchange for an Egyptian pledge that the attacks from the *fedayeen* would come to a halt. A UN emergency force was stationed in a buffer zone between Israel and Egypt. Overall, the campaign increased Nasser's standing in the Arab world.

In 1967, the Six-Day War or June War broke out as Israel carried out a surprise attack on Egypt in response to the Egyptian blockade of the Gulf of Aqaba, Nasser's dismissal of the UN emergency force and Egyptian military preparations in the Sinai Peninsula. During this war, Israel occupied the Gaza Strip and the Sinai Peninsula. Egyptians have generally referred to the war as *al-Naksa*, Arabic for "the Setback." Soon after Egypt's defeat, Nasser launched a War of Attrition (1968–1970) along the Suez Canal in an effort to unsettle Israel's hold over the territories Egypt had lost in the 1967 War. Egypt and Israel agreed to an American-brokered ceasefire in the summer of 1970.

Three years later, Egypt and Syria staged a surprise attack on Israel in an attempt to recapture the territories occupied by Israel in 1967. This was the Yom Kippur War of 1973, referred to by the Egyptians as the Ramadan War, the "October Victory" or the "Crossing of the Canal," in which Egypt managed to win part of the Sinai desert back. After the UN Security Council adopted Resolution 338 on October 22, a ceasefire came into effect on October 25, 1973. Egypt repeatedly violated the ceasefire until the so- called "Six-Point Agreement" for the stabilization of the ceasefire was signed by the two parties on November 11, 1973. In January 1974, US Secretary of State Henry Kissinger mediated the conclusion of the Sinai I Agreement, which outlined the disengagement of forces as a first step towards a just and durable peace. One year later, in September 1975, Israel and Egypt signed the Sinai II Interim Agreement, which reinforced the commitment of both parties

to implement Resolution 338 and resolve their conflict through peaceful means, and which called for further withdrawal of forces from the Sinai.

Only a few years later, in 1977, Egyptian President Anwar Sadat made history when he visited Jerusalem and gave a speech to the Knesset in which he reached out to Israel with a call for peace. On September 17, 1978, President Sadat and Israeli Prime Minister Menachem Begin signed the Camp David agreement under the auspices of U.S. president Jimmy Carter, which paved the way for the 1979 Israeli-Egyptian peace treaty. By signing the Camp David Accords, Egypt recognized Israel's right to exist, in return for which Israeli forces would withdraw from the Sinai. Diplomatic relations were officially established on February 21, 1980. Egypt has an embassy in Tel Aviv and a consulate in Eilat, while Israel has an embassy in Cairo and a consulate in Alexandria. The peace treaty also allowed for the development of economic relations between the two countries, especially Egyptian export of oil and gas to Israel, as well as agricultural cooperation. Both Begin and Sadat received the Nobel Peace Prize for their historic move.

However, Sadat's approach was seen in the region as an effort to reach a separate peace, and Egypt was expelled from the Arab League. Sadat was assassinated by an Islamic militant group in 1981. Moreover, Egyptian public support for the normalization of relations with Israel has always been limited and the peace is often described as a cold one. When Hosni Mubarak assumed the presidency, he sought to advance a more comprehensive Arab-Israeli peace and Egypt has continued to play a central role as mediator in the Middle East peace process.

After the Egyptian Revolution of 2011 and the fall of Hosni Mubarak, Egypt's relations with Israel reached a low point. Israel worried about the future of the peace treaty especially as the Muslim Brotherhood rose to power. These concerns were confirmed when the Morsi government decided to open the Rafah border crossing with Gaza, undermining Israel's blockade of the Gaza Strip. At the same time, protestors in Cairo attacked the Israeli embassy, while a gas pipeline transporting Egyptian gas to Israel and Jordan was also repeatedly blown up.

Relations between Egypt and Israel improved dramatically after Egypt's military ousted the Morsi government in a coup on July 3, 2013. Currently, the countries have common strategic interests in fighting Islamist groups active in the Sinai Peninsula, particularly given those groups' ties to militant groups in the Gaza Strip itself. For this purpose, Israel has allowed Egypt to deploy forces in the Sinai, making an exception to security agreements stipulated in the peace treaty. Moreover, Egyptian President Abdel Fattah al-Sisi at times closed the Rafah border crossing and has sought to destroy smuggling tunnels between Gaza and Egypt. In 2016, Egypt reinstated its ambassador in Tel Aviv, and the Egyptian Foreign Minister paid an official visit to Israel. Al-Sisi has declared Egypt's willingness to continue its role as mediator in the Israeli-Palestinian conflict and has cooperated with Israel on crucial economic issues such as gas production.

After 2016, when Egypt reinstated its ambassador to Israel and the Egyptian foreign minister visited Tel Aviv, the relationship between Egypt and Israel entered a new phase of pragmatic cooperation punctuated by tensions stoked by developments on the ground. Egypt, under President al-Sisi, continued its role as mediator in the Israeli-Palestinian

conflict, notably brokering ceasefires between Israel and Hamas, and coordinating in negotiations over hostages and border-access issues. At the same time, energy and economic ties deepened. Egypt secured a multi-billion-dollar deal to import Israeli natural gas, extending into a $35 billion contract through 2040, even as the Gaza war and Egyptian public discontent threatened to strain the bilateral link.

During the Gaza War following the October 7, 2023 attack, Egypt voiced sharp condemnation of Israeli military operations and protested Israel's control of the Philadelphi Corridor, a narrow strip of land running along the entire border between Gaza and Egypt. Yet the two countries avoided full diplomatic rupture, balancing domestic pressure with strategic interests. By 2025, the Egypt-Israel relationship thus appears as a complex interplay of cooperation and contention; it is grounded in deep economic interdependence and security coordination, yet is frequently tested by public opinion, the humanitarian crisis in Gaza, and Egypt's balancing act between its alliance with Israel and its solidarity with the Palestinians.

# Jordan

In 1922 Britain established Transjordan as a separate territory within the Mandate of Palestine. This decision was significant because it indicated that the Jewish national home outlined in the Balfour Declaration would only apply to Palestine west of the Jordan River, while the East Bank would be excluded from Jewish settlement. Early on, Amir (later King) Abdullah developed an interest in Palestine. To that end, Abdullah was in regular contact with Zionist leaders through secret backchannels. In 1947, he and the Zionist leaders discussed the possibility of his control of Arab Palestine following the UN partition plan. Because of its membership of the Arab League, however, Transjordan was one of the Arab countries that participated in the Arab-Israeli war of 1948. After the 1949 armistice agreements, King Abdullah I basically received what he had hoped for, as Transjordan remained in control of the West Bank, including East Jerusalem. Jordan formally annexed the territory in 1950. Only the United Kingdom and Pakistan recognized this annexation and most Arab countries strongly condemned King Abdullah I's decision. He was assassinated in 1951 in Jerusalem by a Palestinian.

In 1967, Jordan, tied to a defense treaty with Egypt, took part in the war against Israel. During that war, Israel captured the West Bank from Jordan but annexed only East Jerusalem. Hundreds of thousands of Palestinians fled to Jordan, posing major demographic and political challenges to the Jordanian monarchy and now accounting for an estimated 50% of the Jordanian population. These problems were compounded by the fact that the Palestine Liberation Organization (PLO), established in 1964, was at loggerheads with the Jordanians over control of the Palestinians in the Kingdom. In 1970, a power struggle ensued between the Jordanian King Hussein and the PLO, as the King engaged in silent diplomatic efforts to reach an agreement with Israel regarding the West Bank. The PLO tried to overthrow King Hussein, culminating in a civil war referred to as "Black September." The PLO forces were eventually forced to surrender, and its supporters expelled to Lebanon, where the organization assumed its new headquarters in Beirut.

Jordan did not take a direct part in the 1973 war with Israel but sent some of its forces to fight on the Syrian front.

The Arab League's decision of 1974 to recognize the PLO as the "sole legitimate representative" of the Palestinian people was received with dismay by King Hussein. Eventually, however, Jordan withdrew all its claims on the West Bank in 1988 in favor of a peaceful resolution to be reached between Israel and the PLO. An additional motive for the Jordanian disengagement was no doubt the First Intifada (beginning in 1987), which also had strong anti-Jordanian undertones. With the Jordanian disengagement, the Palestinians of the West Bank lost their Jordanian citizenship and became effectively stateless.

On October 26, 1994, Israel and Jordan signed a peace treaty, making Jordan the second Arab country to normalize relations with Israel. With this agreement, Jordan officially recognized the State of Israel, and remaining land and water disputes were settled. As for the issue of Jerusalem, Israel recognized Jordan's special responsibility for the Muslim holy shrines in the city although that administration is largely symbolic. The nominal administration of the compound by the Jordanian Waqf Ministry helps to hold in check the competing Palestinian and Israeli claims for control over the site. The treaty paved the way for cooperation with respect to security and intelligence as well as trade and tourism. Following the outbreak of the Syrian Civil War, Jordan and Israel strengthened their security cooperation because of common concerns about the Iranian, Hezbollah and ISIS presence in Syria.

Since 2023, relations between Israel and Jordan have become increasingly strained, marked by a delicate balance between public opinion and the strategic need for security cooperation. The outbreak of the October 7 War and Israel's subsequent military operations in Gaza provoked widespread anger within Jordan, where a majority of the population identifies with the Palestinian cause. In response, the Jordanian government condemned Israel's actions, recalled its ambassador from Tel Aviv, and issued strong diplomatic protests over civilian casualties and access to Jerusalem's holy sites. Yet beneath this political friction, the two countries have continued to coordinate closely on security matters, particularly along their shared border and in countering Iranian-linked drone and missile threats. Jordan's leadership remains committed to maintaining the 1994 peace treaty and the stability it underpins, even as public opinion and regional pressures push for a harder stance against Israel.

# Syria

Syria and Israel have never had any diplomatic ties. The two countries fought each other in the War of 1948, the Six-Day War of 1967 and the Yom Kippur War of 1973. They have maintained a long-standing truce since 1974 when the separation of forces agreement was signed in the aftermath of the Yom Kippur War. The tensions between the countries have risen at various points since then, but these have not led to a renewal of open confrontation. Currently, the key issue is how Israel and Syria will interact after the fall of

the Assad regime and the emergence of a new government.

In the 1948 Arab-Israeli War, Syria was one of the Arab states that declared war against the newly established state of Israel along with Egypt, Jordan, Lebanon and Iraq. According to the plans devised by the Arab League, Syria and Lebanon were to invade Israel from the north, while Jordanian and Iraqi forces were to attack from the east. With the defeat of the Arab coalition forces, the 1948 War came to a close and a series of armistice agreements were signed between the warring parties. The agreement with Syria was signed on July 20, 1949, which established a special demilitarized zone between the two countries.

In the period prior to the outbreak of the Six-Day War of 1967, the points of tension between the two countries centered on Syria's use of the Golan Heights as a springboard for attacks against Israel, water issues arising from Israel's use of the Sea of Galilee and the Syrian scheme to divert the sources of the Jordan River. The Syrian regime also supported the Palestinians in carrying out operations against Israel by allowing Fatah to use Syrian territory. During the war, Israel took over the Golan Heights from Syria. In the aftermath of the war, UN Security Council Resolution 242 was adopted leading to creation of the "Land for Peace" formula, which called for Israeli withdrawal from territories it had occupied in exchange for peace with its Arab neighbors.

In the 1973 Yom Kippur War, Syria's objective was to regain the Golan Heights, which it failed to achieve. Israel, on the other hand, captured an additional strip of territory in the Golan. At the end of the war, a separation of forces agreement was signed on May 31, 1974 between Israel and Syria. Israel withdrew from the eastern strip of the Heights it had captured in 1974, the city of Quneitra and other smaller areas it had occupied in 1967, but remained in full control of the remainder of Golan Heights. Prisoners of war were returned immediately by both sides. The new separation line, which was established in 1974, still remains in force.

Israel and Syria came face to face once more during the 1982 Lebanon War, which was conducted by Israel with the objective of driving the PLO out of Lebanon. The Syrian regime has historically considered Lebanon within its sphere of influence; Syrian forces occupied parts of Lebanon from 1976 to 2005. As a result, Syria assisted the Lebanese during the 1982 War and continued to support the Lebanese case against Israel until the latter's withdrawal from Lebanon in 2000.

During the 1990s, the first high-level talks between Syria and Israel took place in the Madrid Peace Conference of 1991. The negotiations continued intermittently throughout the 1990s, but failed as the two sides were unable to come to an agreement over Syria's demand that Israel withdraw to the positions it held before the Six-Day War of 1967.

The level of hostility between Israel and Syria increased during the 2000s. First, the Syrian support for Palestinian terrorist groups during the Second Intifada (beginning in 2000) led to an IDF military operation (Ain al-Sahab Airstrike) in October 2003 on a Palestinian training camp situated 15 km north of Damascus. This marked the first Israeli attack inside the Syrian territory since 1973.

Relations further soured due to Syrian support for Hamas in the Gaza Strip and Hezbollah in Lebanon during the 2006 Lebanon War. After the war, Syria rearmed Hezbollah with sophisticated weaponry together with its close ally Iran and served as a bridge through which Iranian supplies could reach the Shiite militant group. In September 2007, Israel launched Operation Orchard to destroy a suspected nuclear facility in Syria apparently designed and constructed with North Korean assistance. The attack on the Syrian nuclear reactor echoed a similar attack by Israel in 1981, in which Israel destroyed the Osirak nuclear reactor in Iraq.

Peace efforts were briefly revived when Turkey, a growing regional power with aspirations for regional leadership, served to mediate talks between the two countries in 2008. The efforts came to naught, as Syria withdrew from the talks as a response to Israel's 2008 Gaza War. In 2010, Israeli Prime Minister Benjamin Netanyahu reportedly engaged in secret, American-brokered negotiations with Syria. The aim of these negotiations was to broker a peace treaty based on full Israeli withdrawal from the Golan Heights. However, the negotiations also came to an abrupt end with the outbreak of the Arab Spring in early 2011, which quickly spread to Syria.

Although Israel avoided direct involvement in the Syrian Civil War, it maintained an assertive military and intelligence presence across the northern front, conducting targeted air and missile strikes to disrupt Iranian entrenchment and Hezbollah's growing military infrastructure in Syria. Beginning in 2017, Israel intensified its "campaign between wars" (MABAM in the Hebrew acronym) operations, striking Iranian Revolutionary Guard Corps (IRGC) sites, Hezbollah weapons convoys, and drone production facilities deep within Syrian territory.

These actions expanded after 2023, amid concerns that Iran sought to exploit the regional chaos following the Gaza war to consolidate a permanent military corridor, the so-called "land bridge" linking Tehran to the Mediterranean. By 2024, Israel had broadened its targets to include Iranian drone hubs and logistics nodes near Aleppo, Deir ez-Zor, and the Syrian–Iraqi border, gradually degrading Iran's ability to supply advanced weaponry to Hezbollah.

The regional balance shifted dramatically in mid-2025, when a coalition of opposition militias, quietly supported by Turkey and Gulf states, toppled President Bashar al-Assad, bringing an end to over a decade of authoritarian rule. In the ensuing power vacuum, Iranian-backed units withdrew toward southern Syria—closer to Israel's border—raising significant security concerns in Israel, Russian forces consolidated around their Tartus naval facility, and Israel seized the strategic opening to reshape the northern theater in its favor. In the months following Assad's fall, Israel launched a coordinated air campaign that demolished the remnants of the Syrian Air Force, striking bases at Mezzeh, Shayrat, al-Dumayr, and Latakia's coastal installations. The strikes obliterated radar arrays, missile batteries, and hardened shelters, effectively neutralizing Syria's capacity to contest Israeli air operations. The campaign marked the culmination of Israel's decades-long objective to eliminate any regional air power capable of restricting its freedom of movement. As regional powers recalibrated, Turkey emerged as the primary external actor in northern and western Syria, extending control through allied militias and securing border regions from Aleppo to Idlib.

Against this backdrop, a new authority emerged in Damascus: the Jolani government, led by former jihadist commander Abu Mohammad al-Jolani, who reinvented himself as a nationalist technocrat heading a provisional coalition of ex-opposition figures and local councils. While internationally unrecognized, the Jolani administration quickly sought pragmatic relations with regional actors to stabilize the country and gain legitimacy. Israel, recognizing an opportunity to establish a buffer arrangement against Iranian resurgence, entered indirect talks, mediated by Jordan and Western intermediaries, on a limited security pact. These discussions reportedly focused on border demilitarization, intelligence coordination against Iranian remnants, and humanitarian corridors along the Golan frontier. Although the talks remain preliminary, they signal a potential realignment of regional alliances, with Israel cautiously engaging a post-Assad Syria under de facto anti-Iranian leadership.

Meanwhile, Israel's domestic northern front remains complex. Druze communities in the Golan Heights and southern Syria continue to navigate cross-border loyalties, prompting periodic protests within Israel over land expropriations and demands for greater protection of Druze villages such as Khader. The Russian retrenchment and Turkish ascendancy have left Israel with expanded air superiority (by pushing out both Iranian militias and remnants of the Syrian Arab Army) but a more volatile political landscape.

# Lebanon

Lebanon was one of the participants in the Arab-Israeli War of 1948. At the end of the war, an armistice agreement was signed between Israel and Lebanon, which drew a demarcation line between the two countries along the international boundary that had existed between Lebanon and Mandatory Palestine. As part of the agreement, Israel also withdrew from thirteen Lebanese villages that it had occupied during the war.

After 1948, Palestinian refugee camps were established in southern Lebanon, and the area gradually became a center of Palestinian political activity. After Black September of 1970, in which the PLO was removed from Jordan and subsequently relocated in Lebanon, Fatah and other forces carried out attacks from Lebanese territory against Israel.

One such attack by Fatah in March 1978, the hijacking of a bus on Israel's coastal highway (the "Coastal Road Massacre"), left 38 Israelis dead and prompted the Israeli invasion of Lebanon a few days later up to the Litani River in the south of the country. At the end of the Israeli military operation, the PLO retreated north of the Litani River. Israel withdrew from Lebanon later in 1978 in accordance with UN Security Council Resolution 425. The Resolution also created the UN Interim Force in Lebanon (UNIFIL) to confirm the Israeli withdrawal and establish security in the region.

The PLO factions, however, continued to occupy areas in southern Lebanon and were increasingly engaged in domestic politics in the country. During the Lebanese civil war (1975–1990), Palestinian militants fought against the Maronite Christians. As part of its security policy, Israel supported a breakaway section of the Lebanese army, the South Lebanon Army, which was fighting the PLO in southern Lebanon.

The escalation of the civil war and the strengthening of the PLO forces eventually led to the second Israeli invasion of Lebanon in 1982. The Israeli objectives were two. First, Israel sought to expel the PLO from Lebanon altogether. Second, it sought to install a pro-Israeli Christian government led by Bashir al-Jumayyil. Although Israel succeeded in accomplishing its first objective, it failed in its second when al-Jumayyil was assassinated in September 1982.

The 1982 Lebanon War continued until 1985, but it had longer-lasting consequences. The ouster of the PLO paved the way for the rise of other militant groups inside Lebanon, most notably Hezbollah. The war also resulted in a long Israeli occupation of parts of southern Lebanon. Although Israel withdrew from most of southern Lebanon at the end of the war, it remained in the area known as the South Lebanon Security Belt, which consisted of about 10% of the total territory of the country, for 18 more years.

During the period of the Israeli occupation, there were frequent tensions between Israel and Hezbollah. In late July 1993, Israel launched a week-long attack (Operation Accountability) in response to rocket attacks and the killing of five IDF soldiers and in April 1996 Operation Grapes of Wrath sought to suppress Katyusha fire on Israeli settlements. During this operation, a UN compound in the village of Qana in southern Lebanon was inadvertently hit, claiming the lives of 106 civilians and bringing the operation to an early conclusion. In 2000, Israeli Prime Minister Ehud Barak withdrew from the security zone to behind the Blue Line, the internationally recognized border between Israel and Lebanon as demarcated by the UN in June 2000.

Following the end of the Israeli occupation of southern Lebanon, Hezbollah's power grew significantly. In June 2006, Hezbollah launched a cross-border attack against an Israeli military patrol killing three soldiers and kidnapping two others. Hezbollah demanded the release of Lebanese prisoners held in Israel in exchange for the release of the abducted soldiers.

The Israeli response was a large-scale military campaign inside Lebanon, marking the beginning of the 2006 Lebanon War. The conflict started on July 12, 2006 and was marked by IDF airstrikes and artillery fire on Hezbollah targets. The war lasted 34 days and ended on August 14, 2006 with the passage of UN Security Council Resolution 1701. The Resolution called for the disarmament of Hezbollah, complete Israeli withdrawal from Lebanon, the deployment of Lebanese soldiers and a UNIFIL force in the south in order to create a buffer zone on Israel's northern border free of Hezbollah presence.

Israel lifted its blockade on Lebanon and withdrew its forces on October 1, 2006. The remains of the two kidnapped Israeli soldiers were returned to Israel by Hezbollah in a prisoner exchange deal in 2008. The disarming of Hezbollah was not achieved, as no international party was in a position to force Hezbollah to lay down its weapons. During the conflict, however, Lebanese infrastructure was severely damaged, approximately one million Lebanese and 300,000–500,000 Israelis were temporarily displaced. According to the Israeli Ministry of Foreign Affairs, 44 Israeli civilians and 119 IDF soldiers were killed during the war. According to the Human Rights Watch report, the Lebanese casualties numbered 1,109, among whom most were civilians.

A very delicate status quo was established between Hezbollah and Israel in the years following the 2006 war. One major reason for Hezbollah's restraint at that time was likely the Iranian interest in preserving Hezbollah's capabilities as a deterrent against a possible Israeli attack on Iran's nuclear program. During that period, Hezbollah's resources were largely diverted to its engagement in the Syrian Civil War in support of President Assad's forces, and Israel even carried out reported strikes against Hezbollah targets in Syria over concerns that the group might gain access to advanced weapons systems supplied by Russia or Iran. In the years that followed, however, the relationship between Israel and Hezbollah entered a more volatile phase marked by periodic cross-border exchanges of fire, Israeli airstrikes in southern Lebanon, Hezbollah rocket and drone attacks into northern Israel, driven in part by evolving diplomatic and military dynamics.

Following the onset of the October 7, 2023 war between Israel and Hamas, Hezbollah formally entered the confrontation on October 8, launching rockets, anti-tank missiles, and artillery into northern Israel in declared solidarity with the Palestinians. Israel responded with airstrikes, drone campaigns, and limited ground incursions into southern Lebanon, targeting Hezbollah infrastructure and supply routes. The exchanges intensified through 2024, displacing tens of thousands of civilians on both sides of the border. In September 2024, Israel escalated its operations with two waves of electronic device attacks that crippled Hezbollah's communication systems, followed by targeted assassinations of the group's most senior figures, including Secretary-General Hassan Nasrallah and his designated successor, Hashem Safieddine. These strikes delivered a historic blow to Hezbollah's command hierarchy and signaled Israel's growing technological and intelligence superiority. When Iran and Israel clashed directly in early 2025, Hezbollah notably refrained from joining the fighting, engaging only in limited symbolic rocket fire and rhetorical support. Analysts viewed this restraint as evidence of Tehran's intent to preserve Hezbollah's diminished capabilities and the restoration of Israel's deterrence along its northern frontier. By mid-2025, Israel had clearly reasserted its military upper hand, combining advanced cyber warfare, precision intelligence, and targeted operations to deter further escalation. Although a U.S.-brokered ceasefire in November 2024 reduced hostilities, sporadic violations persisted, and as of late 2025 the Israel-Lebanon border remains tense but strategically tilted in Israel's favor.

# Iran

Israel and Iran were not always adversaries. Under Shah Mohammad Reza Pahlavi, the two countries maintained discreet but close cooperation, bound by shared hostility to Arab nationalism and Soviet influence. They traded oil and arms, exchanged intelligence, and worked together under the U.S.-backed "periphery doctrine," which sought to align Israel with non-Arab states. The partnership collapsed after the 1979 Islamic Revolution, when Ayatollah Ruhollah Khomeini's regime declared Israel illegitimate, severed ties, and embraced an explicitly anti-Zionist foreign policy that placed support for the Palestinian cause at its core. Since then, the relationship has transformed into one of the Middle East's most entrenched rivalries, defined by ideological confrontation, regional competition, and escalating hybrid warfare.

Throughout the 1980s and 1990s, Iran's creation of Hezbollah and its sponsorship of anti-Israel movements across the region were seen by Israel as an emerging existential threat. By the mid-2000s, Iran's accelerating nuclear program intensified this perception, prompting Israel to embark on a wide-ranging campaign to delay Tehran's nuclear and missile development. That campaign included cyber operations, sabotage, and targeted strikes against Iranian military assets and infrastructure across Syria and Iraq. Periodically, figures involved in Iran's nuclear and weapons programs were killed in attacks widely attributed to Israel.

This long shadow conflict expanded dramatically in the 2020s. Israel's ongoing air campaign in Syria against Iranian forces and proxies gradually evolved into a multi-front confrontation encompassing Iraq, Lebanon, and even Iran itself. Tehran, through the Islamic Revolutionary Guard Corps (IRGC) and its network of militias, increased its drone and missile deployments targeting Israeli interests. Following the Gaza war of 2023, Iran stepped up its support for Hamas and Hezbollah, while Israel intensified its strikes against Iranian supply lines and command centers. The situation escalated sharply in 2024–2025, when Israel carried out coordinated cyber and air operations deep inside Iran, striking nuclear facilities, drone factories, and military command hubs. Several senior Iranian security officials and defense scientists were killed during these attacks, and the broader impact lay in Israel's demonstration of its ability to penetrate Iran's defenses and cripple key components of its military infrastructure.

Iran retaliated with a large-scale missile and drone offensive, the first direct exchange of fire between the two states in their decades-long conflict. Israel's air defenses intercepted most of the strikes, and in response, Israeli jets targeted Iranian missile bases, radar systems, and naval assets near Isfahan, Bandar Abbas, and Bushehr. Though brief, the confrontation marked the most open military engagement in the history of the Israel–Iran rivalry. Both sides suffered significant losses but avoided all-out war, underscoring a new equilibrium: open confrontation contained by mutual deterrence.

By late 2025, Israel and Iran remain locked in a cycle of confrontation that spans multiple domains; military, cyber, and ideological. Israel has preserved a decisive operational edge, leveraging its dominance of regional airspace to strike Iranian and proxy targets across the Middle East and, most dramatically, to carry out the bombing of key Iranian nuclear facilities earlier in the year. Although Iran's deterrence capability has been significantly weakened by the collapse of its regional proxy network, it still poses a threat to Israel, as its deterrence has shifted more to a retaliatory model based on missile and drone capabilities launched directly from its territory. Regional alignments have hardened as a result. Israel's ties with the United States, the UAE, and Bahrain under the Abraham Accords have solidified into a de facto anti-Iran coalition, while Tehran has strengthened its partnerships with Russia, China, and Hezbollah.

# Turkey

Turkey was the first Muslim-majority country to recognize Israel, formally establishing diplomatic relations in 1949. While relations fluctuated during the Cold War, cooperation deepened markedly in the 1990s, when both countries found common strategic ground. Shared security interests (countering Syrian and Iranian influence, combating terrorism, and containing Kurdish separatist movements) formed the foundation for pragmatic diplomatic and even military relations. For example, Israel upgraded Turkish tanks and aircraft, while Turkey provided Israel access to airspace and training grounds. Intelligence-sharing, joint naval exercises, and cooperation in water, energy, and high-technology projects flourished. This period, often described as the "golden era" of Turkish–Israeli relations, was underpinned by a shared pro-Western orientation and a mutual sense of isolation within a volatile regional environment.

Relations began to unravel in the mid-2000s as Turkey's foreign policy under President Recep Tayyip Erdoğan and the Justice and Development Party (AKP) turned in a more assertive direction in the region. Ankara's strong criticism of Israel's actions in Gaza, particularly during Operation Cast Lead (2008-2009), signaled a sharp policy shift and heralded Turkey's more vocal pro-Palestinian posture. The rupture reached its peak with the 2010 Gaza flotilla incident, in which nine Turkish activists were killed aboard the *Mavi Marmara* after Israeli commandos intercepted the aid flotilla bound for Gaza. The event triggered a deep diplomatic freeze: ambassadors were expelled, defense cooperation was suspended, and Turkey positioned itself as a vocal defender of Palestinian rights while gradually increasing support for the leadership of the Palestinian Islamist group Hamas.

A reconciliation agreement in 2016 restored ambassadors and led to compensation for the flotilla victims, paving the way for limited normalization. Economic and tourism ties rebounded, and by 2022, both states re-appointed ambassadors. Yet the eruption of the Israel–Hamas war in 2023 reignited tensions. Turkey condemned the Israeli military campaign in Gaza as "state terrorism," expelled Israeli diplomats, and by mid-2024 imposed a comprehensive trade embargo, halting all bilateral commerce and joining legal initiatives against Israel at the International Court of Justice. Despite this, discreet channels for intelligence and crisis communication persisted, particularly regarding maritime navigation and Iran's regional activity.

In recent years, Syria has emerged as the primary arena of renewed Turkish–Israeli rivalry. Following the collapse of the Assad regime in 2025, both states have maneuvered to shape the post-war balance but with opposing goals. Turkey has entrenched itself across northern and western Syria through allied militias and a security pact with the emergent Jolani government, seeking to consolidate influence and prevent Kurdish autonomy along its border. Israel, meanwhile, has continued its long-standing campaign of precision strikes against Iranian and Hezbollah infrastructure throughout Syria, extending operations into regions where Turkish forces are active. In early 2025, Israeli air-strikes reportedly targeted Syrian airbases and logistics hubs near Aleppo and Homs that Turkish military advisers had been assessing for future deployment. Ankara condemned the attacks as violations of Syrian sovereignty, while Israeli officials accused Turkey of "destabilizing the northern front" and attempting to establish a military foothold near the Golan Heights. Although both governments have sought to prevent direct confrontation via quiet de-confliction mechanisms, their interests in Syria are now fundamentally at odds. Israel seeks to preserve its air superiority and prevent hostile entrenchment near its borders, while

Turkey views Israeli operations as an obstacle to its regional leadership and to the consolidation of its influence in the post-Assad order.

Turkey's pro-Palestinian stance sits at the core of its recent divergence from Israel. Ankara has long championed the Palestinian cause, recognizing the State of Palestine in 1988, maintaining strong cultural and political ties, and viewing Palestinian statehood as a central pillar of its foreign policy. Since the 2010s, however, Turkey has openly defended groups such as Hamas, refusing to designate them as terrorist organizations and providing them diplomatic space. Large pro-Palestinian demonstrations in Istanbul and Ankara reflect strong domestic sentiment, which has in turn pressured the Turkish government to adopt tougher policies toward Israel. After the October 7, 2023 Hamas attack and the ensuing Gaza war, Turkey escalated its measures against Israel by suspending trade, closing ports and airspace to Israeli-linked shipments, and formally joining a case against Israel at the International Court of Justice. These steps underline the depth of Turkey's alignment with the Palestinian agenda, even at the cost of previous strategic cooperation with Israel.

# The Abraham Accords and Prospects with the Gulf

Although countries bordering on Israel have absorbed most of its diplomatic attention since independence, other regional actors have played crucial roles as well, including Iran, the Gulf States and Turkey.

The Abraham Accords are a series of normalization agreements between Israel and several Arab states, beginning with the United Arab Emirates (UAE) and Bahrain in 2020, marking the first formal peace deals between Israel and Arab countries since the 1994 treaty with Jordan. Signed on September 15, 2020, and brokered by the Trump administration, the accords represented a diplomatic breakthrough in the Middle East, establishing official relations between Israel and key Gulf states. They were motivated by a shared concern over Iran's regional ambitions, converging economic interests in technology and energy, and Israel's agreement to suspend its planned annexation of parts of the West Bank.

Israel and the UAE had maintained clandestine relations for nearly three decades before the accords, built on quiet cooperation in business, security, and intelligence. Both countries viewed Iran's nuclear program and regional expansionism as a common threat, and each sought to counterbalance the influence of Turkey, Qatar, and the Muslim Brotherhood. At the same time, Israel was looking for new markets and investment capital, while the UAE aimed to diversify its economy beyond oil and position itself as a hub for innovation. These factors created the foundation for open normalization, which was formalized with Bahrain soon after. As part of the agreement, Israel suspended its annexation plans, while the Gulf states gained strategic and technological partnerships and international prestige as moderates shaping a new regional order.

The normalization ushered in an unprecedented wave of cooperation. Between 2020 and 2023, Israel and the UAE signed more than one hundred bilateral agreements covering defense, cybersecurity, artificial intelligence, agriculture, renewable energy, water management, and medicine. Bilateral trade surged from a few million dollars to over five billion by 2023, making the UAE Israel's largest trading partner in the Arab world. Emirati sovereign wealth funds invested heavily in Israeli high-tech and infrastructure projects, while joint research programs flourished between universities and hospitals. Direct flights connected Tel Aviv and Dubai, and tourism boomed, with tens of thousands of Israelis visiting the Gulf each year. Bahrain, though smaller, expanded cooperation in finance and maritime security under U.S. auspices, while Morocco, joining in December 2020 as part of a U.S.-brokered deal recognizing its sovereignty over Western Sahara, developed growing links in technology, defense, and education. Sudan also agreed to normalize relations in October 2020, but domestic instability and a military coup soon stalled implementation.

By 2022, the Abraham Accords had become a framework for economic and security integration, promoting regional dialogue and even joint military exercises. However, the Gaza war of 2023 profoundly tested this new architecture. The images of destruction in Gaza and mounting civilian casualties sparked public outrage across the Arab world, forcing signatory governments to scale back their public engagement with Israel. While none abrogated the accords, most shifted toward quieter, security-focused cooperation. The United States continued to promote the Accords as the foundation of a new regional order, seeking to bring Saudi Arabia into the framework, though Riyadh made its participation conditional on credible progress toward Palestinian statehood.

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# Chapter 3

# The Palestinian National Movement

The origins of the Palestinian national movement can be found in the initial Arab opposition to the Zionist project in Palestine that emerged after the First World War. This section therefore starts with a description of Zionism and early contact and conflicts between Jews and Arabs before turning to an historical overview of the Palestinian movement: the evolution of the movement through the mid-1980s; the First Intifada and Oslo Process, the emergence of the Palestinian Authority, the Second Intifada, and recent developments in Gaza. The next chapter addresses the refugee problem.

## The Evolution of the Zionist Movement

Zionism, the national revival movement of the Jewish people, originated in Europe in the latter part of the 19th century. Jews were first emancipated in France and later step-by-step in other parts of Europe. However, this did not mean that they enjoyed equal rights, as exemplified in the infamous Dreyfus Affair. Alfred Dreyfus, an artillery officer of Jewish descent in the French army, was unjustly accused of espionage because of his Jewish background. After a long legal battle, Dreyfus was exonerated and returned to his post in the army. However, his case became a symbol of the Jewish predicament in Europe: despite emancipation and acculturation, Jews faced continuing discrimination. In Eastern Europe, the situation was markedly worse as Jews still fell victim to periodic pogroms. For example, as late as 1903, the two-day long Pogrom of Kishinev in present day Moldova resulted in the deaths of 49 people and many more displaced.

Hungarian-born Jewish journalist Theodor Herzl (1860-1904), the father of political Zionism, saw the solution to the "Jewish question" (*die Judenfrage*), in the creation of a state for the Jewish people in their historical homeland, *Eretz Israel* (the Land of Israel). In 1896, he outlined his vision in a pamphlet titled *Der Judenstaat* (The State of the Jews). The First Zionist Congress (1897), which Herzl himself chaired, produced the so- called Basel Program, which declared that "Zionism aspires to create a publicly guaranteed homeland for the Jewish people in the Land of Israel."

The main goals of Zionism were the establishment of Jewish sovereignty in the Land of Israel; to stimulate, support and facilitate Jewish immigration to the Land of Israel; and to provide a safe haven from anti-Semitic discrimination and persecution that Jews experienced elsewhere living as minorities in the diaspora. Aside from these political goals, Zionism also promoted the self-expression of a modern Jewish culture, in particular the revival of the Hebrew language. Major aspects of Zionism are represented in Israel's Declaration of Independence (see Appendix II).

From the beginning, political Zionism developed different currents, each with different political, social and policy implications:

1. ***Labor Zionism:*** This socialist, secular trend of Zionism was the most significant tendency among the Zionist movement in its early years and during the first two decades of the existence of the State of Israel. Its adherents believed that Jews should redeem the Land of Israel by becoming farmers, workers and soldiers in their own land. Its main tenets were the establishment of a Jewish state through agricultural settlement, the increased immigration of the Jewish people, and the creation of an egalitarian socialist society. These ideas motivated the establishment of the *kibbutzim*, rural Jewish collective settlements, and the *moshavim*, cooperative agricultural communities. This trend of Zionism developed into various labor-oriented parties before and after the establishment of the state.

2. ***Revisionist Zionism****:* This movement was formed in 1925 by Ze'ev Jabotinsky with the goal of intensifying the political struggle for the establishment of a sovereign Jewish state in the entire territory of British Mandate Palestine, including east of the Jordan river. It focused on increasing pressure on Great Britain, demanded military training for youth, and promoted the establishment of a Jewish majority in Palestine. The revisionist movement was in turn divided into three trends: the Centrists, who advocated liberal democracy; and the Irgun and the Lehi, which sought to accelerate British departure from Mandate Palestine through armed resistance. The Irgun engaged in military actions against the British and Arabs. The Lehi was an offshoot from the Irgun and concentrated its attacks mainly against British targets. Revisionist Zionism was the precursor of today's Likud party.

3. ***Religious Zionism****:* Based on a fusion of Jewish religion and nationhood, this Zionist trend aimed to restore Jewish political freedom in light of the Torah and its commandments. Its adherents believed that God promised the Land of Israel to their Israelite forefathers and considered the ingathering of the Jewish exiles as the beginning of the Redemption, one of the major biblical prophecies concerning the ultimate restoration of the Jewish people. The movement's platform concerned itself mostly with observance of the commandments, constructing a national-religious education system, and applying the Torah commandments to settling and working the Land of Israel.

By the 1880s, about 25,000 Jews lived throughout the Land of Israel in what was then Ottoman Palestine. After 1882, they were joined by waves of Jewish immigrants (*aliyah*) from Europe, inspired by the Zionist national movement. During the First Aliyah, which began in 1882 and continued intermittently until 1903, some 35,000 Jews, mainly from Eastern Europe, came to Palestine. In the Second Aliyah that took place between 1904 and 1914, 20,000 Jews immigrated to Palestine. This wave was interrupted by the outbreak of World War I.

In November 1917, the Balfour Declaration was published: A public letter from the British Foreign Secretary Arthur James Balfour addressed to Lord Rothschild, in which he stated his government's sympathy for the establishment of "a national home for the Jewish people" in Palestine. The letter was considered the first public expression of support for Zionism by the British government, a major international power.

After World War I ended, *aliyah* continued with a third wave that lasted from 1919 to

1923, comprising approximately 40,000 Jews, mostly from Eastern Europe. These first three waves of Jewish immigration took place following a series of pogroms in Eastern Europe. The Fourth Aliyah, between 1926 and 1928 mainly consisted of Polish immigrants and brought about 82,000 Jews to Palestine. The Fifth Aliyah was stimulated by the Nazis' rise to power in Germany and comprised nearly 250,000 Jews from Germany and Eastern Europe.

The Jewish communities living in the Land of Israel (Palestine) before the establishment of the state were referred to as the *Yishuv.* They set up a paramilitary organization, called the Hagana, between 1920 and 1948, to defend Jewish settlements from Arab attacks. After the establishment of the state, the Hagana evolved into the Israel Defense Forces (IDF).

# Arab Opposition

The Arabs of Palestine, however, had their own expectations from the British. In a series of letters exchanged in 1915–16 between Hussein Ibn Ali, the Emir of Mecca and the central figure of the Arab nationalist movement during the World War I, and Sir Arthur McMahon, the British High Commissioner in Egypt, the British declared their support for the creation of an independent Arab state as well. In exchange, the Arabs offered the British their assistance against the Ottoman Empire.

In the wake of World War I, the Ottoman Empire was effectively dismantled. In the San Remo Conference of 1920, much of the former Ottoman-ruled territories in the Middle East were allocated to Britain and France as mandates. Britain received the mandate for Palestine and Iraq, while France gained control of Syria, including present-day Lebanon. The Balfour Declaration was incorporated into the British mandate for Palestine, thereby upgrading the British commitment to the Zionist enterprise, which now became an international commitment of Great Britain also to the League of Nations.

Although Arab opposition to the Zionist idea was apparent before World War I, the first organized opposition came in the wake of the war in the form of Muslim Christian Associations, with a number of clubs established in almost every major city in Palestine. These associations organized a total of seven congresses between 1919 and 1928. These congresses opposed the idea of a Jewish national home in Palestine, the Balfour Declaration and mass Jewish immigration. They sought Arab independence, initially as part of Greater Syria.

According to the League of Nations' Interim Report on the Civil Administration of Palestine, the population of Palestine was 700,000 in 1920, but four-fifths of the total population was Muslim, with the Jews numbering only 76,000. Rising tension in Arab-Jewish relations resulted in riots in Jerusalem in 1920 and in Jaffa in 1921. A pinnacle of violence against the Jews came in 1929, as riots broke out in Jerusalem and Hebron, the worst that had taken place until that time in Palestine.

From the early phase of the British mandate, the leader of the Arabs in Palestine was Hajj Amin al-Husseini (1897–1974), a religious figure from a wealthy landowning family in

Jerusalem. He was appointed by the British as the Grand Mufti of Jerusalem in 1921. Hajj Amin al-Husseini's political objective was specifically centered on blocking Jewish national aspirations in Mandatory Palestine. During the 1930s, the rise of fascism in Europe resulted in massive Jewish emigration to Palestine. The initiator of armed Arab resistance was Izz al-Din al-Qassam, a Syrian- born Muslim preacher active in Haifa in northern Palestine. He established *al-Kaff al-Aswad* (the Black Hand), an anti-Zionist and anti-British militant organization, advocating resistance against the Zionists. He was killed in 1935 by the British. His death caused widespread outrage within the Arab community and set the stage for the outbreak of the Arab Rebellion in 1936. (The military wing of Hamas, Izz al-Din al- Qassam Brigades as well as the Qassam rockets that the organization uses against Israel bear his name.)

The Arab Rebellion lasted for three years, and although it had many failures, it was nevertheless important in terms of its contribution to the formation of a national identity and movement. The Arab Higher Committee was established in April 1936 on the initiative of Hajj Amin al-Husseini as the main political organ of the Arab community in Mandatory Palestine. The Committee comprised the leaders of major Palestinian Arab families and political parties, and was outlawed in September 1937 by the British after the killing of a senior British official by an Arab assailant. The members of the leadership were arrested and deported. Hajj Amin al-Husseini fled and went into exile in Beirut.

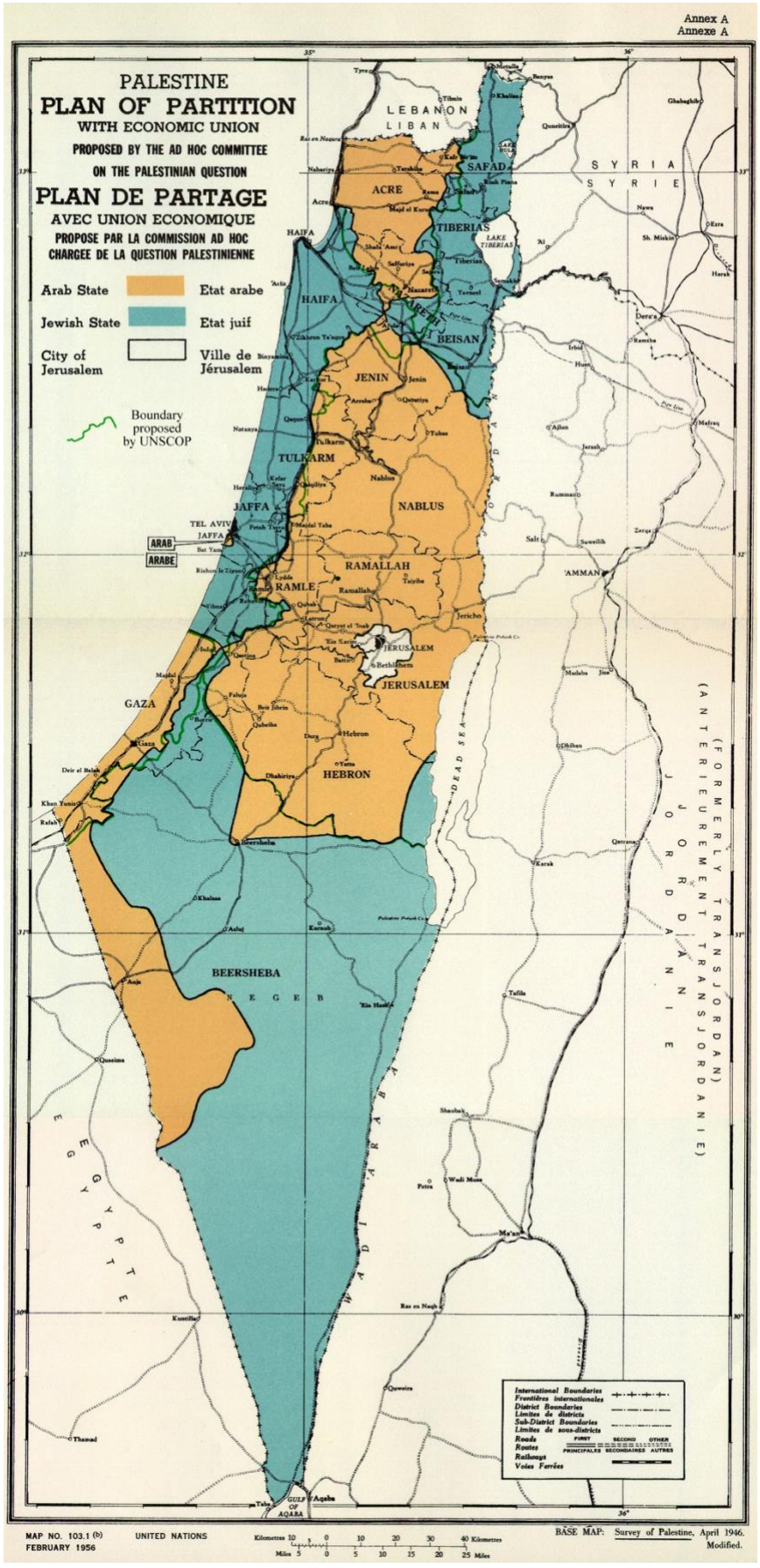
The exile of the leadership of the Palestinian Arab national movement put the Arabs in a disadvantageous position in their struggle against the Zionists. With the leadership outside the country, it now had to control affairs from afar, while the Zionist leadership had a presence on the ground in Palestine. The Palestinian national movement's inherent weaknesses and internal divisions led to an ever-increasing reliance, for better or for worse, on support from Arabs outside of Palestine.

Hajj Amin al-Husseini's support for Hitler and Nazi Germany during World War II only made matters worse for the Palestinian national movement. His international legitimacy was seriously undermined while the Jewish cause gained increasing international recognition and sympathy after the Holocaust.

In 1947, Great Britain handed over the issue of Palestine to the UN, which passed Resolution 181 (November 1947) to partition Palestine following the termination of the British Mandate. It accorded 55% of Palestine to the Jews, who were one-third of the population (taking into consideration the expected mass immigration Jewish refugees from Europe); and 45% to the Arabs, who were two-thirds of the population. The Arabs rejected the Partition Plan in principle and declared war against the partition and the newly established State of Israel when it was declared in May 1948.

During the Arab-Israeli War of 1948, the All-Palestine government was founded by the Arab League in the Egyptian-controlled Gaza Strip. However, it did not have any executive role and eventually came under Egyptian military administration.

Annex A
Annexe A



# The Palestinian National Revival

The institutions that led the Palestinian national movement in the following decades were conceived in the Palestinian refugee diaspora. In the mid-1950s, Palestinian refugees in the Gulf States founded the Fatah movement, which emphasized the liberation of Palestine through armed struggle. One of the founders of Fatah was Yasser Arafat. At the same time, there were public pan-Arab efforts on the Palestinian issue. These resulted in the establishment of the Palestine Liberation Organization (PLO) in 1964 by the Arab League under the leadership of Ahmad-al-Shuqayri, who became its first chairman.

The Six-Day War in 1967 and the Arab defeat by Israel brought the West Bank, East Jerusalem and the Gaza Strip under Israeli control. After failure to establish a base of resistance in the West Bank, the Palestinians continued their armed struggle against Israel from the other side of the river, the East Bank in Jordan. In March 1968, Israeli forces conducted an operation in the village of Karameh in the southern Jordan Valley against Fatah's bases situated there. Although most losses suffered by the Israeli forces were inflicted by the Jordanian army, the Karameh Operation became a symbol of the success of Palestinian armed struggle against Israel.

The operation also established Yasser Arafat as a national hero and the strength of Fatah grew exponentially. In February 1969, Arafat was elected chairman of the PLO, establishing Fatah dominance of the organization which became an umbrella for the various Palestinian fighting groups. The Karameh Operation also enhanced the PLO's position inside Jordan. The PLO gradually took control of strategic positions inside the country, undermining the integrity of the Jordanian state and becoming a kind of "state-within-a-state" inside the kingdom. The tension between the Palestinian and Jordanian forces eventually led to a major clash in 1970 known as Black September, which ended with the expulsion of the PLO forces from Jordan. Having lost their Jordanian base of operations, the Palestinian forces had to relocate to Lebanon, where they resumed their operations against Israel.

However, Black September exposed the difficulties of conducting an effective armed struggle against Israel from the outside because of its implications for host countries and for the refugees. Moreover, the resumption of the Middle East peace process after the 1973 Yom Kippur (October) War forced the PLO to reevaluate its strategy. As a result, it developed the "Strategy of Phases," which introduced the idea of employing diplomacy in addition to military struggle, paving the way for negotiations.

In 1982, Israel invaded Lebanon with the objective of expelling the PLO, which it succeeded in doing. The PLO leadership was forced to relocate to Tunis. The loss of the PLO's Lebanese base of operations marked the beginning of a critical shift in the center of gravity of Palestinian politics from the diaspora into the West Bank and Gaza.

# The Intifada and Oslo

The outbreak of the First Palestinian Intifada (uprising) in the West Bank and Gaza in 1987 aptly illustrated the extent of this shift. The spontaneous, unarmed civilian uprising was brought about by a combination of factors including the tightening Israeli grip over the

Palestinian territories, economic hardship and political deadlock. A new local "inside" leadership emerged in the West Bank and Gaza under the name of the Unified National Leadership of the Uprising (UNLU), comprised of the local members and leadership of various Palestinian organizations including Fatah. Though never entirely independent of the PLO in Tunis, they played the central role in mobilizing grassroots support during the uprising.

Another major development during the First Intifada was the rise of the Islamists in the Palestinian territories. Soon after the Intifada broke out, Hamas (*Harakat al-Muqawama al-Islamiyya*, Islamic Resistance Movement) was established in 1988 with the aim not only of putting an end to the Israeli occupation in the territories and but of establishing an Islamic state in the area covering the entirety of modern-day Israel, the West Bank and Gaza.

Hamas was an offshoot of the Muslim Brotherhood in Egypt and presented the only real challenge to the UNLU. The Hamas military wing, Izz al-Din al-Qassam Brigades, was established in mid-1991. Another offshoot of the Muslim Brotherhood in Palestine, Islamic Jihad, was established in 1981. It shared the same objectives with Hamas: the two organizations opposed any negotiations with Israel and cooperated on a number of armed operations. Hamas and Islamic Jihad were responsible for the most violent acts that took place during the First Intifada, which lasted from 1987 to 1993 and during which about 1,400 Palestinians and 200 Israelis lost their lives.

The First Intifada marked a change in the hierarchy of the Palestinian national movement by bringing the people of the West Bank and Gaza to the center of the national struggle. The emergence of an effective civil society also meant that the outside PLO leadership now had to adapt. The Palestine National Council, the legislative body of the PLO, convened in November 1988 and made a series of very important decisions. The PLO now accepted the UN Partition Resolution of 1947 and UN Resolution 242, which had been passed in the aftermath of the Six-Day War of 1967 and established the principles that were to guide the Middle Eastern peace process, without explicitly recognizing Israel.

However, the outbreak of the Gulf War of 1990–91 and Yasser Arafat's support of Saddam Hussein undermined the PLO's international standing. Moreover, Hamas emerged as a contender for Palestinian leadership during the Intifada. Because of its stand on Iraq, the PLO was not even invited to the Madrid Peace Conference, which convened in late 1991 with the purpose of resuming negotiations between Israel, the Palestinians and the other Arab players.

At Madrid the Palestinians were represented by a delegation of leaders from the West Bank and Gaza. The PLO and Yasser Arafat, fearing being eclipsed by the insiders, were desperate to find ways to get back to the West Bank and Gaza themselves in order to control political developments. After secret negotiations between Israel and the PLO in Norway, the parties came to an historical breakthrough in the summer of 1993 with the Oslo Accords.

The agreement included mutual recognition, a staged Israeli withdrawal (Gaza and Jericho first) and a transition phase of five years, at the end of which Israelis and the Palestinians

would come to a final agreement. Although the Oslo Accords did not specifically speak of the creation of a Palestinian state, they set in motion a process of state-building by calling for the establishment of the Palestinian Authority (PA). The Palestinian Authority, the Palestinian interim self-government body, was established in
1994 pursuant to the Oslo Accords to govern the West Bank and the Gaza Strip and provided the opportunity for the PLO to re-enter the territories.

# The Palestinian Authority

The establishment of the PA meant the creation of two important institutions: the presidency; and the legislative assembly of the PA known as the Palestinian Legislative Council (PLC). The PLC was designed to function as the Palestinian legislature as well as a check on the presidency and government of the Palestinian state-in-the–making.

In January 1996, the first general elections were held for the presidency, and the PLC. Hamas boycotted the elections in line with its opposition to the Oslo process and any compromise with Israel. Yasser Arafat won the presidency with 88.2% of the votes. Fifty of the 88 council seats went to Fatah, increasing to 55 and a two-thirds majority when some council members later joined the Fatah ranks. As stipulated in the Oslo Accords, participation in the elections was restricted to the residents of the West Bank and Gaza, thus limiting the direct political influence of the diaspora and underlining the centrality of Palestinian politics in the territories.

However, the momentum of peace was hampered by opponents of the peace process both in Israel and among the Palestinian community. Some on the Palestinian side argued that the Oslo Accords meant putting the creation of a state above the complete liberation of Palestine and the return of refugees who had been displaced or fled. On the Israeli side, the right and religious right of the political spectrum opposed the idea of withdrawal from the West Bank and Gaza. Suicide and other bombing attacks in Israel's major cities and towns carried out by Hamas and Islamic Jihad from 1994 onwards and continued building of Israeli settlements in the Palestinian territories made the implementation of the Oslo Accords virtually impossible.

In a final effort for a breakthrough, Israeli Prime Minister Ehud Barak and Yasser Arafat held a round of talks at Camp David under the auspices of U.S. President Clinton in the summer of 2000. At Camp David, Israel presented the Palestinians with the most generous territorial offer ever made by an Israeli government: withdrawal from about 80% of the West Bank. This fell short of the Palestinian expectations of a full Israeli withdrawal and the talks failed. Reference points probably determined the outcome. The Israeli point of departure was 1967, whereas that of the Palestinians was 1948. According to the Israeli point of view, Israel conceded handsomely on the "1967 issues" (Jerusalem, territories) in the hope that the Palestinians would, in turn, soften their stance on the "1948 issues" (right of return, collective rights of Palestinian people who are citizens of Israel). However, the Palestinians argued that Israel already had 78% of historical Palestine (Israel as it existed until 1967), while the West Bank and Gaza made up only 22%. The Palestinians, therefore, were unwilling to concede the part of historical Palestine that remained.

Against this tense background, Ariel Sharon, leader of the Likud Party and in the opposition at the time, visited the Temple Mount complex in Jerusalem in September 2000 as part of his election campaign. Escorted by a phalanx of police, his visit sparked outrage amongst the Palestinians.

# The Second Intifada

The outbreak of the Second Intifada in 2000, also known as the Al-Aqsa Intifada, followed almost immediately on the heels of Sharon's visit. It started with riots in the Old City of Jerusalem and quickly spread to the West Bank and Gaza. In the following months, Arab citizens of Israel, who identified with their Palestinian brethren in the West Bank and Gaza, also clashed with the Israeli police inside Israel proper. After a series of suicide bombings in Israel, which took hundreds of Israeli lives—135 in March 2002 at its peak—the Israeli Defense Forces launched a large-scale military operation in the West Bank in April 2002. The operation, known as Defensive Shield, was an attempt to stop the attacks against Israel and was the largest military operation conducted by the IDF in the West Bank since 1967. Shortly thereafter the Israelis also began the construction of the security barrier between the West Bank and Israel. The campaign and the barrier put an almost complete end to attacks on Israel from the West Bank.

The First Intifada was a bottom-up uprising born out of a deep frustration with the Israeli occupation. It was dominated by local groups and was largely non-violent. Although the initial characteristics of the Second Intifada were similar to those of the First Intifada (demonstrations and the use of rocks and Molotov cocktails), it later developed into a very different form of confrontation. The Second Intifada was staged by the PA and Hamas and included frequent use of suicide bombings as a key weapon against the Israelis. The fatalities incurred by both populations were also markedly higher. During the Second Intifada, over 3,000 Palestinians and about 1,000 Israelis were killed.

The Second Intifada came to an end at the Sharm al-Sheikh Summit of February 2005, during which President Mahmoud Abbas, who had succeeded Arafat after his death in 2004, and the Israeli Prime Minister Ariel Sharon, who had defeated Ehud Barak in the elections of 2001, agreed to stop all acts of violence and declared their commitment to the Road Map for peace.

The Road Map was an internationally devised peace plan, proposed in 2003 by the U.S., the UN, the EU, and Russia to resolve the Israeli-Palestinian conflict. It demanded the implementation of a series of confidence building measures as the first stage of the plan such as the dismantling of Israeli settlements, the cessation of Palestinian violence and the reforming of Palestinian institutions. The second stage was to be the creation of an independent Palestinian state to be followed by the third stage, in which final status issues (borders, Jerusalem and Palestinian refugees) were to be resolved.

The Road Map was not implemented either. Rather, in the summer of 2005, Israeli Prime Minister Ariel Sharon carried out a unilateral withdrawal of the Israeli army from Gaza and the dismantling of all Israeli settlements in the Gaza Strip. After the failure of Oslo, Sharon had a major change of thinking. He believed that the long-term occupation did not

serve Israel's interests and therefore it was preferable to give up a densely populated Palestinian territory even in the absence of a peace agreement in order to maintain the Jewish majority in the State of Israel proper. Settlers who refused to leave were evicted by the Israeli security forces. In addition to the settlements in the Gaza Strip, the disengagement plan also included the dismantling of four settlements in the northern West Bank area.

# The Electoral Victory of Hamas

Hamas took credit for the Israeli withdrawal, as thousands rallied in Gaza City waving Hamas flags and chanting pro-Hamas slogans. In the municipal elections held in December 2005 in the West Bank and Gaza, a few months after the Israeli withdrawal, Hamas made significant gains. Assured by its growing popularity and strength, Hamas fielded candidates in the January 2006 general elections, which it had refused to do in 1996. The election results were a sweeping victory for Hamas, which won 74 of the 132 seats in the Legislative Council. Fatah won only 45 seats, with the rest divided between a number of much smaller parties. In March 2006, Hamas leader Ismail Haniya formed the new government with the majority of the cabinet members from the ranks of Hamas.

Following the formation of the government, sanctions were imposed on the Hamas-dominated Palestinian Authority by Israel and the Middle East Quartet. As part of the 2006–07 sanctions, the Quartet ceased all international aid to the PA government. Israel



*Figure 4 The evacuation of Kfar Darom as part of the Gaza Disengagement, 2025*

began withholding tax revenues that it collected for the PA and introduced restrictions of movement within the Palestinian territories including transport of goods. The sanctions would only be lifted if Hamas renounced violence, recognized Israel and accepted all the previous agreements between Israel and the PA.

The Hamas-led government lasted for only a year, until March 2007, when a government of national unity was formed by Hamas and Fatah. Three months later, the conflict between Hamas and Fatah that had been simmering since the Hamas victory in the 2006 general elections culminated in open clashes in Gaza. The result was that Hamas took complete control of the Gaza Strip, effectively ending the Fatah presence in that territory. With the Hamas takeover of Gaza, the Palestinian territories were divided into two entities: the Hamas-controlled Gaza Strip and the PA-controlled West Bank.

After Hamas's assumption of administrative control in Gaza, Israel sealed its border with Gaza and imposed an air, land, and sea blockade over the territory, although the blockade was never total and trucks with food and other supplies entered on a daily basis. Partly as a result of the Israeli embargo, Hamas and other Islamist militant organizations increased their rocket attacks against Israel, which prompted Israeli retaliation.

Prior to developments in the 2020s that culminated in the attack of October 7, 2023, the conflict between Hamas and Israel had escalated into military interventions on three occasions following the Israeli withdrawal and the electoral victory of Hamas:

*December 27, 2008 – January 18, 2009*: Following Hamas and Islamic Jihad rocket fire on southern Israel, Israel launched a 22-day offensive known as Operation Cast Lead (*Oferet Yetzuka*). During the operation, IDF targeted weapons caches, rocket firing platforms as well as administrative institutions. An Israeli ground invasion began in early January 2009. The conflict ended with Israel's unilateral declaration of a ceasefire, followed by a similar announcement from Hamas. According to the IDF, 1,166 Palestinians, 11 Israeli soldiers and 3 Israeli civilians were killed during Operation Cast Lead. Reportedly, 3,557 rockets were fired from the Gaza Strip during the conflict.

*November 14–21, 2012*: Following the intensification of rocket attacks conducted by Palestinian military groups, Israel launched another military offensive against Gaza in 2012 called Operation Pillar of Defense (*Amud Anan*), with the aim of crippling Hamas's ability to launch attacks. 167 Palestinians were killed during the operation. Israeli casualties were 6 (4 civilians, 2 soldiers). Reportedly, 2,771 rockets were fired on Israel from the Gaza Strip during the conflict.

*July 8 – August 26, 2014*: On June 12, 2014, three Israeli teenagers were kidnapped in the West Bank and murdered. A group of Israeli nationalists retaliated with the kidnapping and murder of a Palestinian teenager from East Jerusalem. In the meantime, firing of rockets from Gaza escalated. As a response, Israel embarked on another military offensive known as Operation Protective Edge (*Tzuk Eitan*). The operation, which was conducted through airstrikes first, was expanded into a ground operation on July 17 with the aim of destroying the Hamas tunnel system, designed both as shelters for Hamas fighters and for infiltration into Israel. Over 2,200 Palestinians and 70 Israelis (64 of them soldiers) were killed. During the operation Hamas fired a total of between 4,500 and 4.900 rockets into

Israel.

After Operation Protective Edge, there was a significant decrease in rocket attacks from Gaza until 2018, when approximately 1,000 rockets were fired into Israel, triggering (limited) retaliation. In the same year, Gazan Islamist groups introduced a new terror tactic: launching balloons that carried explosive and arson devices from Gaza into Israel, causing fires to fields and forests on Israeli lands around the Gaza Strip. This tactic emerged as part of a series of protests along the Gaza-Israel border, known as "the March of Return," which combined traditional strategies of civil disobedience and peaceful resistance with continuing efforts to use force. Rocket attacks and border protests further escalated in 2019, until an unstable ceasefire was reached on May 6, 2019.

In the 2020s, hostilities between Israel and Palestinians in both Gaza and the West Bank escalated in frequency, starting in early May 2021. A number of exacerbating factors, such as an expected Supreme Court decision to evict six Palestinian families from East Jerusalem's Sheikh Jarrah neighborhood and violent confrontations between Palestinians and Israeli police on the Temple Mount, moved Hamas to renew its rocket barrages into Israel from Gaza. The IDF responded with Operation Guardian of the Walls, striking military targets belonging to Hamas and Islamic Jihad in Gaza, until a ceasefire was announced on May 21. During the conflict, 232 Palestinians and 12 Israelis (both soldiers and civilians) died. Arab-Jewish conflict also spread deep within Israel's mixed cities, with some of the worst rioting and mob violence seen in decades.

In 2022, tensions between Israel and the Palestinians seemed to have shifted from Gaza to the West Bank, however. This transition reflected both strategic and structural changes in the conflict. After years of periodic wars with Hamas in Gaza, Israel increasingly viewed the West Bank, particularly the northern cities of Jenin and Nablus, as the new epicenter of militant activity. The weakening of the Palestinian Authority (PA), coupled with the rise of locally organized armed groups such as the Jenin Brigades and the Lions' Den, eroded traditional mechanisms of security coordination between Israel and the PA. These decentralized networks, often unaffiliated with established factions, carried out shooting attacks and challenged PA authority, creating persistent instability. At the same time, Israeli intelligence assessed that deterrence in Gaza had temporarily been restored after the 2021 war, allowing focus to shift toward the West Bank. In response, Israel launched Operation Break the Wave in March 2022, a sustained counterterrorism campaign aimed at dismantling these emerging militant structures and reasserting control. The result was a period of near-daily military raids, arrests, and clashes that marked a profound transformation in the geographic and tactical dynamics of the Israeli-Palestinian conflict, one in which, rather than "war" or "peace," there emerged an enduring state of managed friction.

# The October 7 Attacks

On the morning of October 7, 2023, Hamas and affiliated militant groups launched a coordinated, multi-front assault against Israel from the Gaza Strip. The incursion began with a massive rocket barrage targeting major population centers across southern and central Israel, under the cover of which between 5,000 and 6,000 terrorists infiltrated

Israeli territory by land, air, and sea through 114 breaches in the border fence, along a front roughly 60 kilometers wide. Armed terrorists entered more than twenty Israeli towns, kibbutzim, and military installations near Gaza, attacking both civilian and military targets. The scale and synchronization of the attack represented an unprecedented breach of Israeli defenses and marked the deadliest single day in the country's history.

Over the course of several hours, approximately 1,200 people were killed, including about 900 civilians and 300 members of the Israeli security forces. Victims ranged from residents of southern border communities and soldiers stationed at nearby bases to attendees of the Nova music festival, where at least 360 civilians were massacred and many others abducted. More than 3,000 individuals were wounded, and 251 people (men, women, elderly people, children, and foreign nationals) were taken hostage to Gaza. The victims represented a wide demographic spectrum, encompassing Israelis, migrant workers from Thailand and Nepal, and dual nationals from several countries.

The captivity of these hostages became a central trauma within Israeli public life, giving rise to weekly demonstrations at "Hostage Square" in Tel Aviv, where families of the abducted and supporters gathered to demand government action for their release. These vigils and protests evolved into one of the most visible symbols of collective grief and civic pressure in Israel's recent history, encapsulating the enduring psychological and moral weight of the October 7 attacks.

The release of hostages from Gaza unfolded in a series of negotiated stages, beginning in late November 2023 under a temporary ceasefire brokered by Qatar, Egypt and the United States. During this week-long truce, 105 hostages (mostly women, children, and foreign nationals) were freed in exchange for the release of 240 Palestinian prisoners held in Israeli jails, alongside the entry of humanitarian aid into Gaza. A small number of hostages were also rescued through IDF operations. Subsequent months saw sporadic additional releases, bringing the total number of freed hostages to 199 by mid-2024.

After more than two years in captivity, the final group of twenty living hostages held by Hamas were released and returned to Israel on October 13, 2025 in conjunction with a cease fire agreement, marking the end of all living captives from the October 7 attacks. As of December 2025, only the remains of two deceased captives are still being located in Gaza.

# The Hamas-Israel War (Gaza War), the Ceasefire and Peace Plan

In the immediate aftermath of the October 7 attacks, the Israeli government declared a state of war for the first time since 1973 and launched Operation Iron Swords. The campaign began with an intensive aerial bombardment of Gaza aimed at destroying Hamas's military infrastructure, command centers, and tunnel networks. Within days, the IDF mobilized more than 350, 000 reservists, the largest call-up in the country's history, and imposed a total siege on the Gaza Strip, cutting off electricity, fuel, water, and food supplies. By late October, Israeli ground forces had entered northern Gaza, advancing toward Gaza City. The urban fighting that followed was among the most intense in the history of the conflict, characterized by heavy bombardment, close-quarters combat, and

widespread destruction of civilian infrastructure. Israeli officials framed the war's objectives as the dismantling of Hamas's military and governing capacities, the rescue of the hostages, and the restoration of long-term deterrence.

The military campaign in Gaza has resulted in a severe humanitarian crisis and widespread destruction. Intense fighting has caused extensive damage to residential areas, medical facilities, and infrastructure, leading to the displacement of much of Gaza's population. By December 2023, the United Nations estimated that more than 80 percent of Gaza's 2.2 million residents had been displaced. Casualty estimates vary among reporting bodies. According to figures from the Gaza Ministry of Health, cited by the UN Office for the Coordination of Humanitarian Affairs (OCHA), approximately 62,000 people had been killed and over 150,000 injured as of August 2025. An independent study published in *The Lancet* estimated about 64,000 deaths from traumatic injuries by mid-2024. While the figures remain difficult to verify due to limited access and ongoing hostilities, available data suggest that the conflict has caused extensive civilian suffering and large-scale loss of life.

In the wake of the war in Gaza, pro-Palestinian demonstrations erupted across the world, drawing millions into the streets from London, Paris, and Berlin to New York, Sydney, and Amman. Most protests were peaceful expressions of solidarity with civilians in Gaza and calls for an immediate ceasefire. However, in many cities, authorities and monitoring organizations documented a growing radical fringe within some protest movements, marked by the display of extremist slogans, calls for violence, or open glorification of the October 7 attacks. This radicalization led to a documented surge in antisemitic incidents globally. According to the Anti-Defamation League (ADL) and the European Union Agency for Fundamental Rights (FRA), antisemitic harassment and violence reached their highest levels in decades, particularly across Europe and North America. Synagogues, Jewish schools, and community centers faced heightened threats, while Jewish students on university campuses reported widespread intimidation. Governments in the United States, France, Germany, and the United Kingdom responded by tightening security at Jewish institutions and enacting stricter measures against hate speech.

In late September 2025, President Trump unveiled a 20-point "Comprehensive Plan to End the Gaza Conflict" in tandem with Israeli Prime Minister Benjamin Netanyahu, proposing an immediate cease-fire, return of all hostages (living and deceased) within 72 hours, and the demilitarization of Gaza Strip under a transitional technocratic Palestinian committee supervised by an international "Board of Peace" chaired by Trump himself. The plan proposes that the Hamas be excluded from any governing role in the Gaza Strip, with its military capacities to be dismantled and a demilitarized zone established. In its place, a temporary transitional administration would be established. This administration is to be run by a technocratic committee composed of qualified Palestinians and supported by international experts. That technocratic committee would be supervised by an international oversight body called the "Board of Peace," which is to include international figures (e.g., mentioning former UK Premier Tony Blair) and chaired by Trump himself. The plan states that this transitional governance arrangement would remain in place until the Palestinian Authority (PA) completes a reform program and is deemed able to take over effective control of Gaza. At that point, the PA would assume full governing responsibility.

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# Chapter 4

# The Palestinian Refugee Question

The adoption of the UN Partition Plan for Palestine on November 29, 1947 at the UN General Assembly was immediately followed by the outbreak of civil war between the Jewish and Arab communities. This civil war can be divided into two stages. The first stage was characterized by an Arab offensive with Jews on the defensive, while the second stage was marked by a Jewish offensive led by the Jewish defense forces, the Hagana. The fighting resulted in substantial Jewish territorial gains from April to mid-May 1948, when independence was declared. The establishment of the State of Israel was followed by a conventional armed conflict between it and invading Arab states. However, the origins of the refugee question are to be found in the earlier civil conflict.

## The Origins of the Refugee Problem

The first casualties of the civil war occurred on November 30, when an armed Arab band ambushed a bus with Jewish passengers, killing seven. In the days that followed, similar attacks were carried out against Jewish buses in Jerusalem and Haifa. In reprisal, Zionist paramilitary organizations, the dissident right-wing Irgun and Lehi, attacked Arab workers in Haifa. The fighting in the first days established a pattern that was seen in following months: small scale attacks and counterattacks as well as ambushes along the roads. With the start of the hostilities, Arab families in mixed towns and some villages began to abandon their homes, thus marking the beginning of the refugee problem.

Against the background of continuing Arab successes on the battlefield and what soon turned into the war for the main roads of Palestine, Jewish forces adopted a new offensive strategy. This became increasingly urgent in March 1948 when it became apparent that the international community might backpedal on partition in favor of a UN trusteeship on Palestine as a result of continued Arab resistance. In April 1948, the Hagana began the implementation of "Plan D." In its broadest terms, Plan D called for securing all the territory earmarked by the UN for the Jewish state as well as areas like West Jerusalem and Western Galilee with substantial Jewish populations. The preamble dispatched to the brigades stated the aim of Plan D in the following terms: "to take control of the territory of the Jewish State and to defend its borders, as well as [defend] the blocs of settlement and the Jewish population outside these borders against a regular enemy, semi regular[s], and irregulars." Plan D opened the way for the conquest of Arab villages, although the decision on the fate of each village and its residents was ultimately vested in brigade commanders.

At this stage, one of the most controversial events of the 1948 War—the Deir Yassin massacre—took place. Deir Yassin was a Palestinian Arab village near Jerusalem with a population of around 600 people. On April 9, 1948, Irgun and Lehi conducted an attack on the village killing 100–120 of its inhabitants. The rest of the villagers were driven out, while some fled. The media campaign that raged both in Palestine and the Arab world

produced the unintended result of sparking fear and panic among the Palestinians, resulting in further flight from Arab villages and towns. Deir Yassin was one of the turning points in the Palestinian refugee problem during the 1948 War.

Despite their superiority in numbers (1.2 to 1.3 million Palestinian Arabs and 630,000 Jews), the Palestinian Arabs suffered from a number of disadvantages that contributed to further Palestinian flight and eventual defeat in the war. The *Yishuv* enjoyed far greater military power in terms of both manpower and weaponry, economic independence, national institutions and a highly organized and motivated society. Palestinian Arab society, on the other hand, was deeply divided along family and religious lines, economically weak and without an effective leadership that could lead a push for statehood.

The Israelis sustained very heavy losses. Some 6,000 men and women, one percent of the entire population, were killed in the war. The Palestinians suffered similar losses; although more difficult to ascertain precisely, it is estimated that some 8,000 Palestinians were killed in the fighting. On the Palestinian side, some 700,000 people (or just over half their entire population) fled or were forced inland or out of the country altogether by Israeli forces. Cases of expulsion took place especially after the invasion of Palestine by the regular armies of the neighboring Arab states in the international war that began in May 1948 with Israel's declaration of independence. In some instances, Arab refugees evacuated their homes on the orders of various Arab leaders and commanders. It would be fair to say that the Palestinian refugee problem was created as a result of the combination of Palestinian societal collapse and flight as well as expulsion.

Benny Morris, one of the "new" Israeli historians (see below), and unquestionably the leading authority on the origins of the refugee problem has summed up the complexity of the issue as follows:

> The first Arab-Israeli war, of 1948, was launched by the Palestinian Arabs, who rejected the UN partition resolution and embarked on hostilities aimed at preventing the birth of Israel. That war, and not design, Jewish or Arab, gave birth to the Palestinian refugee problem. But the displacement of Arabs from Palestine or from the areas of Palestine that would become the Jewish state was inherent in Zionist ideology…. [Even so] there was no pre-war Zionist plan to expel "the Arabs" from Palestine or the areas of the emergent Jewish State; and the *Yishuv* [the Jewish community in Palestine] did not enter the war with a plan or policy of expulsion.

During the negotiations between Israel and the Arab states after the 1948 War, Israel offered to allow the return of 100,000 Palestinian refugees to Israel on the condition that the Arab states make full peace with Israel and settle the rest of the refugees in their own countries. This offer was rejected by the Arab states and since then has not been proposed again by Israel.

# The Historiographical Debate

The war of 1948 was a seminal event for both the Israelis and the Palestinians. Therefore,

the ensuing historiographical debate on the issue has been equally intense. Points of contention include historical responsibility for the events, the refugee question and the terminology describing the war. The Palestinians call 1948 *al-Nakba* (the disaster, the catastrophe), while the Israelis use terms such as the War of Liberation (*Milhemet Hashihrur*) and the War of Independence (*Milhemet Ha'aztma'ut*).

Beginning in the late 1980s, a group of Israeli historians began publishing a series of books and articles about the War of 1948 in which they used hitherto unavailable Israeli and Western sources. These "New Historians," as they became known, offered a new and more critical perspective and interpretation of the history of the Arab-Israeli conflict as well as Zionism (see the Bibliography).

There has been some self-criticism on the side of Arab scholars and commentors as well. Most notably, Syrian-born philosopher Sadiq al-'Azm criticized the use of the term *al-Nakba* arguing that simply the use of the expression, which means a natural catastrophe in Arabic, is an apologetic refusal of the Palestinians to accept any responsibility for the events of 1948.

# UN Assistance to Palestinian Refugees since 1949

As a result of the 1948 Arab-Israeli war, more than 700,000 Palestinians were forced to relocate to the West Bank, the Gaza Strip, and surrounding Arab countries. In December 1949, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established and tasked with registering and assisting the Palestinian refugees. In the absence of a solution to the refugee problem, the mandate of UNRWA has been extended each year.

UNRWA has provided health care, education and social services to Palestinian refugees living in the West Bank, the Gaza Strip, Jordan, Lebanon and Syria, and has administered refugee camps in these territories. Over the years, Palestinian refugee camps have developed into urban neighborhoods, in which the living conditions are generally poor, due to the high population density and the lack of infrastructure, hygiene and public services.

In 2016, UNRWA reported that 1.31 million registered Palestinian refugees lived in the Gaza Strip, while the West Bank is home to more than 790,000 refugees. One quarter of these live in the West Bank's nineteen refugee camps, the largest of which is Balata, near the city of Nablus. The majority of the registered refugees, however, live in various towns and villages of the West Bank. As for Gaza, less than half of the refugees live in the eight camps designated by UNRWA.

UNRWA defines a Palestinian refugee as a person "whose normal place of residence was Palestine during the period June 1, 1946 to May 15, 1948, and who lost both home and means of livelihood as a result of the 1948 conflict." Of particular significance is the fact that refugee status is also extended to descendants of this group. Hence, under UNRWA criteria, Palestinians "inherit" their refugee status from their parents, regardless of where they were born. As a result, the number of Palestinian refugees eligible for services under UNRWA has grown from 700,000 in 1949 to approximately 5.9 million today.

The UNRWA definition of Palestinian refugees is unique and does not appear to comport with the 1951 Refugee Convention. It is argued that the inheritance of the refugee status has played an important part in perpetuating the sense of displacement among generations of Palestinians. At the same time, however, the loss of homeland, displacement and refugee status are now at the very core of Palestinian national identity. Therefore, the Palestinian refugee issue and its emphasis on Palestinian statelessness are central to the Palestinian nationalist discourse. Although the vast majority of refugees today were not personally uprooted in 1948, they still express a strong connection to the birthplace of their ancestors. Many still have the keys and the proof of ownership of their family's former homes, which are passed on from generation to generation.

In 2018, the Trump administration ended all U.S. support for UNWRA, creating a financial crisis for the organization. Funding has been temporarily sustained mostly by Muslim donor countries and private donations, but the organization faced a significant budget shortage as of October 2019. At the same time, various European countries suspended their funding to UNRWA as well following reports of ethical misconduct, nepotism and discrimination within the organization. In 2021, under the Biden Administration, the U.S. resumed and increased its monetary support for UNWRA but funding was again terminated over allegations that UNWRA staff had participated in the October 7 attacks.

# Palestinian Refugees in Arab Host Countries

The determined effort to preserve a political identity based on Palestine as a homeland has also served as one of the main obstacles to complete integration of Palestinian refugees outside of Israel, the West Bank and Gaza. After 1948, some of the displaced Palestinian community looked beyond the refugee camps for better living circumstances, education and employment, and migrated to other countries, including to the Gulf region.

However, there was generally no Arab effort to assimilate the waves of Palestinian refugees, in part for political reasons. Rather, the Arab states have pursued a policy of purposeful non-integration of the Palestinian immigrants. In 1959, the Arab League issued resolution 1457, which stated: "The Arab countries will not grant citizenship to applicants of Palestinian origin in order to prevent their assimilation into the host countries." In 1965, the Arab League issued the Casablanca Protocol on the Treatment of Palestinians in Arab States, granting Palestinians the right to work and own property in the host countries while retaining their Palestinian nationality (see Appendix III).

Jordan—which currently accounts for about 2.14 million of the refugees—was the only Arab country to grant full citizenship to the Palestinians. As a result, only 18% of the refugees live in UNRWA camps in that country. In the other Arab countries, Palestinians lack important civil rights. In 2016, Syria was home to an estimated 560,000 Palestinian refugees. More than 458,000 lived in Lebanon, where they cannot acquire citizenship. Partly as a result, around 50% of the country's Palestinian refugees live in refugee camps. Work and education opportunities are limited because of legal restrictions, and the incidence of poverty is high.

Since 1948, additional migration waves have taken place among the Palestinian population of the Arab states, for example as a result of the 1967 War, the expulsion of the PLO from Jordan in 1970, the Israeli invasion of Lebanon in 1982, the First Gulf War in 1990–1991, the expulsion of Palestinians from Iraq in 2006, and most recently, the Syrian Civil War. For example, after the Gulf War, about 300,000 Palestinian refugees came to Jordan from Kuwait. The relatively high number of Palestinians in Jordan (estimated between 45% and 60% of Jordan's population) has been an ongoing source of political tension in the country.

These tensions have now been severely compounded by the influx of Syrian refugees into Jordan, estimated by the Office of the United Nations High Commissioner for Refugees (UNHCR) to have reached over 655,000 by October 2019. The influx of refugees has put significant pressure on Jordan's infrastructure and its already scarce water and agricultural resources. The refugee crisis has caused tensions in society over jobs, housing, water supplies and other resources.

# The Refugee Question and Final Status Negotiations

The refugee question is among the final status issues in the Israeli-Palestinian negotiations on which no agreement has been reached. The difficulty in finding a solution is first and foremost related to the diverging narratives of the 1948 War. Israelis and Palestinians disagree over who bears historical responsibility for the creation of the refugee problem: the initial responsibility for starting the war; the extent to which the refugees left on their own initiative or were expelled; and the respective roles of the Arab leadership and the Jewish forces in the evacuations.

Several options have been discussed for solving the refugee problem, including a right of return, compensation, absorption by Arab states or resettlement outside the region. The core difference among the parties centers on the issue of choice. Palestinian proponents of the right of return—perhaps the most contentious Palestinian demand— invoke clause 11 of UN Resolution 194 that was passed in 1948. That clause states that "the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return..." The Arab parties interpreted the clause as a comprehensive inalienable right of all refugees and their descendants to freely choose whether they wish to return to their villages and towns of origin, which are today located in the State of Israel.

Israel, on the other hand, claims that it retains the sovereign right to choose whom to admit to its territory; a right of return could only be applicable to some of the refugees and at Israel's discretion. The refugee question also touches on the fate of Israel as the nation state of the Jewish people. An unlimited right of return would result in a fundamental shift in the country's demographics (discussed in more detail in the next section).

Israel, therefore, has focused instead on alternative arrangements such as resettlement, compensation and socio-economic rehabilitation. In the 1960s and 1970s, Israel launched several initiatives to rehabilitate refugees and effect changes in their living conditions by

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providing them with permanent housing or plots of land in the West Bank and the Gaza Strip. These measures were, however, rejected by the Palestinians. In their view these were simply devices to undermine the Palestinian resistance. The Palestinian leadership has categorically rejected any permanent resettlement in host countries and continues to express the hope of repatriation, which remains essential for correcting the perceived injustice of the events of 1948.

# Chapter 5

# The Demographics of Israel and the Palestinian Territories

*All statistics are derived from Israel Central Bureau of Statistics, the Palestinian Central Bureau of Statistics and the Statistical Yearbook of Bedouin Society and reflect the demographic situation between 2020 and 2025.*

Demographics is a sensitive topic in Israel because population trends directly shape the country's political future, its social fabric, and for Jewish Israelis, its ability to maintain a stable Jewish majority while upholding democratic norms. Different communities—Jewish, Arab, secular, religious—are growing at markedly different rates, and these divergent trajectories fuel long-standing debates about identity, representation, and the character of the state. As a result, demographic statics are rarely viewed as neutral figures; they are interpreted through competing political and national narratives.

According to Israel's Central Bureau of Statistics, Israel's population as of September 2025 had exceeded 10 million (10,134,000). (From 1967, population figures included residents of East Jerusalem, and from1982, the Druze and Muslim populations in the Golan.) 78.5% of that total is composed of Jews and "others": the population not classified by religion and non-Arab Christians. Arab Israelis account for 21.5% of the total. These shares have remained largely constant since independence, as Jewish immigration has largely balanced out the differences between the population growth rates of the two communities. By 2025, about 80% of the Jewish population had been born in Israel (sabras). However, in the period since the establishment of the state, over 3.5 million immigrants have arrived in Israel, and they have been overwhelmingly Jewish with 29.2% born in Asian and African countries and 70.8% coming from Europe and America.

The Palestinian population of the West Bank was estimated at 3.3 million in mid-2024, while the Gaza Strip had a population of about 2.3 million. Together, the Palestinian population in the territories thus totals roughly 5.6 million.

In 2024, approximately 93–94% of Israel's population resided within the Green Line, while about 6–7% lived in Israeli settlements in the West Bank, including East Jerusalem. As of early 2025, the number of Israeli citizens living in settlements in the West Bank (excluding East Jerusalem) is estimated at around 520,000, continuing a steady annual growth rate of 3–4%. In East Jerusalem, approximately 235,000 Israeli residents live in Jewish neighborhoods established beyond the 1967 Green Line. No Israeli citizens remain in the Gaza Strip, from which Israel fully withdrew in 2005 under the Disengagement Plan.

It is important to note that the Jewish and Arab populations are religiously diverse. As of September 2025, 42.7% of the Jewish population over the age of 20 described themselves

as ‘not religious’ or ‘secular’; 21.5% as ‘traditional, not so religious’; 12% as ‘traditional-religious’; 12% as ‘religious’; and 11.4% as ‘Ultra-Orthodox’ or Haredi.
According to the 2023 report by the Israel Democracy Institute, 83.2% of Israel’s Arab population are Muslims; 7.7% are Christians; and 9.1% are Druze. The largest number of Muslims live in the city of Jerusalem, with significant concentrations in Rahat, Nazareth (the two largest Arab cities in Israel), and Umm al-Fahm. More than half of the Muslim population is concentrated in the North of Israel and only about 1% lives in Tel Aviv.

The Christian community of the population includes multiple denominations—Russian and Greek Orthodox, Armenian, Catholic, and Protestant. Of the Christians in Israel, about 75.8% are Arab. The rest are non-Arab Christians who immigrated to Israel with their families under the Law of Return (based on a Jewish ancestor or spouse), mostly from Russia, and who had children in Israel. The largest number of Arab Christians live in Israel’s Northern District (Nazareth, Haifa, Shefaram) and in Jerusalem. 39% of non-Arab Christians live in central Israel, mostly in the Tel Aviv area; while the rest reside in the Northern District, especially in Haifa.

The Druze are a small religious community, whose members are spread across Israel, Syria, Lebanon and Jordan, mostly in mountain villages. Their monotheistic religion is said to have developed as a branch of the Isma’ili Shiite interpretation of Islam and was established during the Fatimid period in the eleventh century. The Druze are recognized as a religious minority and are seen as loyal to the state of Israel; for example, most of them complete mandatory service in the Israeli Defense Forces. Israel’s Druze population lives mostly in the Northern and Haifa Districts.

As of 2025, Israel’s Bedouin population numbers roughly 300,000 people, the vast majority of whom, about 85–90%, live in the Negev (Naqab) Desert in the south. Most reside in or near seven government-planned towns such as Rahat, Hura, and Laqiya, while around 40% still live in unrecognized villages lacking full infrastructure and municipal services. Smaller Bedouin communities, totaling around 30,000 to 35,000 people, live in northern Israel near Nazareth and the Jezreel Valley, and only a few thousand are found in central Israel near Ramla and Lod. The Bedouin have one of the highest fertility rates in Israel, resulting in rapid population growth, but they also face persistent socio-economic challenges, particularly in education, employment, and housing. Together, the Negev Bedouin population is estimated at around 304,000 to 312,000 by the end of 2022.

Of the total population of Israel, 93% live in urban localities (defined as towns and cities with more than 2,000 residents), while 7% live in rural localities (*moshavim*, *kibbutzim*, and others), down from earlier rates. (The 28 Bedouin tribes are not included in any of the localities.) Jerusalem is the largest city in Israel; it has become the country’s first city to see its population exceed one million (2024). Tel Aviv is Israel’s second-largest city with a population of slightly less than 500,000.

In government statistics, Israeli cities and villages are classified as either Jewish or non-Jewish communities, based on the majority population in the town. By this measure, only 137 of 1,215 localities were majority Arab. Nine were defined as having a Jewish majority population, yet also a significant Arab minority: Jerusalem, Tel Aviv-Jaffa, Haifa, Acre, Ramle, Lod, Maalot Tarshicha, Nazareth Illit (since 1983) and Neve Shalom (as of 1985).

# Demographic Trends

As noted, throughout the history of the state, most of the growth of the Arab population was due to natural increase (births minus deaths), except for a one-off population increase resulting from the annexation of East Jerusalem and the Golan Heights following the Six-Day War (in 1967 and 1981, respectively). By contrast, the growth of Israel's Jewish population is the result of both natural increase and international migration, and it is worth understanding the latter in more detail as it has been an integral feature of Israel's post-independence history.

# Jewish Immigration to Israel

In 1948, only 6% of the world's Jewish population (at that time 11.5 million people) lived in Israel. By 2025, 47% of the world's Jewish population (about 15,8 million people) lived in Israel. The other largest Jewish populations in the world as of 2025 are located in the United States (7.46 million), France (440,000), Canada (398,000), the United Kingdom (312,000), Argentina (171,000) and Russia (132,000) and all have at various times been sources of immigration to the country.

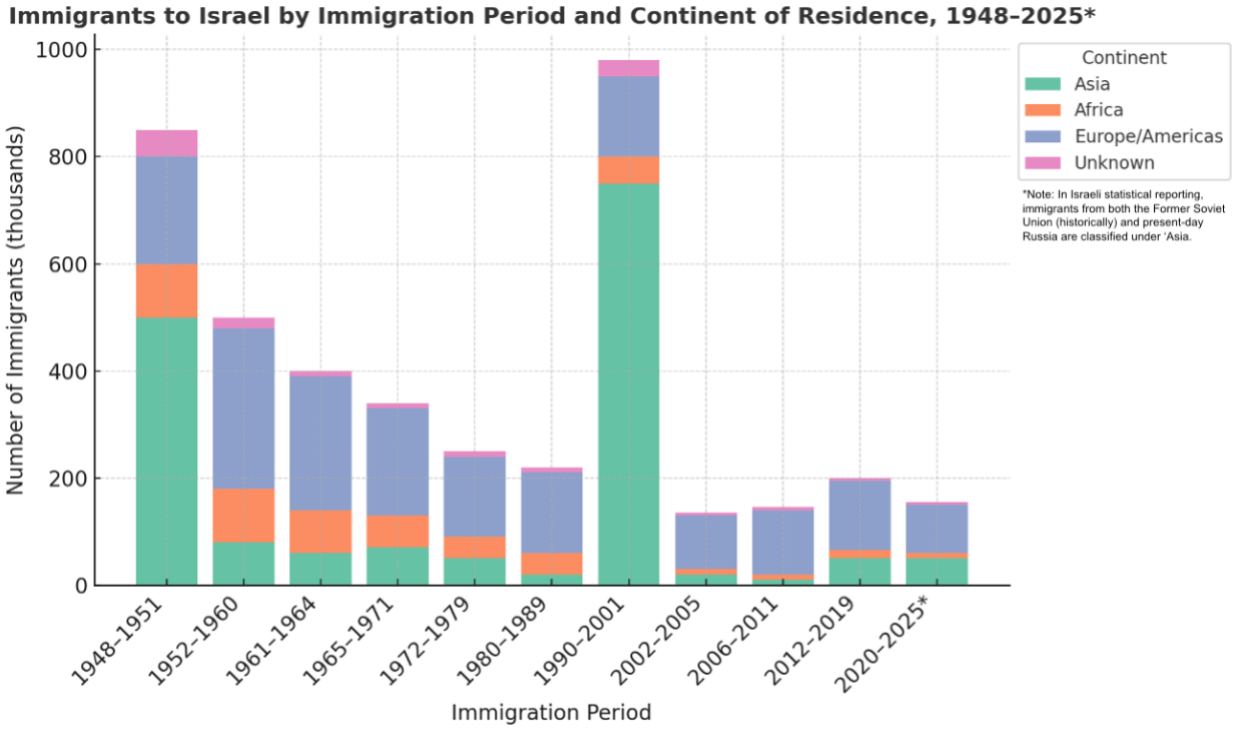
Jewish immigration to Israel is largely regulated by the "Law of Return." This law was issued in July 1950 and allows the immigration of Jews and their families from the Diaspora to Israel (*aliyah*), granting them automatic citizenship. The law applies to those individuals who have at least one Jewish grandparent, or parent of spouse.

Immigration took place in waves. The first immigration wave took place immediately following independence (1948–1951) and resulted in doubling the size of the country's population within only four years. 48% of immigrants who arrived during this wave came from Europe (mostly from Eastern Europe, especially Poland and Romania), 34% came from Asia (over half from Iraq; but also from Yemen, Turkey and Iran), 14% from Africa and less than 1% from America.

The second large immigration wave (1955–58), brought nearly 170,000 immigrants mostly from the Arab countries of North Africa. The third wave began in 1961 and lasted until 1964, and brought close to 230,000 immigrants, mostly from North Africa, although a substantial number of immigrants also arrived from Romania and Poland.

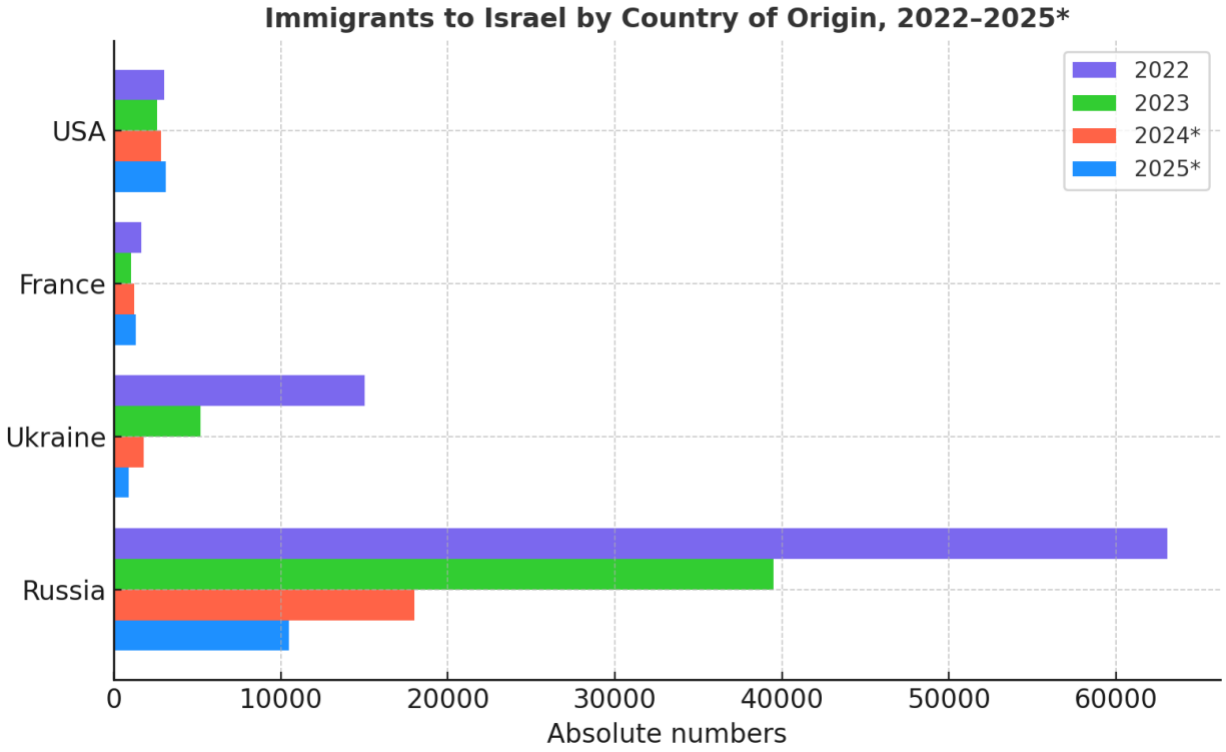
The influx of immigrants between the 1967 Six-Day War and the 1973 Yom Kippur War was not large but was unique in composition. Immigrants arrived from Western Europe (primarily France and the United Kingdom), North America (the United States and Canada), South America (especially Argentina) and Australia. In those same years, the Soviet authorities opened the gates for emigration and so thousands of immigrants arrived in Israel from the former USSR. With the exception of a few years, the period from 1967-1989 saw a decline in immigration. This decline ended abruptly with the fall of the Iron Curtain. The years between 1990 and 2001 again saw waves of mass immigration to Israel totaling over 900,000 immigrants, the majority coming from the Soviet Union and successor states, before once again slowing in the 2000s.

Since 2015, the majority of new Jewish immigrants have come from Russia, Ukraine, France, and the USA driven by a variety of motives. The *aliyah* from France, which rose dramatically in 2014–2015 resulted from the country's mediocre economic performance, but also from legislation restricting Jewish practices, the strengthening of far-right parties, and rising anti-Semitism. In recent years, the *aliya* from Russia has been the most



noteworthy. Since the start of the war between Russia and Ukraine, it has increased even more significantly. In the first half of 2022, 31,066 immigrants from Ukraine and Russia arrived in Israel (12,165 from Ukraine and 18,891 from Russia), a dramatic increase compared to 2019.

According to the Jewish Agency, more than 50,000 new immigrants have arrived in Israel since the October 7, 2023, attacks. Overall *aliyah* in 2025 has shown a marked decline compared to recent years. During the first seven months of 2025, approximately 11,300 new immigrants arrived in Israel, representing a 42%




decrease compared to the same period in 2024, and around 60% fewer than in 2023. The primary factor behind this downturn is a sharp reduction in immigration from Russia, which had previously driven record numbers in 2022–2023 following the war in Ukraine. Despite this overall drop, immigration from Western countries has shown signs of growth and France and the United Kingdom both recorded increases in new arrivals.

The effect of October 7 can also be considered with respect to outmigration. According to the Israel Central Bureau of Statistics, emigration from Israel has increased in recent years. In 2024, about 58,600 Israelis emigrated and 24,100 returned, producing a net migration balance of ~34,500. During the first eight months of 2025, around 36,900 Israelis emigrated and 12,100 returned, producing a negative migration balance of about 49,000. This marks a continued, though slightly smaller, outflow compared with the previous year. The rise in outmigration reflects a growing trend of Israelis relocating abroad for economic, political, or security reasons. Despite year-to-year fluctuations, the data show that since 2023, Israel's migration balance has remained negative, with more citizens leaving than returning.

# Non-Jewish immigration

Until 1989, the bulk of international migration to Israel was the result of Jewish immigration or *aliyah* and constituted a significant factor in maintaining the Jewish majority in the country. However, while the wave of immigrants from the former Soviet Union allowed many people to immigrate under the "Law of Return" because they had Jewish family members, immigrants themselves were not necessarily Jewish.

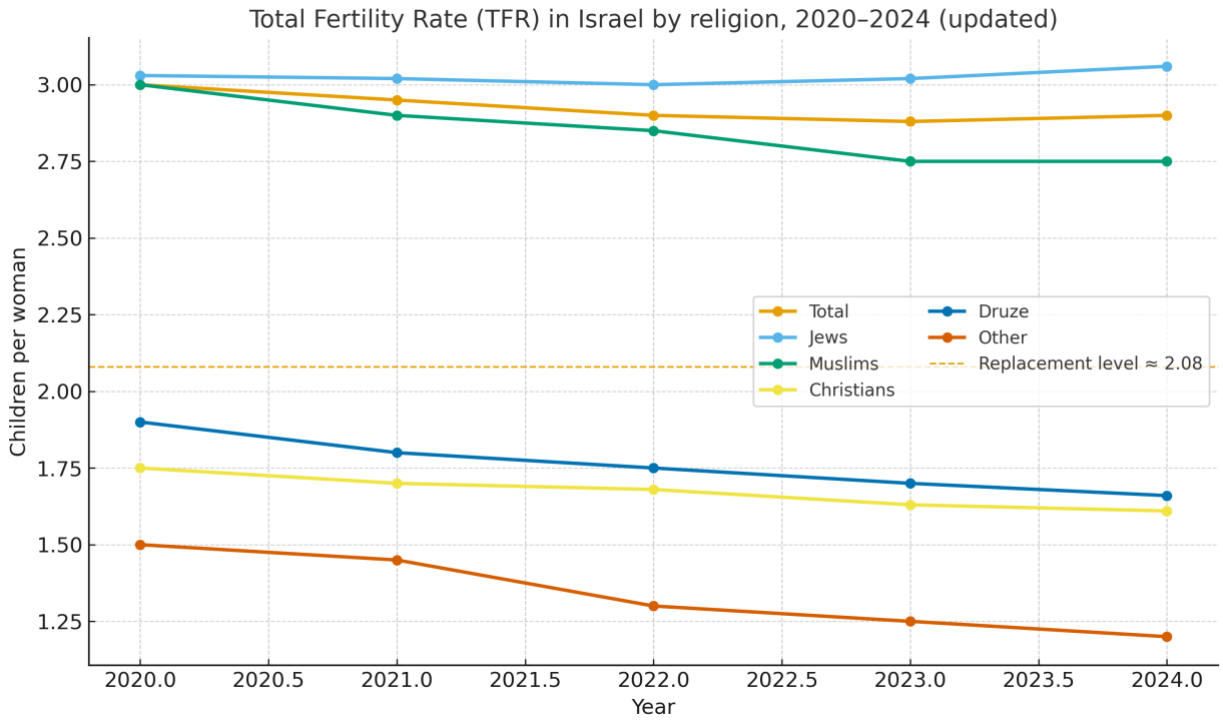
At the same time, as a result of changes in the structure of the Israeli labor market, the Israeli government began to allow the entrance of foreign workers to support certain industries. According to Israel's Population & Immigration Authority, there are, as of June 2025, 166,743 legal foreign workers in Israel from countries as diverse as Thailand, the Philippines, the former Soviet Union, Romania and China working in the fields of agriculture, construction, nursing and restaurants. As in other advanced industrial states, Israel has had to cope with illegal immigration as well. The number of undocumented workers stands at 34,152. As of June 2025, there are 18,950 asylum seekers in the country, mainly from Eritrea and Sudan.

The residency status of illegal workers and especially of their Israeli-born children, whose primary language is Hebrew, has been a highly contentious issue. While Israeli law allows a migrant worker to stay in the country with their children until their visa expires, it does not grant citizenship to the children of migrant workers born in Israel, as the United States does. Israel's immigration authorities intensified their crackdown on illegal workers together with their Israeli-born children in the summer of 2019, leading to widespread protests against the deportation of children who were born in the country, were well-integrated in the Israeli education system and often had no connection to their parents' homelands. In November 2024, dozens of teens who are children of migrant workers formally petitioned the government requesting citizenship and the right to serve in the IDF, arguing that Israel is their only home. There are hundreds of Israeli-born children of migrant workers who still live without legal status. As of 2025, there is still no dedicated legislation or formal pathway that uniformly grants these children legal status.

During the Hamas-led attack on Israel on October 7, 2023, dozens of foreign workers, mainly from Thailand, Nepal, and the Philippines, were among those killed, injured, or kidnapped. Many of them worked in agriculture in southern Israel near the Gaza border, where their communities suffered severe losses. The violence prompted the evacuation of thousands of foreign laborers from the conflict zones and led to the suspension of new recruitment from several countries, particularly Thailand, due to security concerns. In the months that followed, Israel faced a serious labor shortage, especially in agriculture, construction, and caregiving, sectors that rely heavily on foreign workers. To address the crisis, Israel sought to bring in new laborers from countries such as Sri Lanka, India, Uzbekistan, and Malawi, while negotiating agreements to resume the entry of Thai and Filipino workers under improved safety conditions. As of 2025, the situation had partially stabilized: recruitment has resumed in several sectors, though the total number of foreign workers remains below pre-October 7 levels.

# Differential Birth and Fertility Rates

Differences in birth rates are seen by some as constituting a challenge to the Jewish identity of Israel. While these concerns are probably exaggerated, there are differential population growth rates among different segments of Israel's population. According to 2021 data, the annual growth rate of Israel's Jewish population stands at 1.6%, compared to 2.3% among its Muslim population, 2% among the Christian population and 1.2% among the Druze population. In 2023, Israel's overall fertility rate stood at 2.9 children per woman, ranking it as the developed country with the world's highest fertility rate. In 2024, the total fertility rate among the Jewish population stood at 3.06 children per woman compared to 2.75 children per woman among Muslim women, 1.66 among Druze and 1.61 for Christians. A




striking social development is that Muslim fertility rates have fallen sharply in recent decades, from a high of 4.7 in 2000.

By 2040, Israel's population is expected to reach around 12.4 to 12.8 million people. The Jewish (and "other") population will make up roughly 78–79% of the total, while the Arab population (Muslims, Christians, and Druze) will account for about 21–22%. These proportions are very similar to those in 2015, when Jews and others made up about 79% and Arabs about 21%.

Despite the appearance of stability, Israel's demographic landscape is shifting in complex ways. Fertility rates among Muslim, Christian, and Druze women have declined sharply since 2000, while fertility among Jewish women has slightly increased. Arab women's employment has grown substantially, from 33% in 2014 to nearly 50% by 2025, reflecting greater participation in higher education and the labor market. The ultra-Orthodox community continues to have the highest fertility rate, though it has fallen modestly from

7.2 children per woman in 2000 to estimates of 6.2 to 6.5 in 2022. This decline followed major child allowance cuts in the early 2000s but was less pronounced than expected, particularly given the fact that Haredi women's employment rose dramatically from 47% to 81%. A distinctive feature of the Haredi community is the low workforce participation among men due to their pursuit of religious studies. This low workforce participation rate is estimated to cost Israel 54 billion shekels annually—about 3% of the GDP—a figure that could reach 400 billion shekels per year by 2065 (over 20% of projected GDP) if current trends persist, resulting in cumulative losses of more than 6 trillion shekels in national output.

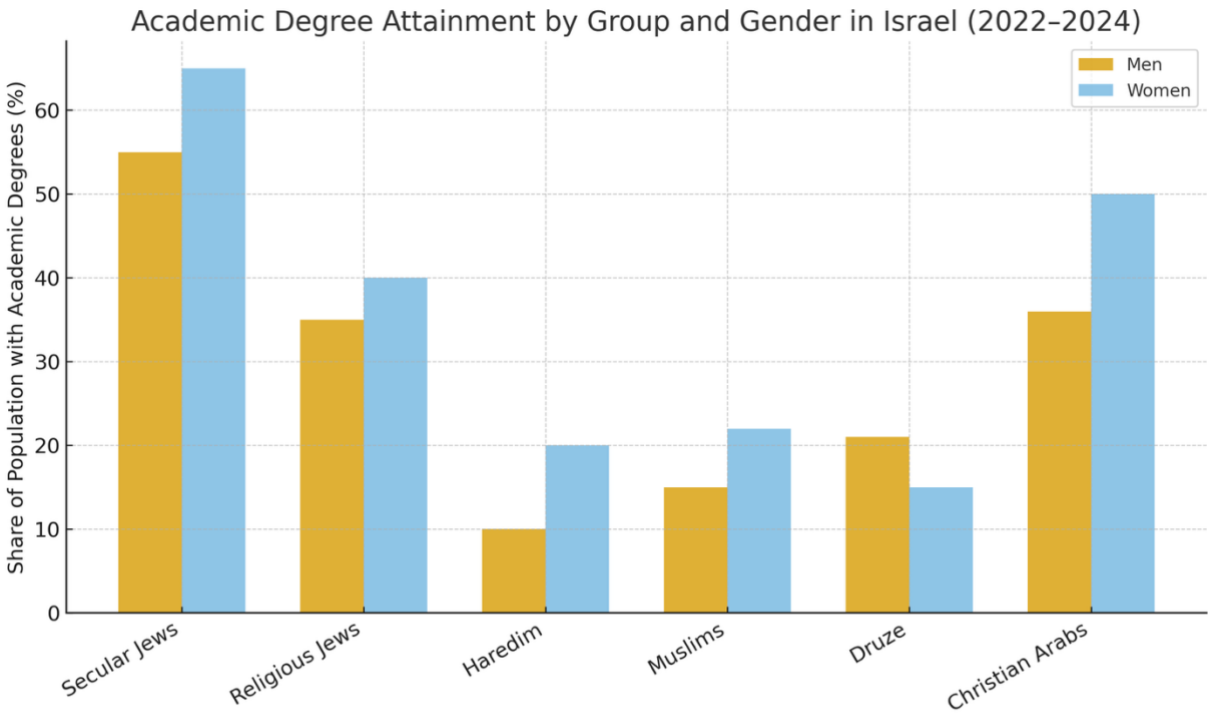
Looking ahead, the CBS projects that ultra-Orthodox Jews could constitute about 32% of Israel's population by 2065, though other projections suggest a lower share of 20–25% if trends follow demographic transitions seen elsewhere.

# Education, Employment and Income

Since the State Education Law was passed in 1953, Israel's primary and secondary education system is divided according to four types of supervision: state schools (attended by the majority of students); state religious schools; Druze and Arab schools; and private schools operating under various religious and international auspices. It is therefore possible to speak of a structural segregation within the Israeli education system, based on ethnicity, religion, level of religiousness, and geographic space (for instance, Haredi or Palestinian neighborhoods).

According to recent OECD and Israeli Ministry of Education data, educational inequality in Israel remains among the widest in the developed world. Large achievement gaps persist between Jewish and Arab students, between secular and ultra-Orthodox school systems, and across socio-economic groups. While Israel spends a relatively high share of its GDP on education—at around 6%, above the OECD average—learning outcomes remain uneven. In the 2022 PISA assessments, Israeli students scored below the OECD average in mathematics and reading, with the gap between top- and bottom-performing pupils among the largest of all member states.

Despite these disparities, Israel continues to rank near the top globally in higher education attainment. As of 2024, roughly 50% of adults aged 25–64 hold a tertiary degree, placing Israel fourth in the OECD after Korea, Ireland, and the United States.




Sources: Shoresh Institution for Socioeconomic Research (2023–2024); Taub Center for Social Policy Studies (2024); Israel Democracy Institute (2024)

However, there are large gaps among population groups in the attainment of academic degrees. The most educated segment of the Israeli society is the secular Jews, with women in this group having a higher rate of academic attainment than men (Figure 1). (University studies for Israeli Jews usually begin after finishing mandatory military service of three years for men and two years for women.) This group is followed by religious Jews (ranging from traditional to Orthodox), with levels of academic degree attainment reaching close to 40% among women in these groups, and around 35% among their men.

The two groups with the lowest academic attainment are the Haredim and the Arabic-speaking population, the country's fastest growing segments (Figure 1). Haredi children comprise 20% of the country's first graders; yet they do not receive a core education beyond the eighth grade, and their curriculum excludes English and science. Arab children now make up about one quarter of Israel's first graders, reflecting the community's growing demographic weight. Despite progress in access to education, their average achievement in core subjects such as mathematics, reading, and science remains well below the OECD average, according to the 2022 PISA assessments, and significantly behind that of Jewish students in Israel. Although enrollment rates in primary and secondary education have continued to rise among Arab Israelis, large gaps remain in educational outcomes. As of 2023, about 60% of Arab-Israeli youth complete more than 13 years of schooling, compared with roughly 85% among Jewish Israelis. Enrollment in universities and colleges has increased sharply, with Arab students now accounting for around 18% of Israel's higher-education population, up from only 9% in 2010. However, disparities in school funding, access to advanced-level mathematics and science courses,

and preparation for matriculation exams still limit parity in academic achievement and degree completion.

Within the Arab population, there are also differences between different religious groups in terms of their academic success and particularly with respect to gender. Despite the steady increase in the rate of academic attainment for both genders during the last decade (15.4% for Muslim men, and 22.1% for Muslim women in 2022), Muslims still have the lowest share attaining an academic degree among all Arab groups, with the exception of Druze women (6.7% in 2022). These rates are considerably higher for Israel's Christian Arab population, which enjoy a much better schooling system (49.6% for women, and 36.2% for men in 2022).

The Bedouin community remains the most socioeconomically disadvantaged population group in Israel. It is also the youngest, with about 60% of its members under the age of 18, and roughly two-thirds of Bedouin families living below the poverty line. According to the Inter-Agency Task Force on Israeli Arab Issues, access to quality education and infrastructure remains severely limited in many Bedouin towns and unrecognized villages in the Negev. The school dropout rate among Bedouin youth, though it has declined in recent years, is still the highest in Israel—around 25–27%, compared with a national average of under 10%. Unemployment among Bedouin adults remains high, exceeding 40% in some localities, particularly among women, who face both geographic and cultural barriers to labor-market participation.

These large educational disparities translate directly into differences in employment and income. Employment rates among non-Haredi Jewish men and women remain above the OECD average (approximately 88% for men and 83% for women in 2024). In contrast, employment among Arab-Israeli men has remained largely stagnant at around 70%, while Arab-Israeli women have seen steady gains, with participation rising from roughly 36% a decade ago to 46% in 2024, reflecting progress in education and social mobility.

Among the Haredi population, the employment rate of men continues to hover around 52%, while women's participation remains substantially higher at about 78%. Given the community's high fertility rate and rapid growth, the persistent underemployment of Haredi men poses long-term challenges to Israel's labor supply and the fiscal sustainability of core social programs. The Bank of Israel estimates that, without substantial increases in Haredi male labor participation, the cumulative drag on GDP growth could exceed $100 billion by 2065.

Wage disparities across Israel's population mirror these employment patterns, and again with respect to gender as well. According to 2024 CBS data, the average monthly salary stood at approximately NIS 13,100 (about $3,550). Yet significant income gaps persist: the average non-Haredi Jewish man earns around NIS 16,800, compared with NIS 12,000 for women. Among the Haredim, men earn an average of NIS 9,600 and women NIS 7,400. For Arab citizens, average wages remain considerably lower, about NIS 9,200 for men and NIS 7,000 for women. Across all groups, higher education remains the single most powerful determinant of both employment and income, underscoring the enduring link between education, workforce participation, and living standards.

To summarize, Israel's educational spending is at or above OECD averages, but test scores in mathematics and reading fall below OECD averages due to intra- and inter-group inequalities. These achievement gaps are not limited to those between Jewish and Arab students, but extend to gaps between secular and ultra-Orthodox school systems as well and are manifest in significant gender gaps. These differences play through into labor market outcomes and income, and constitute an ongoing subject of policy debate in the country.

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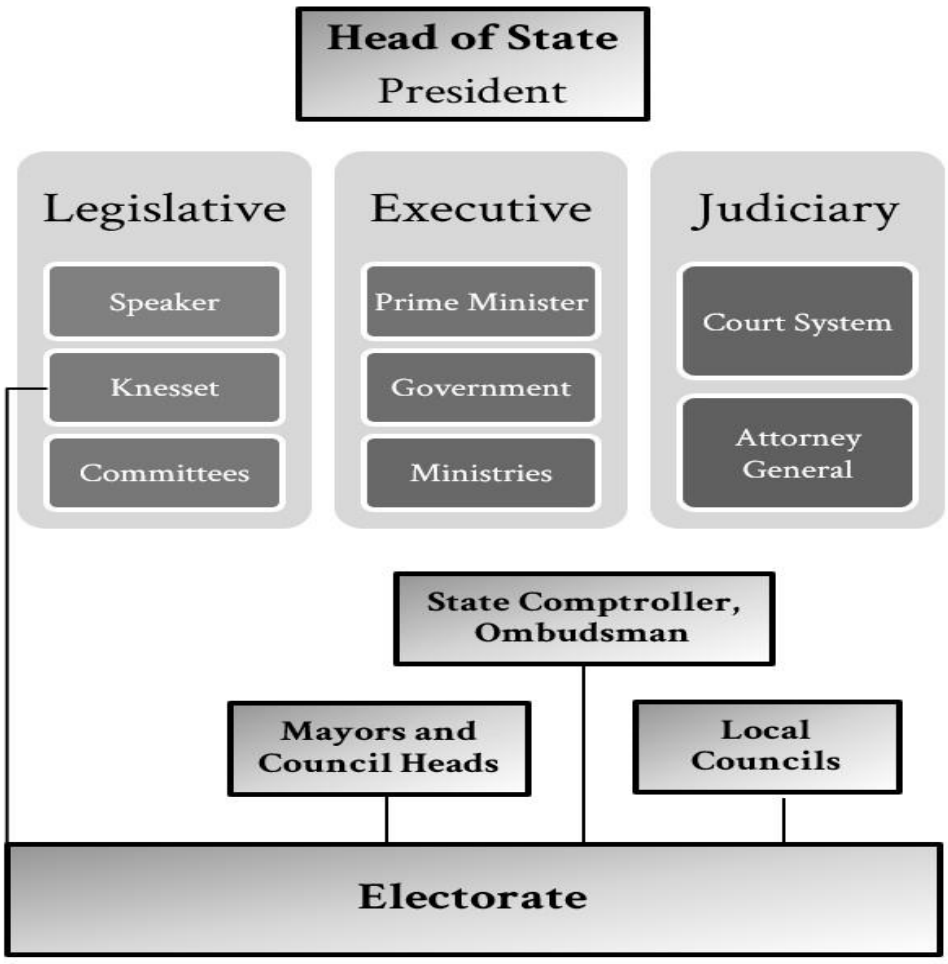
# Chapter 6

# Israel's Electoral System

Israel is a centralized (non-federal) parliamentary democracy with a single chamber and has a set of state institutions which is quite standard to this government form. Its *de jure* head of state is the President, elected for seven years by the Parliament. The position is currently held by Isaac Herzog. The presidency is largely symbolic and apolitical, although the president is sometimes called upon—as in the second 2019 elections—to negotiate with the leading parties over the formation of a government. Executive power is exercised by the Israeli government, headed by the Prime Minister. In addition to the Cabinet, the Prime Minister and a select group of ministers (seven or eight) form the "Security Cabinet," which is in charge of foreign and defense policy. Constitutional law and the judiciary have some distinctive features that are discussed in the next section.



Elections for the Knesset are scheduled every four years. Early elections are common, however. Prior to 2019, the last four governments lasted three, three, four and two years, respectively. Since 2019, political instability and shifting coalition alliances have led to an unprecedented cycle of five national elections in less than four years: in April 2019, September 2019, March 2020, March 2021, and November 2022. The first two rounds were triggered by the failure of Prime Minister Benjamin Netanyahu to form a lasting coalition, while the subsequent ones reflected continued polarization over issues including his corruption trials, judicial reform, and relations between secular and religious parties.

An unusual feature of the Israeli electoral system is that while it is based on proportional representation, the entire country constitutes a single electoral district and thresholds are low (previously 2%, recently raised to 3.25%). The result is a highly fragmented party system. Given the typical requirement of securing 61 seats, governments are necessarily formed with several smaller parties who often hold substantial power because of their ability to determine the formation and stability of the government. Theoretically, minority governments may be formed as long as they receive a vote of confidence from the Knesset. In practice, minority governments in Israel have only occurred because of a loss of government support during its term. The fourth Netanyahu government (2015–2019), which involved five parties (Likud, The Jewish Home, Kulanu, Shas, United Torah Judaism) can be given as an example.

During the 2015 elections, Israel's various small Arab political parties united for the first time to ensure that they would cross the threshold into one electoral alliance titled "The Joint Arab List." Since the establishment of the Knesset, Arab lists were never included in any governing coalition (save the inclusion of the Raam party in Israel's 36th government in 2021), and used parliament mainly as a platform for protest, with little impact on legislative processes or in Knesset committees. Over the years, this situation led to a decrease in Arab confidence in the Israeli government and Knesset, and to a generally low voter turnout among Arab citizens. In general, the Arab parties tend to do better when they run as one united list, but internal differences between the parties make this difficult in practice.

# Changes in the Party System

The Israeli party system has undergone major changes over the last half-century. From 1948 until the mid-1970s, Israeli politics was dominated by labor-left parties that were generally considered to be the founders of the State of Israel. Other smaller parties active during this period included the right-wing Herut (the predecessor of today's Likud) and several smaller liberal, religious and communist parties. Being largely an immigrant society, Israeli politics was partly divided according to the origin of the immigrants and their social background. Jewish Israelis of Ashkenazi (European) descent were clearly predominant in society at the expense of Jewish Israelis of Mizrahi (North African and Middle Eastern) descent and the Arab minority that remained in the country. The Mizrahi Jewish immigrants, feeling overlooked by Mapai's Labor establishment, tended to vote for Menachem Begin's Herut party and later for Likud.

In the latter decades of the twentieth century, many but not all of the Israelis of Mizrahi

background managed to climb the social ladder, while some, but certainly not all, of the immigrants from the former Soviet Union and more recent Jewish immigrants from Ethiopia have come to form a new Jewish "underclass," together with the Haredi community. The Russian immigrants that arrived during the 1990s have tended to vote for parties like Yisrael BaAliyah (formed in 1996 by Natan Sharansky) and Yisrael Beiteinu, which were established specifically as a platform to express their interests.

Partly as a result of this wave of immigrants and changing views of the Palestinian issue, the party system has undergone a profound transformation since the end of the 1970s, with the Labor Party losing substantial influence to the right-wing and religious parties. The terms right-wing and left-wing in Israel do not exactly correlate with the use of these terms in US politics, however. On the one hand, the political left and right in Israel are defined with regard to the Israeli-Palestinian conflict; "right-wing" generally indicating a reluctance to make concessions in negotiations with the Palestinians and the "left-wing" being more supportive of the Oslo process, "land for peace" formulae and a two-state solution. At the same time, however, right-wing parties differ on other dimensions, for example issues of religion and state. Similarly, when it comes to the economy or the role of the government in society, parties that belong to the political right-wing may advance left-wing social agendas. For example, the religious party Shas may be considered a right-wing party when it comes to its position towards the Israeli-Palestinian conflict; however, it advocates extensive social welfare services by the State. Indeed, the political right in Israel is very diverse.

Over the past two decades, Israeli politics has shifted to the right and new right-wing and religious nationalist parties have come into existence. These parties have carried novel—and controversial—policy proposals, such as the deepening of Jewish identity education in public schools and moves viewed as advancing the de-facto or de-jure annexation of the West Bank. At the same time, the influence of Israel's traditional left-wing parties has waned. The more successful efforts in countering the move to the right have come from political parties at the center-left or center of the political spectrum. (For more information on the current political map, see the "Elections and Parties" page on the Israel Democracy Institute Website.)

Most recently, the Israeli political scene has been dominated by the rise in influence of far-right political parties. These include PM Netanyahu's current coalition partners (in the 37th government): the Religious Zionism Party led by Bezalel Smotrich and the Otzma Yehudit (Jewish Power) Party led by Itamar Ben-Gvir. Smotrich, who is a settler himself, supports expanding Israeli settlements in the West Bank and opposes Palestinian statehood. Ben-Gvir, who is also a settler in the West Bank, was convicted in 2007 of racist incitement against Arabs. Both men have been given important ministries (Finance and National Security, respectively) that allow them broad influence over the state's national priorities.

Deep domestic divisions over the government's proposed judicial overhaul sparked months of nationwide protests throughout 2023, drawing hundreds of thousands of Israelis into the streets on a weekly basis. The reforms, which aimed to curb the Supreme Court's power to strike down legislation and to give the governing coalition greater control over judicial appointments, were criticized by opponents as a threat to democratic checks and

balances. In response to mass demonstrations, strikes, and unprecedented public dissent from military reservists, Prime Minister Netanyahu announced in mid-2023 that the reforms would be temporarily suspended pending further dialogue.

However, the outbreak of the October 2023 Hamas attacks and the ensuing war in Gaza abruptly shifted the national agenda. While the conflict initially rallied public support around the government, subsequent criticism of its preparedness, conduct of the war, and handling of the northern front eroded confidence in Netanyahu's leadership. Polls conducted in early 2025 indicate a significant decline in public trust in state institutions and record-low approval ratings for the prime minister. Nonetheless, as of this writing his coalition has so far remained intact due to the wartime context and lack of consensus on an alternative. Israel's political scene remains deeply polarized, with debates over judicial reform, governance accountability, and post-war reconstruction continuing to dominate public discourse.

# The Composition of Israel 25th Knesset (as of 2025)

A brief review of the current composition of the Knesset also provides an introduction to the array of parties in the country.

☐ **Likud (32 seats)** – Led by Benjamin Netanyahu. A right-wing, conservative, nationalist party emphasizing strong security policy, free-market reforms, and Jewish identity. It leads the governing coalition.

☐ **Yesh Atid (24 seats)** – Led by Yair Lapid. A centrist, liberal, and secular party focusing on civil rights, good governance, institutional reform, and middle-class economic issues. Largest opposition party.

☐ **Shas (11 seats)** – Led by Aryeh Deri. An ultra-Orthodox Sephardic party representing Mizrahi Haredim; socially conservative and focused on religious education, welfare, and family support. Member of the coalition.

☐ **Religious Zionism (7 seats)** – Led by Bezalel Smotrich. A far-right religious-nationalist party advocating settlement expansion in the West Bank and a restrictive approach to judicial oversight. Coalition member.

☐ **United Torah Judaism (UTJ) (7 seats)** – Led by Yitzhak Goldknopf. An Ashkenazi ultra-Orthodox party emphasizing funding for yeshivas and continued military service exemptions for Haredi men. Coalition member.

☐ **Otzma Yehudit (6 seats)** – Led by Itamar Ben-Gvir. A far-right, ultranationalist party known for hardline positions on internal security, policing, and support for annexing the West Bank. Coalition member.

☐ **National Unity (New Hope + Blue and White) (4 seats)** – Led by Benny Gantz and Gideon Sa'ar. A centrist-right, security-focused alliance emphasizing national unity and pragmatic diplomacy. Joined the wartime cabinet in 2023 but left the coalition in 2024.

☐ **Yisrael Beiteinu (6 seats)** – Led by Avigdor Lieberman. A secular-nationalist, right-liberal party representing many Russian-speaking Israelis; supports civil marriage and a tough stance on Hamas. In opposition.

☐ **United Arab List (Ra'am) (5 seats)** – Led by Mansour Abbas. A moderate Islamist party advocating for integration and improved socioeconomic conditions for Arab citizens of Israel. In opposition.

☐ **Hadash–Ta'al (5 seats)** – Led by Ayman Odeh and Ahmad Tibi. A left-wing Arab-Jewish alliance promoting equality, social justice, and renewed peace negotiations. In opposition.

☐ **Labor Party / The Democrats (4 seats)** – Led by Merav Michaeli and Yair Golan. A center-left, social-democratic party, historically dominant but now rebranding as *The Democrats* to modernize its platform. In opposition.

☐ **Noam (1 seat)** – Led by Avi Maoz. A small far-right religious-fundamentalist party emphasizing Jewish identity, family law, and opposition to LGBTQ+ rights. Coalition member.

**Government Coalition:** Likud, Shas, United Torah Judaism, Religious Zionism, Otzma Yehudit, and Noam totaling (**64 seats**).

**Opposition:** Yesh Atid, Yisrael Beiteinu, National Unity, Labor / The Democrats, Hadash–Ta'al, and Ra'am (**56 seats)**.

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# Chapter 7

# The Basic Laws, Courts and Judicial Review

Israel does not have a formal written constitution. However, the country does have a set of basic laws. These constitute Israel's operative constitution, laying down the foundations of the system of government and the rights of the individual. These laws were promulgated by the Knesset but were gradually recognized as the foundations of the Israeli political system and as the equivalent of a binding constitution by the Supreme Court. This brief outlines the historical background to the basic laws, including the legal status of the Declaration of Independence, the basic laws themselves, the judiciary system and some current debates about the legal system.

## Independence and Background to the Basic Laws

Israel's Declaration of Independence mentions a draft constitution to be prepared by a Constituent Assembly no later than October 1, 1948. However, the discussions regarding the constitution ended in deadlock. The religious parties vehemently opposed the idea of adopting a constitution other than the Torah. Prime Minister David Ben- Gurion also opposed drafting a formal constitution, arguing that there were more pressing issues facing the country. In 1950, a compromise was reached in what came to be known as the Harari Resolution. The Resolution stated the following:

> The First Knesset instructs the Constitution, Law and Justice Committee to prepare a draft constitution for the state. The constitution will be built, chapter by chapter, in such a way that each will constitute a separate basic law. The chapters shall be presented to the Knesset when the committee completes its work, and all the chapters together shall comprise the constitution of the state.

In short, the Harari Resolution stipulated that Israel's constitution would be created gradually through a series of basic laws instead of one single written document with an attached bill of rights. Today, there is a majority view that the basic laws constitute Israel's constitution. They have supremacy over Knesset legislation and restrictive power over the government. As examples from its rulings below illustrate, the Israeli Supreme Court plays an extraordinary role in shaping the basic laws into a de facto constitution through the process of judicial review.

Over the years, cases brought before the Supreme Court have sought to argue that principles embedded in the Declaration of Independence establish fundamental legal

norms. But these cases have failed. Shortly after the establishment of the state in 1948, the Supreme Court issued a judgment in the *Ziv* case, in which the petitioner relied on the Declaration of Independence to annul a Knesset bill that condemned his property. The Supreme Court refused to ascribe a constitutional status to the Declaration, stating that the only object of the Declaration was to affirm the establishment of the State of Israel for the purposes of its recognition in international law.

Another key ruling on the status of Israel's Declaration of Independence was given in 1970 in the *Rogozinsky* case. The case concerned the Rabbinical Courts Jurisdiction Law regarding marriage and divorce, and a petition of a non-believing couple who requested to be relieved of the obligation to undergo a religious ceremony. The couple argued that the Rabbinical Courts' jurisdiction over issues of marriage conflicted with the values of freedom of religion and conscience embedded in the Declaration of Independence. The Supreme Court rejected the couple's claim on the basis that the Declaration could not be treated as having fundamental constitutional status. In practice, the ruling left the existing system of personal-status law unchanged. Under Israeli law, marriage and divorce remain under the exclusive jurisdiction of the religious courts of each recognized community, and Israel does not offer a civil marriage option. As a result, Jewish couples must marry and divorce through the Rabbinical Courts. This arrangement has remained one of the most contentious religion-state issues in Israel.

References to the Declaration of Independence in law were made for the first time in 1992 with the enactment of the "Basic Law: Human Dignity and Liberty," and "Basic Law: Freedom of Occupation." The first line of the "Basic Law: Human Dignity and Liberty" reads as follows: "Basic human rights in Israel are based on the recognition of the value of the human being, and the sanctity of his life and his freedom, and these will be respected in the spirit of the principles of the Declaration of Independence of the State of Israel."

In 1995, the Supreme Court's landmark ruling on the *Bank Mizrahi* case is considered to have marked the beginning of the so-called constitutional revolution in Israel. In this case, the Supreme Court decided to treat Israel's basic laws as its formal constitution. The judgment established constitutional guidelines for judicial review and established the supremacy of the basic laws thereby committing the Knesset to ensuring that all its legislation would be in accordance with the basic laws. The ruling thus gave the Supreme Court the authority to invalidate legislation that violated the basic laws and was thus seen as unconstitutional. Since this decision, the judicial review of Knesset legislation by the Supreme Court has become part and parcel of Israel's legal and parliamentary life.

# The Basic Laws

There are thirteen basic laws, which are divided between "entrenched" and "non-entrenched" laws. Entrenched laws can only be amended or rescinded by a special majority of Knesset members and most of them are protected against emergency ordinances. Non-entrenched laws, on the other hand, can be amended by quorum of Knesset members present at the time of voting. The entrenched laws are Basic Law: The Knesset; Basic Law: President of the State; Basic Law: The Judiciary; Basic Law: Human Dignity and Liberty; Basic Law: Freedom of Occupation; and Basic Law: The Government. These laws cannot

be changed by either regular laws or emergency regulations passed by the Knesset.

The basic laws are:

**The Knesset (1958, entrenched):** Establishes the functions of the Israeli parliament.

**Israel Lands (1960):** Ensures that all state lands remain national property.

**The President of the State (1964, entrenched):** Establishes the status, election and powers of the president.

**The State Economy (1975):** Regulates payments made by and to the State.

**The Military (1976):** Establishes military forces as subordinate to the government and regulates the legal basis of operation of the Israeli Defense Forces (IDF).

**Jerusalem, the Capital of Israel (1980):** Establishes Jerusalem as the capital of Israel and asserts the unity and integrity of the city.

**The Judiciary (1984, entrenched):** Deals with the authority, institutions, principle of independence, openness, appointment, qualifications, and powers of the judiciary.

**The State Comptroller (1988):** Deals with the powers, tasks, and duties of the supervisor of government bodies, ministries, institutions, authorities, agencies, persons, and bodies operating on behalf of the state.

**Human Dignity and Liberty (1992, entrenched):** Declares that basic human rights in Israel are based on the recognition of the value of the person, the sanctity of life and the fact that individuals are free. Defines human freedom as the right to leave and enter the country, privacy (including speech, writings, and notes), intimacy, and protection from unlawful searches of one's person or property. This law includes instructions regarding its own permanence and protection from changes by means of emergency regulations.

**The Government (1968; replaced by 1992 law and then restored with amendments by the 2001 law, entrenched):** Determines the composition of the government, its roles and authorities, and qualifications for ministers serving in the government.

**Freedom of Occupation (1992; amended in 1994, entrenched):** Guarantees every Israeli national or resident the “right to engage in any occupation, profession or trade". Any violation of this right shall be "by a law befitting the values of the State of Israel, enacted for a proper purpose, and to an extent no greater than is required.”

**Referendum (2014, entrenched):** Establishes that if the Israeli government cannot cede its own territory (including the Golan Heights and East Jerusalem) except by a treaty approved by 80 MKs, or by an absolute majority vote in a referendum.

**Nation State (2018, entrenched):** Defines Israel as the nation state of the Jewish people, in which the right to self-determination is limited to Jews. Sets the symbol and calendar of

the state as Jewish and Hebrew as the state language. Arabic is given special status, but not as an official language. This law has generated significant controversy, and we have included the full text at the end of this briefing book (Appendix VI).

# The Judicial System

The Israeli judicial system is composed of a general court system and a number of specialized courts. Special courts include the labor court system, the military courts and the religious courts.

There are three types of courts in the general court system: magistrates' courts, district courts and the Supreme Court. Magistrates' courts have jurisdiction in most criminal and civil matters. Criminal and civil matters that fall outside the jurisdiction of magistrates' courts are dealt with by district courts. The Supreme Court is the highest court of appeal and also has the power of original jurisdiction. It consists of fifteen justices, appointed by a free-standing Judicial Selection Committee. As of 2025, the bench includes Israel's first permanent Muslim-Arab justice, Khaled Kabub. The Committee was established in 1958 in order to prevent outside political pressure in the process of the appointment of judges. It has nine members: the Justice Minister, another cabinet minister, two Knesset members (of which one is a member of the opposition), two members of the Israeli Bar Association, the Chief Justice, and two other judges of the Supreme Court. Once elected, judges have tenure until the age of 70.

# Recent Debates about the Legal System

After a number of proposals by members of the Knesset from different parties, Prime Minister Benjamin Netanyahu proposed the introduction of a new basic law in May 2014. The new law would redefine Israel as "the national homeland of the Jewish people" and omits the dual formulation of a "Jewish and democratic" state that often appears in existing Israeli legislation. The law would further anchor the Jewish character of the State of Israel. The proposal in its various approved drafts seeks to give Arabic a "special status" rather than accept it as a fully official language of the state. It also limits rights for non-Jewish citizens to "individual rights according to the law," in an effort to rule out the possibility of collective rights, especially that of national self-determination in Israel. In November 2014, the Cabinet approved the proposal. The many critics of the new legislation argued that it would undermine the democratic character of Israel and codify discrimination against Arab Israelis.

Netanyahu responded to the criticisms by stating that the new basic law would respect the rights of non-Jewish minorities living in the country in accordance with the country's Declaration of Independence. As a response to Netanyahu's nationality bill, Hilik Bar from the Labor Party proposed an alternative bill in December 2014, which called for the adoption of the Declaration of Independence, with its emphasis on equality for all citizens, as an integral part of the country's basic laws. This proposal was never implemented. Netanyahu's controversial bill was approved by the Knesset in July 2018 (see Appendix

V).

Beginning with the coalition-building process after the March 2015 general elections, Netanyahu and his coalition partners began to pursue a number of reforms aimed at limiting the power of the Supreme Court and the judicial system over legislation and government decision-making. The discussed reforms aim at seven objectives framed as necessary to reign in the court's excessive activism:

Altering the composition of the Judicial Selection Committee to ensure that the governing coalition has an automatic majority and the ability to appoint judges as it wills.

An "override clause" devised to allow the Knesset to re-legislate and pass laws declared unconstitutional by the Supreme Court. According to this clause, the Knesset will be able to push laws through with an additional round of voting, even if they have been deemed unconstitutional by the Supreme Court.

Ending the situation under which the recommendations of the Attorney General are binding on the government and allowing the government its own legal representation before the High Court of Justice if the Attorney General refuses to represent it.

Introducing limitations of standing on who may bring cases before the High Court of Justice.

Introducing limitations on justiciability for the High Court.

Limiting the power of judicial review to a special majority of justices in the High Court.

Barring the court from overturning basic laws.

All of these proposals have met with fierce opposition from both the justice system and the liberally-oriented opposition to Netanyahu, which comprises the bulk of the Israeli Center and Left. They also triggered sustained, unprecedented public demonstrations, with hundreds of thousands of Israelis protesting every week in 2023 and 2024 against what they viewed as a threat to judicial independence and democratic norms. In 2015, then-Chief-Justice Miriam Naor argued that "the court is the last barrier against harm to human dignity and other fundamental rights. This is one reason Israel is seen as part of the family of democratic nations." Due to this staunch resistance and the exigencies of coalition-building, Netanyahu and his allies have not been able to reach any of the above goals to date.

However, in elections that took place in November 2022, Netanyahu's Likud won a clear majority and formed the most right-wing administration in Israel's history. Despite widespread criticism, the new government has renewed plans to overhaul the judicial system. The reforms are spearheaded by Justice Minister Yariv Levin and the Chair of the Knesset's Law and Justice Committee Simcha Rothman. The reform plans have sparked intense protest among the Israeli public, leading in 2023 to the largest series of street demonstrations in Israel's history. As of April 2023, Netanyahu has agreed to shelve the reforms until the end of the Knesset's summer session, and to allow a process of

negotiations between the coalition and opposition to take place in the meantime under the auspices of President Isaac Herzog. But by March 27, 2025, the Knesset passed a major part of the overhaul; a law shifting control over judicial appointments into the hands of elected officials, approved 67-1 with the opposition boycotting the vote. While the law will only take effect after the next Knesset, and opponents promise repeal if they return to power, the reform marks a decisive turning-point: an intensification of the campaign to reshape Israel's judicial-legislative balance, now embedded amid war, social unrest, and broad concern over the future of Israel's democratic system.

# Chapter 8

## Israel's Economy

Israel's GDP per capita was about $54,177 in 2024, putting it among the advanced industrial states; since 2010, Israel has been a member of the OECD (Organization for Economic Cooperation and Development). Israel's growth record since 1980 is displayed in the figure below. Despite some conflict-related shocks, it has generally been robust and even remained positive during the global financial crisis.

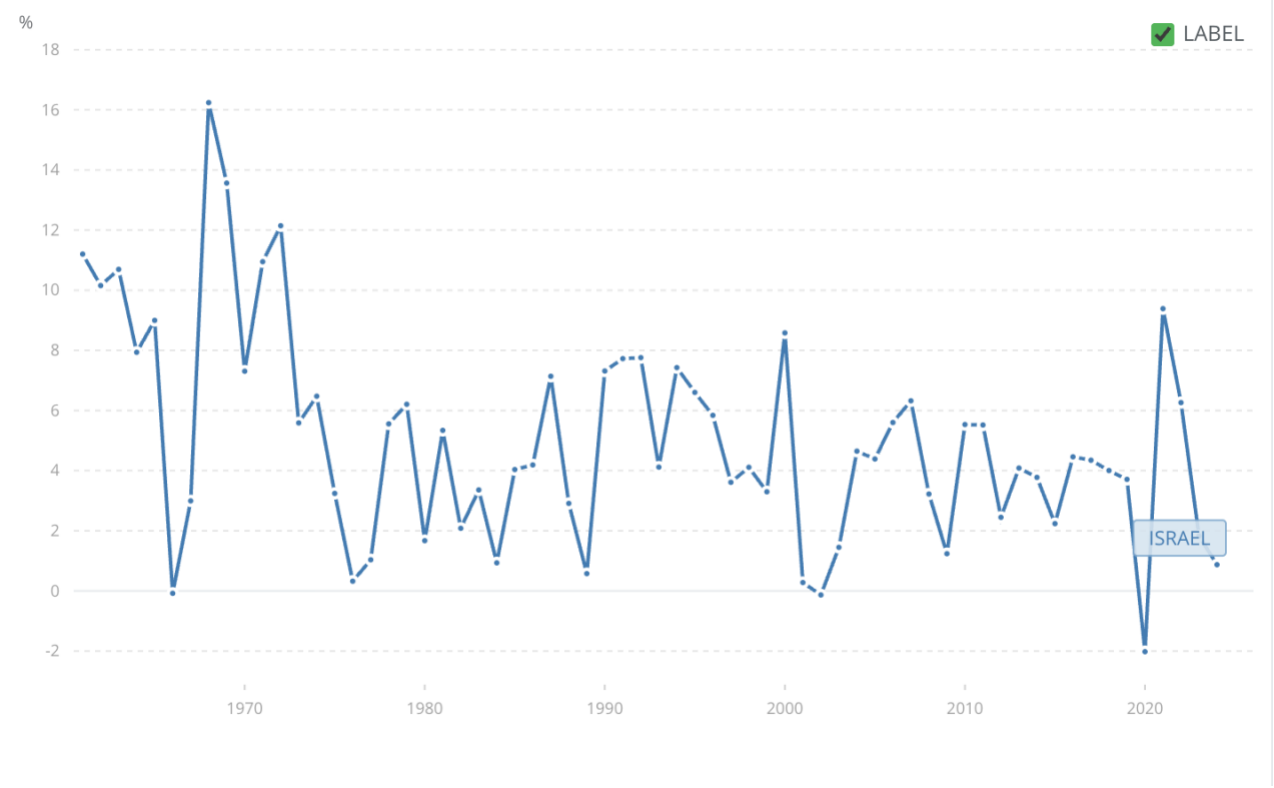



*Figure 5 Israel's GDP growth rate (Source: World Bank)*

# A Brief Economic History

## The Early Years

Although the State of Israel was established in 1948, the roots of its economy are found in the pre-state *Yishuv* period (the Jewish community in Palestine prior to the establishment of the State of Israel), and in the dominant role played by Labor Zionism in shaping early economic policy. Labor Zionism was a fusion of Zionism and socialism, grounded in the belief that a Jewish state could only be built through the agency of the Jewish working

class and the doctrine of Jewish labor (*avoda ivrit*). Labor Zionism's championing of a socialist economy paved the way for the founding of "kibbutz" settlements, rural collectives based on agriculture. The first kibbutz was founded in 1909 in Degania. An organization of trade unions, the Histadrut (General Organization of Workers in the Land of Israel) was established in 1920 and became one of the most powerful institutions in the country. Functioning as more than a trade union, the Histadrut was also a major employer and provider of services.

Even prior to independence, the high educational level of the immigrants, the import of capital, the investment in the *Yishuv* and the expansion of the work force led to the rapid growth of the *Yishuv* economy—a remarkable 13% per annum from 1922–1947—predominantly but not exclusively in agriculture. By the late 1930s, the Jewish output in sectors such as agriculture, construction and manufacturing surpassed that of the Arab economy. In 1939, Jews made up only 31% of the total population but accounted for 89% of net industrial output.

# The First Decades of Independence

Following independence, the government adopted an emergency, state-controlled management style, in line with interventionist policies seen across developed and developing countries at the time. The system included rationing and price controls, both introduced in 1949. However, the demands for infrastructure, housing and employment pushed an expansive monetary policy and resultant inflation, fueling a substantial black market and an overvalued currency. In 1952, the government began to open up the economy; price controls were relaxed and the currency devalued. The government replenished foreign reserves through the sale of State of Israel bonds overseas and the signing of a reparations agreement with the Federal Republic of Germany in 1952 ($800 million over 12 years). The orientation of government policy also shifted from the promotion of agriculture to manufacturing. The government subsidized loans and grants to business, and new industries benefited from inflows of immigrants and foreign investment. By the early 1960s, GNP was growing at about 11% per annum.

# Setbacks and Restructuring in 1970s and 1980s

Israel's growth virtually came to a halt in 1973, the result of a dramatically changed security environment. The share of GNP spent on defense had risen to 25% after the Six-Day War of 1967 (from 10% during the previous 20 years) and reached a staggering 45% of GNP at the time of the Yom Kippur War. The war in 1973 also coincided with the first oil shock, resulting in a deterioration in the terms of trade and an acceleration of inflation. Matters worsened with the 1983 Bank Stock Crisis, during which the stocks of the four largest banks in Israel collapsed forcing a major government bailout. In 1984, Israel experienced near-hyperinflation, with annual inflation topping out around 450%. As a result, the Israeli government adopted the 1985 Economic Stabilization Plan, which included significant cuts in government expenditures and the deficit; a sharp devaluation of the shekel; temporary wage and price controls; and a monetary policy that would control the growth of credit. The Plan succeeded in bringing the inflation rate to below 20% in less than two years and is considered one of the more successful stabilizations in postwar

economic history. By the mid-1980s the government's role in the economy had decreased substantially and growth was being spurred by private sector investment.

# Start-Up Nation of the 1990s

Among the distinctive features of Israel's recent growth has been the emergence of significant technological capabilities. The country ranks first in number of start-ups per capita and venture capital investments per capita. Gross spending on R and D/GDP now outpaces that of other advanced industrial states.

The growth of Israel's technology and defense industries was fueled by several key factors. First, the arrival of nearly one million immigrants from the former Soviet Union in the 1990s, many of them highly educated engineers, scientists, and professionals, expanded Israel's talent base and accelerated innovation. Second, the country's security environment created constant demand for advanced defense technologies, driving the emergence of a high-tech ecosystem closely tied to military R&D but with substantial spillovers into non-military activities. What eventually became IMI Systems (Israel Military Industries), originally established in 1933, developed a range of land, air, and naval systems for the Israel Defense Forces (IDF) and for export markets, including NATO countries. Its products, from the Uzi submachine gun to precision-guided munitions, became internationally recognized. Another state-owned giant, Israel Aerospace Industries (IAI), founded in 1953, produces missile systems, satellites, UAVs, and space technologies, while Rafael Advanced Defense Systems specializes in missile defense and electronic warfare, including the Iron Dome and David's Sling systems. Elbit Systems, now Israel's largest private defense contractor, has expanded globally in avionics, cyber, and surveillance.

Beyond defense, firms such as ECI Telecom, NICE Systems, and Check Point Software evolved from military applications into world-leading players in telecommunications, analytics, and cybersecurity. By 2024, Israel's high-tech sector accounted for roughly 18% of GDP and over half of national exports, with high-tech services (software, cybersecurity, AI, and fintech) making up about 72% of total tech exports. Despite a downturn in global venture capital and war-related disruptions in the aftermath of October 7, Israel remains one of the world's most R&D-intensive economies, spending around 6% of GDP on research and development.

Israel's academic institutions and government research institutions are a third driving force behind Israel's record in technological innovation. Israel's oldest academic institutions were established during the pre-state period. The first of these was the Technion (Israel Institute of Technology) was founded in 1924. The Hebrew University of Jerusalem was opened a year later. The Weizmann Institute of Science was inaugurated in 1946. On the Times Higher Education 2025 list, three Israeli universities ranked among the world's top 500: Tel Aviv University (#228), the Hebrew University of Jerusalem (#301–350), Technion-Israel Institute of Technology (#401–500). In 1968, the Israeli Industry Center for R&D (MATIMOP) was established as the executive agency of the Office of the Chief Scientist within the Ministry of Economy. Its mandate was to promote and encourage

science-based high-tech industries, and business-government collaboration has been a feature of the Israeli technology model.

Finally, the financial sector and particularly venture capital came to play an important role in the start-up economy. The first Israeli venture capital fund, Athena Venture Partners, was founded in 1985. The government set up the Yozma venture capital program in 1993, offering attractive tax incentives to foreign venture-capital investments in Israel with a promise to double any investment through government funding. The Israeli government also established technological business incubators in the early 1990s, where highly qualified immigrants who had arrived from the former Soviet Union, were absorbed into the high-tech industry.

Today, Israel hosts more than twenty technology incubators, including several in the country's peripheral regions to promote regional innovation. In 2021, the country's startup ecosystem reached a peak, with exit values (IPOs and acquisitions) totaling around $82.5 billion. A landmark example remains Mobileye, the developer of advanced driver-assistance and collision-avoidance systems, which raised nearly one billion dollars in its 2014 IPO on the New York Stock Exchange, the largest by an Israeli company in the United States at the time.

Over the years, Israel's high-tech landscape has matured. The volume of acquisitions and IPOs has declined, while more entrepreneurs pursue private funding and later-stage growth. In 2023, total exits fell sharply to about $7.5 billion, the lowest level in a decade, reflecting global economic uncertainty and a weaker IPO market. By 2024, the sector showed signs of recovery, with exits rising to roughly $13.4 billion across 50 deals, though still far below the highs of 2021. Private investment, however, remained resilient. Israeli technology companies raised more than $12 billion in 2024, a significant year-on-year increase despite geopolitical challenges. The result is a more mature ecosystem with fewer quick exits, but stronger scale-up firms focused on long-term growth and global competitiveness.

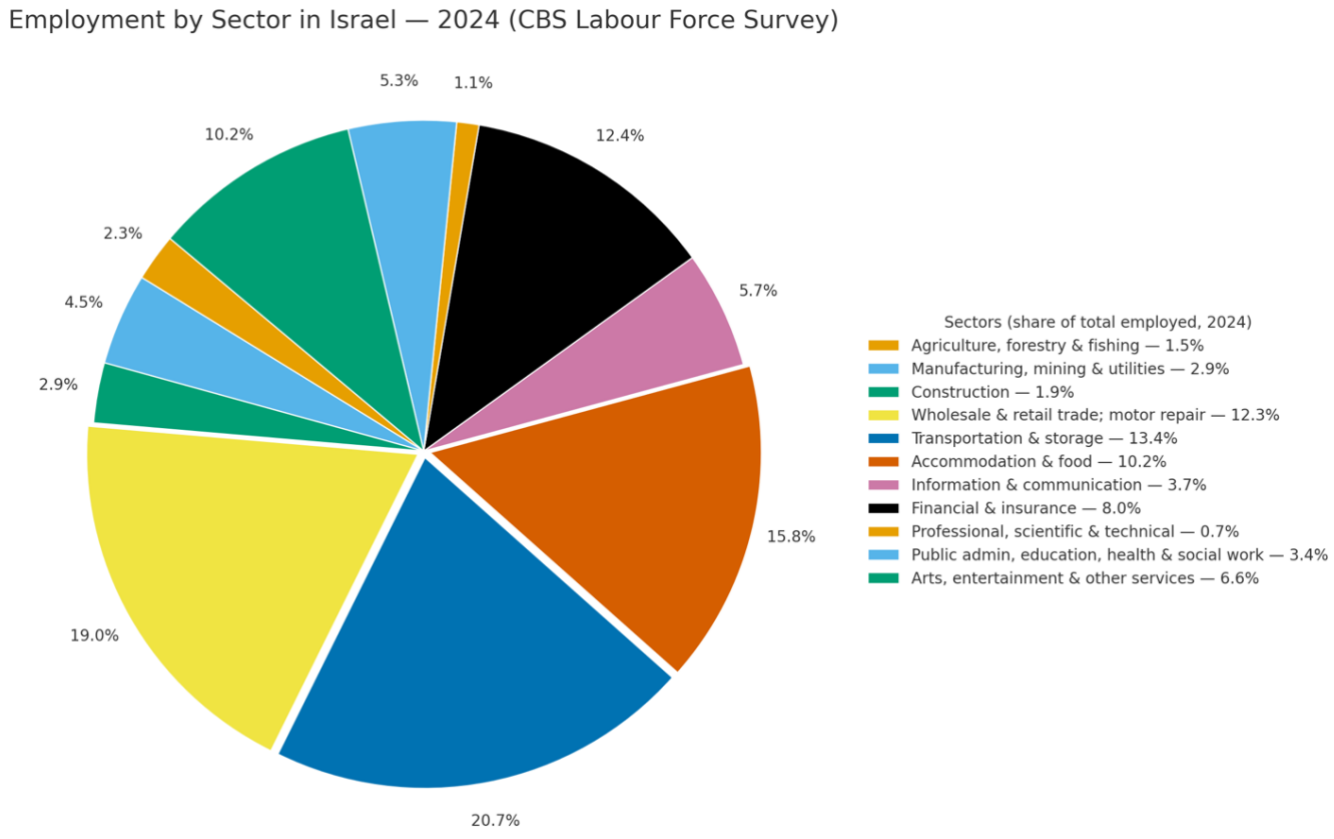
# Output by Sector

Israel's economy reflects the profile of an advanced industrial state characterized by high technological intensity, diversified exports, and a dominant service sector. In structural terms, the services sector accounts for roughly 68–70% of total output and more than 80% of employment, encompassing high-tech services, finance, communications, health, and education. Industry (including manufacturing, construction, mining, and utilities) still contributes around 20–22% of GDP and employs about 15–16% of the labor force, a share that underscores the country's enduring strength in defense production, precision manufacturing, and technology-based industry. Agriculture, once a cornerstone of national development, has continued its long-term decline and now represents just over one percent of both total output and employment, sustained largely through advanced agri-tech applications rather than traditional farming.

Israel's economic dynamism rests heavily on its high-tech and defense sectors, which have together become the primary engines of growth. The defense industry, historically the

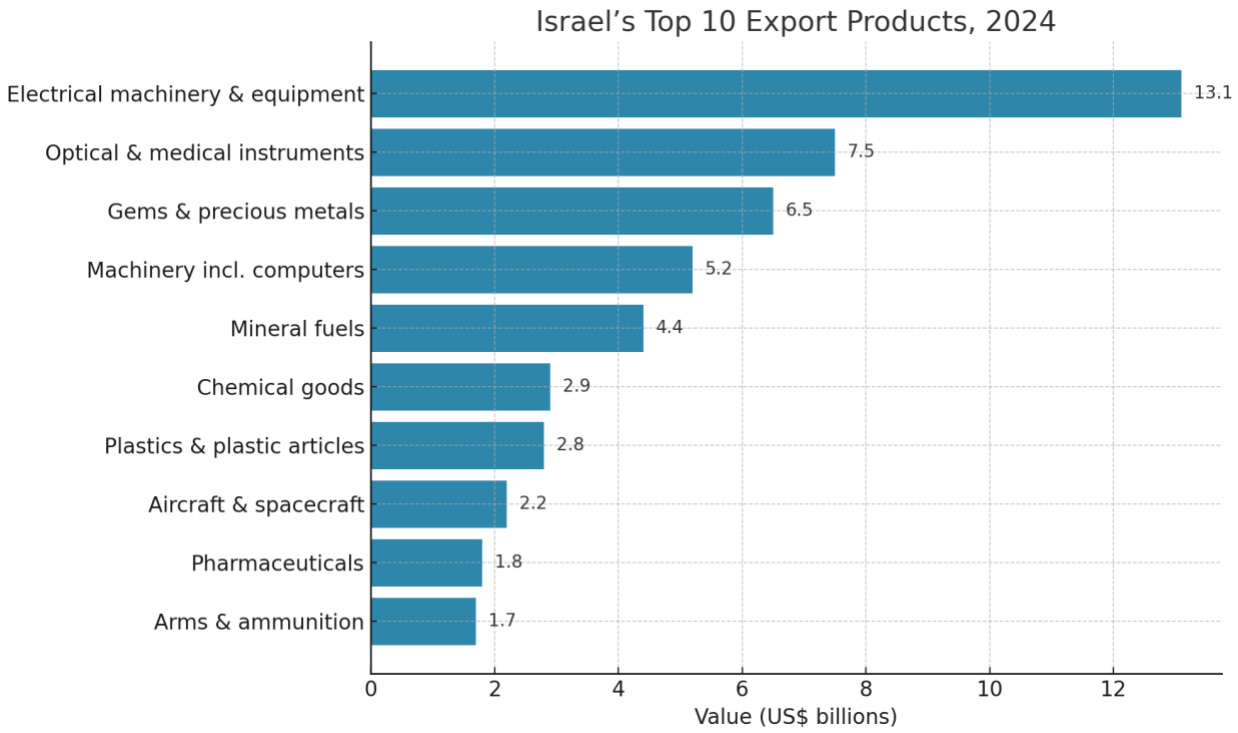
seedbed of the nation's technological ecosystem, remains a major contributor to output and innovation. State-owned enterprises such as Israel Aerospace Industries, Rafael Advanced Defense Systems, and IMI Systems have long developed and exported advanced air, land, and naval technologies, including missile defense systems, satellites, and unmanned aerial vehicles. Many of the technological innovations first developed for defense have since migrated into the civilian economy, catalyzing the expansion of Israel's broader high-tech industry.

Today, the high-tech sector now accounts for roughly 20% of GDP, 53% of exports, and about 16% of total employment. Within this sector, software engineering, computer components, cybersecurity, fintech, and artificial intelligence drive much of the growth. The country also hosts a thriving life sciences and medical technology industry. As of 2025, Israel is home to around 1,800 life science and health-tech companies employing nearly 80,000 people, with total sector investment up by 25% year-on-year despite wartime disruptions. The medical device industry has doubled in value since the early 2020s, with exports estimated at around US$3.4 billion in 2024. The pharmaceutical industry remains another major pillar, led by Teva Pharmaceutical Industries, still the world's largest producer of generic drugs, alongside over seventy other firms engaged in drug discovery, production, and biotechnology.




In summary, the economy's trajectory has shifted decisively from land- and labor-intensive production toward knowledge-based, innovation-driven growth. This transformation has yielded one of the highest R&D intensities in the world (roughly 6%

of GDP) and sustained per-capita output levels exceeding US$54,000 in 2024. Even amid war-related disruptions and social polarization, however, Israel has continued to sustain one of the most advanced and resilient economic profiles in the Middle East, driven by its concentration of human capital, entrepreneurial culture, and globally integrated high-tech industries.




# The External Sector

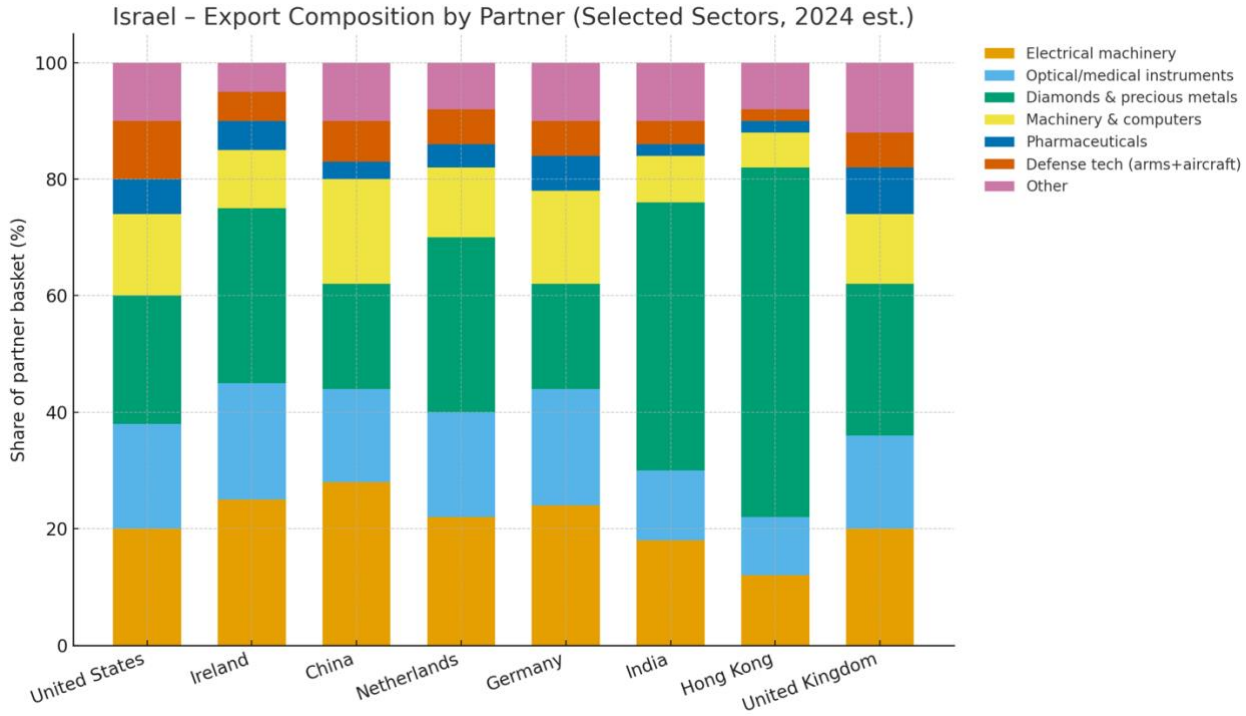
Israel's external sector remains one of the key pillars of its economy, reflecting the country's deep integration into global markets and its specialization in high-value, technology-intensive exports. In 2024, the total value of Israel's goods exports stood at roughly $61 billion, complemented by robust service exports in software, cybersecurity, research and development, and financial services. Trade openness remains high, with exports and imports together equaling nearly one-third of GDP. Regionally, Europe absorbed the largest share of Israel's exports (about 37%), led by partners such as the Netherlands, Germany, France, Italy, Belgium, and the United Kingdom. North America accounted for approximately 33%, dominated by the United States, which alone purchased more than a quarter of all Israeli exports. Asia represented another 24%, with China, India, Japan, South Korea, and Hong Kong emerging as increasingly important markets. The remainder went to Latin America (3.4%), Africa (1.4%), and Oceania (1%), underscoring Israel's broad global reach and diversified export geography.

The composition of exports highlights Israel's position as a technology-oriented economy. The main export categories in 2024 were electrical machinery and equipment ($13.1 billion), optical and medical instruments ($7.5 billion), and gems and precious metals,

including diamonds ($6.5 billion). These were followed by machinery and computers ($5.2 billion), mineral fuels ($4.4 billion), chemical products ($2.9 billion), plastics ($2.8 billion), aircraft and spacecraft ($2.2 billion), pharmaceuticals ($1.8 billion), and arms and ammunition ($1.7 billion), together accounting for nearly 80% of total merchandise exports. This structure underscores Israel's dual strength in civilian high-tech and defense technology, with advanced manufacturing and scientific innovation serving as the backbone of export growth.

The United States remains Israel's most important single export market (28.3% of exports), followed by Ireland, China, the Netherlands, Germany, India, Hong Kong, the United Kingdom, Belgium, and France. Collectively, these ten partners absorb nearly two-thirds of all Israeli exports. At the same time, energy exports have become an increasingly significant component of the external sector. Natural gas exports to Egypt and Jordan grew by more than 13% in 2024, reflecting the strategic rise of Israel's Eastern Mediterranean gas industry.

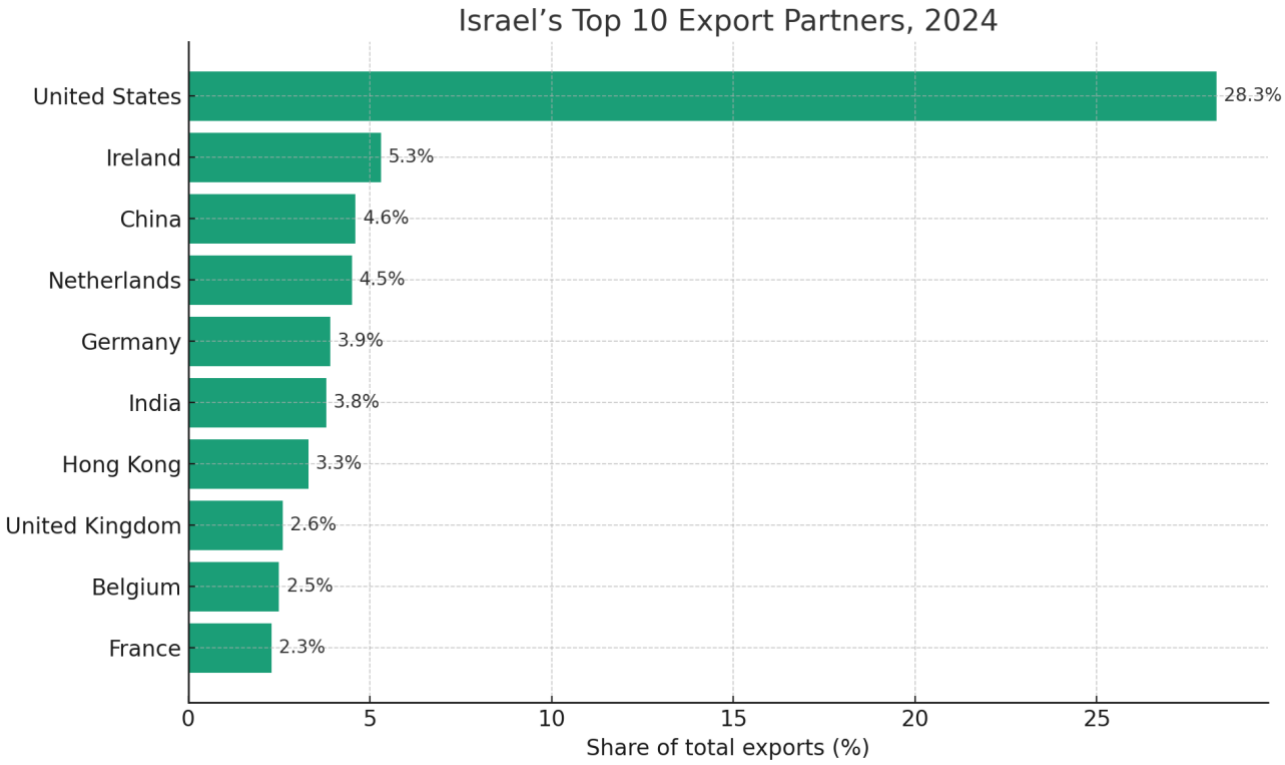
On the import side, Israel remains a net importer of energy, vehicles, and capital equipment. In 2024, the largest import categories were vehicles ($8.8 billion), mineral fuels ($4.9 billion), and machinery including computers ($4.8 billion). Other significant import items included electrical machinery, pharmaceuticals, and plastics. These import patterns mirror the country's limited natural resources and its reliance on imported energy and industrial inputs, which feed directly into its high-tech and defense manufacturing chains.

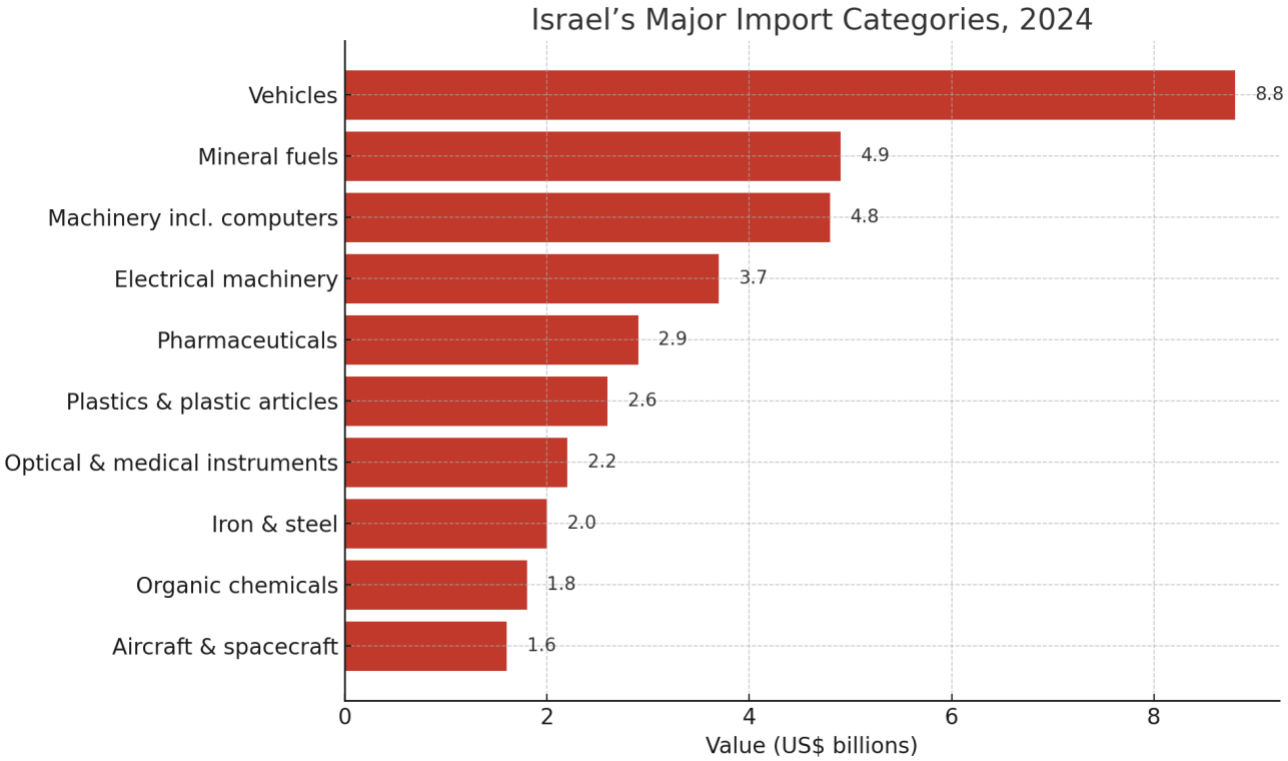


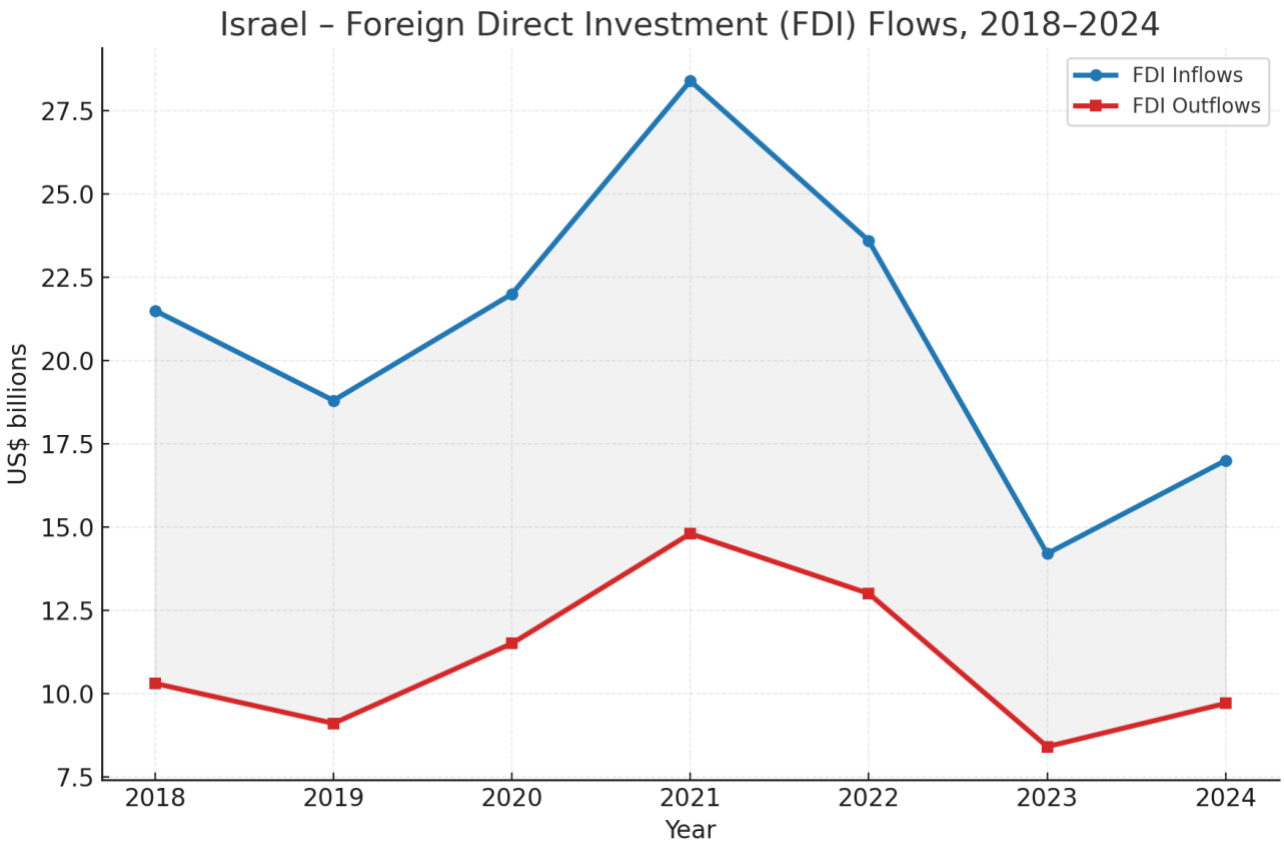

Foreign direct investment has long played a critical role in financing Israel's innovation economy and deepening its integration into global value chains. According to the OECD and Israel's Central Bureau of Statistics, net FDI inflows reached approximately US$17 billion in 2024, rebounding from a wartime slowdown in late 2023. The majority of these

inflows were directed toward high-tech, information and communications technologies, fintech, cybersecurity, and life sciences, reflecting the continued global investor confidence in Israel's innovation capacity. The United States remains the dominant source of FDI, accounting for nearly half of total inflows, followed by the United Kingdom, Switzerland, Germany, and several Asian investors including Japan and South Korea. Israeli outbound investment also remains significant, with institutional and venture capital funds expanding into North America and Europe. The resilience of capital inflows, even amid security and political instability, underscores Israel's reputation as a leading global innovation hub and a key destination for venture capital and multinational R&D activity.

In sum, the external sector encapsulates Israel's dual economic character: a knowledge- and technology-intensive exporter deeply embedded in global markets, and at the same time, a resource-dependent importer reliant on foreign capital and energy inputs. Despite disruptions caused by regional conflict and global market volatility, Israel's trade and investment performance in 2024–2025 remained remarkably strong, supported by record defense exports of roughly US$15 billion, expanding natural-gas sales, and a steady inflow of high-tech investment capital.


Israel’s Top 10 Export Partners, 2024
United States
Ireland
China
Netherlands
Germany
India
Hong Kong
United Kingdom
Belgium
France
28.3%
5.3%
4.6%
4.5%
3.9%
3.8%
3.3%
2.6%
2.5%
2.3%
0
5
10
15
20
25
Share of total exports (%)


Israel’s Major Import Categories, 2024
Vehicles
Mineral fuels
Machinery incl. computers
Electrical machinery
Pharmaceuticals
Plastics & plastic articles
Optical & medical instruments
Iron & steel
Organic chemicals
Aircraft & spacecraft
8.8
4.9
4.8
3.7
2.9
2.6
2.2
2.0
1.8
1.6
0
2
4
6
8
Value (US$ billions)




# Current Debates about Economic Policy

## Economic and Labor Market Impacts of the 2023-25 Conflicts

The recent conflicts on several geographic fronts have significantly disrupted Israel's labor market and economic activity. Large-scale reserve mobilizations, evacuations from border regions, and the halt of Palestinian labor inflows created acute worker shortages, particularly in construction, agriculture, and manufacturing. According to the Bank of Israel's 2024 Annual Report, the war reduced labor supply by about 3–4% and employment of non-Israeli workers by roughly one-third. Despite this, unemployment remained low, around 3%, due to high demand in resilient sectors and expanded public employment.

Current policy debates focus on how to replace lost labor, reintegrate reservists and displaced workers, and balance wartime spending with inflation control.

## Housing

Israeli housing prices have remained a central issue in the national economic debate, continuing to diverge from broader OECD trends. After nearly two decades of rapid appreciation following the global financial crisis of 2008, home prices surged by more than 150% between 2009 and 2022, driven by chronic supply shortages, low interest rates, and strong demand in the high-tech sector. However, since mid-2023, the combination of

higher borrowing costs, slower economic growth, and geopolitical uncertainty has begun to cool the market. According to data from the Central Bureau of Statistics, housing prices fell by around 3% in 2024, the first annual decline in more than fifteen years, after peaking in late 2022. Construction activity has slowed sharply, and mortgage volumes have fallen by roughly 30% compared with pre-war levels. Nevertheless, affordability remains strained, as average home prices are still more than ten times the median annual income, one of the highest ratios in the OECD. The government continues to face public pressure to expand housing supply through planning reforms and incentives, while policymakers debate how to balance fiscal prudence with support for construction and first-time buyers in an uncertain post-crisis economy.

# The Settlement Economy

The expansion of Israeli settlements remains one of the most contentious dimensions of the Israeli–Palestinian conflict. While the settlements are often portrayed primarily as a political issue, they have also been driven in part by Israel's chronic housing shortage and the search for affordable land. Consecutive governments have continued to classify most settlements as "national priority areas," making them eligible for substantial subsidies, including discounted land, favorable mortgage terms, and tax incentives. The state has also invested heavily in transport infrastructure, utilities, and education in these areas, effectively integrating much of the settlement network into Israel's national economy.

According to Israel's Central Bureau of Statistics and independent monitoring groups, the settler population has continued to grow steadily despite international criticism. As of early 2025, approximately 520,000 Israelis live in West Bank settlements and roughly 235,000 in East Jerusalem, bringing the total settler population to nearly 755,000 across around 150 officially recognized settlements and some 160 unauthorized outposts. The population growth rate in the settlements, averaging 3–4% annually, remains more than double the national average.

Economically, settlements host a mix of residential, agricultural, and industrial activity, supported by government incentives. Nineteen Israeli-designated industrial zones operate beyond the Green Line, including major sites such as Barkan, Mishor Adumim, and Ariel West. These zones have been both economically significant and politically divisive. Advocates highlight their mixed workforce, still employing an estimated 10,000–12,000 Palestinians, often at wages higher than the West Bank average and under Israeli labor law protections. Critics counter that such zones entrench Israeli control over occupied territory and constrain Palestinian economic autonomy. Despite steady growth in small manufacturing, food processing, and logistics firms, most settlement communities are not economically self-sufficient. About 60% of the workforce still commutes daily to jobs inside Israel proper.

Settlement-linked exports continue to generate controversy abroad. The Boycott, Divestment and Sanctions (BDS) movement and various international trade partners have pressed for labeling or excluding products originating in settlements. Israel's trade agreements increasingly include clauses distinguishing these goods, such as in the 2020 Israel–South Korea Free Trade Agreement, which explicitly excludes products from Judea

and Samaria, East Jerusalem, and the Golan Heights. In recent years, settlement-linked trade policies have drawn renewed international attention. Following the International Court of Justice's 2024 advisory opinion on the legal status of the occupied territories, several European governments have moved toward tightening restrictions on imports from Israeli settlements. In mid-2025, nine EU member states formally called on the European Commission to propose measures ending trade in goods produced in settlements, a step that would align EU practice with its labeling guidelines under the EU-Israel Association Agreement. Ireland has gone further, advancing national legislation to ban the import of settlement goods outright, though services remain exempt. The European Commission is also reviewing whether preferential tariff treatment under existing trade frameworks should be suspended for such products. These initiatives reflect growing European pressure to distinguish between Israel and the territories occupied since 1967 in the conduct of trade policy, continuing a trend of economic differentiation rather than full sanctions.

A newer economic dimension of settlement activity is tourism and heritage development, particularly around archaeological and biblical sites. The creation of national parks and tourist infrastructure in contested areas, such as the City of David National Park in the East Jerusalem neighborhood of Silwan, illustrates this trend. Development plans in Hebron's Old City, including around the Tomb of the Patriarchs, similarly blur the boundaries between tourism policy, heritage preservation, and political control. Legislative changes in recent years, including amendments allowing residential construction within national park zones, have further encouraged expansion.

# Palestinian Workers in Israel

As of early 2025, the number of Palestinians employed in Israel and Israeli settlements has fluctuated sharply due to the war in Gaza and the resulting security restrictions. Before October 2023, approximately 150,000 Palestinians from the West Bank held valid work permits to enter Israel daily (mainly in construction, agriculture, and services), while an additional 25,000–30,000 worked without authorization, primarily in nearby settlements and industrial zones. Following the October 7 attacks, Israel suspended nearly all entry permits for Gaza residents and temporarily froze many permits for West Bank workers as part of a comprehensive security review. By mid-2024, limited reinstatements brought the total number of valid permits to around 80,000, though movement remained tightly controlled.

Palestinian workers continue to face long wait times, extensive security checks, and occasional reports of mistreatment at crossings. The tightening of entry procedures and intermittent closures have led to significant income losses in the West Bank, where wages earned in Israel traditionally represent a major source of household income. The Israeli government has also increased enforcement against employers who hire undocumented Palestinian laborers, while exploring alternative sources of foreign workers, particularly from Asia, to fill labor shortages in construction and agriculture.

For many Palestinians, legal employment in Israel remains one of the few paths to stable income, but it also exposes them to heightened vulnerability during periods of political violence. The combination of security restrictions, economic dependency, and public tensions has made cross-border labor an enduring yet fragile pillar of the Palestinian economy and a recurring challenge for Israeli policymakers seeking to balance security concerns with economic interdependence.

# Orthodox Jews in the Labor Force

Public debate continues over the role of the Haredim (ultra-Orthodox Jews) in Israel's economy and society, with growing calls for them to contribute more equitably to the labor force, tax system, and national service (see the discussion in the section above on demographics). The Haredi population, now about 13–14% of Israelis, has one of the country's lowest male employment rates and highest poverty levels. Many men receive state stipends to study in yeshivas, while women are the main earners. As of 2024, female participation stands at roughly 78%, compared with about 53% among men, still far below the national average.

Successive governments have sought to increase Haredi integration through vocational training, military service reforms, and incentive programs. The 2014 Equal Service Law aimed to phase out broad military exemptions, but implementation has repeatedly stalled. In June 2023, Israel's Supreme Court reaffirmed that blanket exemptions for yeshiva students are unconstitutional, yet political divisions have prevented enforcement. Although participation in the workforce has gradually improved, average Haredi household incomes remain around 40% below the national median. Balancing social cohesion, religious autonomy, and economic sustainability continues to be one of Israel's central policy challenges.

# Gas Deposits

The Tamar gas field was discovered in January 2009 west of the northern city of Haifa and started to provide gas to the domestic market in 2013; by 2018 it accounted for 95% of domestic demand. The field is located in Israel's exclusive economic zone and with the larger Leviathan field is believed to have adequate natural gas to supply the country's need for 40 years. So far, the country has entered into export contracts with Egypt and Jordan. In March 2015, the Tamar partnership signed a $1.2 billion deal with an Egyptian company. In April 2015, the Israeli government authorized the export of natural gas from the Tamar field to Jordan in a $500 million deal.

The Leviathan gas field was discovered in December 2010 in the southwest of the Tamar gas field. Hezbollah initially argued against Israel's rights over these gas fields, but the Lebanese government ultimately acknowledged that they were outside its legitimate territorial claims. Expectations that Leviathan would significantly boost Israel's regional energy influence were dampened after Egypt discovered the Zohr field in August 2015 that shifted attention and investment toward Egypt. The Zohr field is 40% larger than Israel's Leviathan field and is described as a "supergiant."

The gas discoveries in the Eastern Mediterranean have continued to reshape the region's energy landscape and strengthen Israel's strategic position as an emerging energy exporter. Production at the Karish field, which began in late 2022, now complements output from Tamar and Leviathan, with combined annual production exceeding 22 billion cubic meters (bcm) by 2024. Additional reserves, such as the Hermes, Zeus, and Athena fields, are under appraisal, reinforcing Israel's medium-term export potential. In 2024, Israel approved plans to expand gas exports to both Egypt and Europe, using existing Egyptian liquefaction terminals to reach European markets seeking alternatives to Russian gas.

The proposed EastMed pipeline, which would connect Israeli and Cypriot gas fields directly to Europe via Greece, remains under consideration but faces economic and environmental feasibility challenges. As an alternative, Israel has focused on strengthening trilateral energy cooperation with Cyprus and Greece and on upgrading subsea infrastructure linking to Egypt's LNG facilities at Idku and Damietta. In the long term, natural gas revenues are expected to bolster Israel's foreign exchange reserves and fiscal stability, while also deepening its integration into the Eastern Mediterranean energy network.

# The Palestinian Economy

The economic situation in the West Bank and the Gaza Strip remains volatile in the short term and unsustainable in the long term, constrained by continuing political uncertainty, internal governance challenges, the destruction of the war in Gaza and the regulatory and security environment that shapes Palestinian access to resources and markets. The economic relationship between the Palestinian Authority (PA) and Israel is governed by the Protocol on Economic Relations, commonly known as the Paris Protocol, signed in 1994 as part of the Oslo Accords. The framework integrated the Palestinian and Israeli economies into a unified customs and trade area, but without granting the PA full autonomy over monetary or fiscal policy. Under the protocol, Israel collects import duties, value-added tax, and income taxes from Palestinians working in Israel and transfers these revenues to the PA. This mechanism provides the PA with a significant share of its fiscal resources while also linking its financial stability to Israeli administrative procedures.

The protocol also allows Israeli goods to enter the Palestinian market under preferential terms, while Palestinian exports are subject to customs and security procedures. Israel retains control over international crossings and the flow of trade, which means that the PA does not conduct independent import or export activities. In the West Bank, most agricultural land and natural resources are located in Area C (approximately 61% of the territory) where planning and development remain subject to Israeli authorization. In the Gaza Strip, trade and movement of goods are regulated through crossing points coordinated with Israel and Egypt, which have been subject to varying levels of restriction since 2007. Approximately 35% of Gaza's farmland lies within a buffer zone adjacent to the Israeli border, limiting agricultural use.

Together, these institutional and security arrangements have produced a high degree of economic interdependence. The Palestinian economy functions within a framework that ties its fiscal and trade systems to those of Israel, providing access to a larger market while

constraining policy independence. The result is a dual economy marked by limited autonomy, persistent fiscal vulnerability, and exposure to external political and security developments.

The Palestinian economy is experiencing a deep and multifaceted crisis that reflects both structural dependence and the severe disruption caused by the 2023–2024 Gaza war. According to estimates by the Palestinian Central Bureau of Statistics (PCBS) and the Palestine Monetary Authority (PMA), real GDP contracted by about 28% in 2024, with the Gaza Strip declining by more than 80% and the West Bank by roughly 19%. Unemployment rose to approximately 51% overall, around 80% in Gaza and about 35% in the West Bank. The economy remains primarily service-oriented, with services accounting for about 65% of output, while industry and agriculture together contribute roughly 20%.

The breakdown of sectoral activity illustrates the depth of contraction. In 2024, construction output fell by nearly half, industry by around one-third, and agriculture by a similar margin. Services declined by 27%, and private consumption dropped by about one-quarter. Trade flows also contracted, with exports falling by 13% and imports by 11%. Inflation in Gaza rose sharply to more than 200% at the height of the war, while purchasing power declined by 70% in Gaza and 3% in the West Bank.

The Palestinian Territories' economy has effectively divided into two distinct systems: a partially functioning administrative economy under the PA in the West Bank, and a humanitarian emergency economy in the Gaza Strip.

# Palestinian Authority (West Bank)

The West Bank economy remains under significant fiscal pressure but continues to function within a formal institutional framework. After several years of modest growth, real GDP contracted by about 19% in 2024, largely due to declining labor access to Israel, reduced domestic demand, and disruptions in fiscal transfers. The PA's financial position deteriorated as tax clearances were delayed and donor funding decreased. Despite these challenges, the West Bank still accounts for approximately 85% of Palestinian GDP.

Services dominate the West Bank economy, accounting for around two-thirds of total output, followed by construction and light manufacturing. Agriculture contributes less than 5%. Unemployment reached about 35% in 2024, with youth and female unemployment particularly high. Inflation averaged 6 to 8%, and real incomes fell amid tighter liquidity and supply constraints.

Trade from the West Bank is oriented almost entirely toward Israel, which accounted for about 80% of its exports in 2024. Other markets include Jordan and the Gulf states. Major export products include building stone, furniture, textiles, and agricultural produce, while imports consist mainly of machinery, vehicles, fuels, and consumer goods. The trade deficit remains substantial, reflecting the structural imbalance between production capacity and import dependence.

Governance in the West Bank remains hampered by persistent concerns over transparency and accountability within the Palestinian Authority. Corruption and inefficiency in public administration and fiscal management have discouraged private investment and weakened public trust, limiting the effectiveness of economic policy and donor support.

# Gaza Strip

The Gaza economy, administered separately since 2007, has been severely impacted by recurrent rounds of conflict and the 2023–2024 war. Widespread destruction of infrastructure, housing, and productive assets, combined with restrictions on the movement of goods and people, brought most economic activity to a standstill. According to PMA estimates, Gaza's GDP contracted by more than 80% in 2024, unemployment exceeded 75%, and inflation rose sharply due to shortages of fuel, food, and essential supplies.

Prior to the conflict, Gaza's economy already operated under significant trade and movement restrictions, with limited industrial activity focused on agriculture, furniture, and textiles. Exports. Total output around $140 million in 2022, but dropped to negligible levels in 2024. Imports were largely confined to humanitarian supplies and basic goods. The destruction of industrial areas, farmland, and infrastructure has left Gaza without an operational production base, and recovery will depend on large-scale reconstruction and the easing of restrictions on trade and investment.

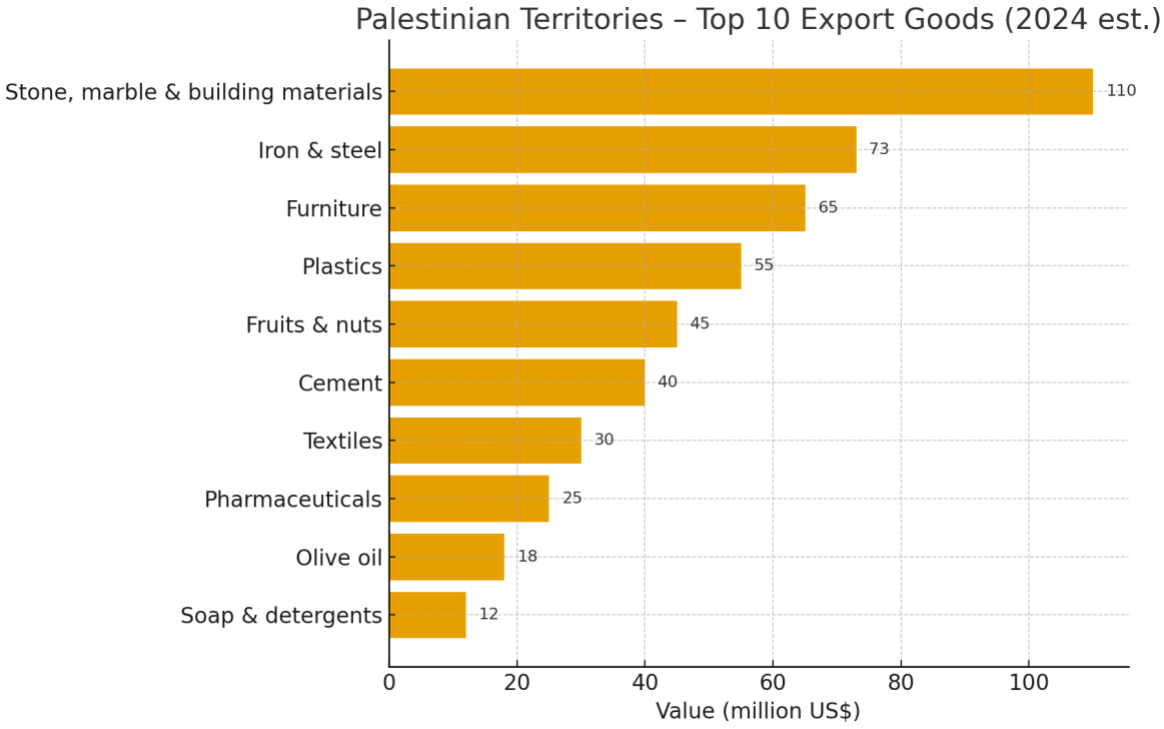
Household consumption declined by nearly 80% in 2024, and poverty is nearly universal. The local economy now functions primarily on aid inflows from international organizations, with limited use of formal financial channels.

The economic divergence between the two territories has deepened. The West Bank continues to function within a formal fiscal and institutional framework linked to Israel and support from international donors, while Gaza operates under emergency humanitarian conditions. In 2024, West Bank exports totaled around US$1.7 billion, compared with less than US$100 million for Gaza. Imports were approximately US$6.5 billion and US$800 million, respectively. The combined trade deficit of the Palestinian Territories exceeded US$5 billion, one of the highest relative to GDP in the region.

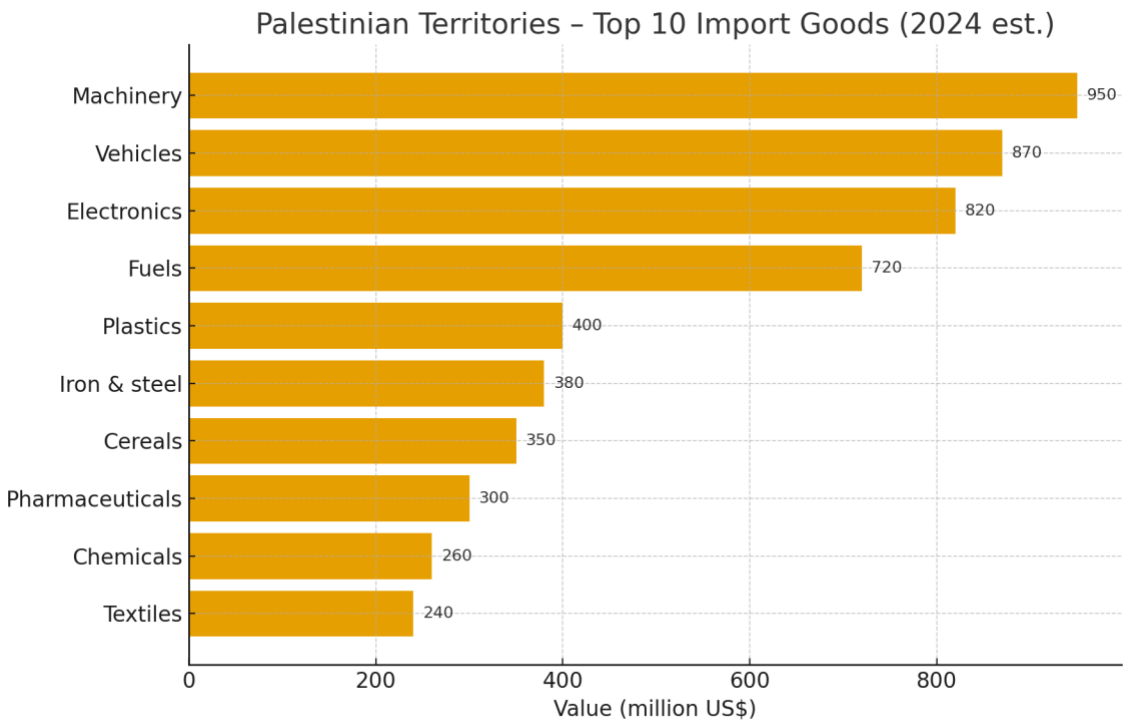
# International Aid and External Financing

International assistance remains a central feature of the Palestinian economy, supporting both fiscal operations in the West Bank and humanitarian needs in Gaza. In the West Bank, donor support is channeled mainly through the PA's budget to cover public sector wages, social transfers, and development programs. In 2024, such support amounted to approximately US$1.2 billion, representing around 10 to 12% of West Bank GDP and more than a quarter of public revenue. The primary contributors include the European Union, the United States, and Arab League states, alongside multilateral programs from the World Bank and IMF. This aid provides fiscal stability but has contributed only modestly to long-term investment and growth.

In Gaza, international aid is predominantly humanitarian. The United Nations Relief and Works Agency (UNRWA) remain the largest provider, delivering education, healthcare, and food assistance to nearly two million people. Following the 2023–2024 conflict, emergency aid from the United Nations, Qatar, Egypt, and Gulf countries exceeded US$3.5 billion, although most of this funding supported relief and shelter rather than reconstruction.




Sources: PCBS – Foreign Trade Statistics; OEC/ITC profiles; European Commission DG TRADE factsheet; Lloyds Bank Trade profile. Estimates where noted.

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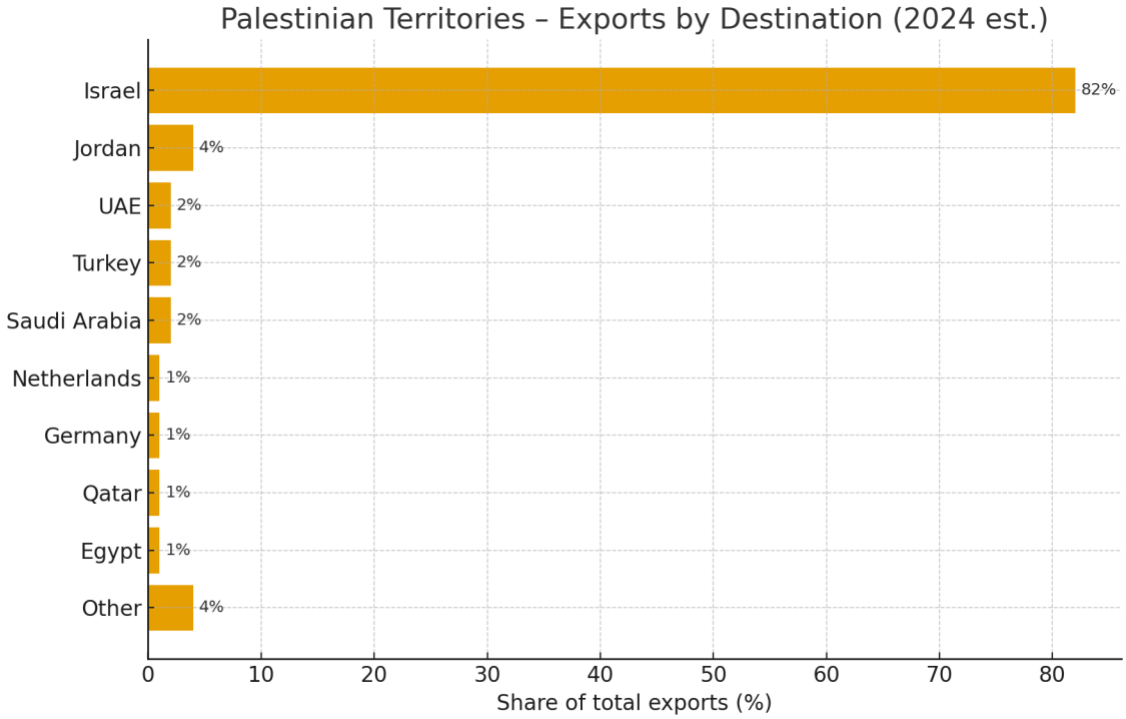


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# Postface

# The Law of Armed Conflict in the Israeli-Palestinian Dispute

## Introduction

The Israeli-Palestinian conflict is a story of two competing historic, national, and legal narratives. Any attempt to develop an informed view of any one element of the dispute must pay heed to the intricacy of how they are all connected at their core. This paper will not address the politics which infuse the debate, although this cannot ultimately be avoided, and will strive to confine itself to addressing some key international law issues.

Every legal narrative has a mirror image. Where one side sees the territories in question as *occupied*, the other sees their status as *contested*/*disputed*. For one side, persons targeted are terrorists or civilians taking a direct part in hostilities. For the other, the entire civilian population is *protected* in its struggle for self-determination against "alien domination." For one side, military action is viewed as excessive and indiscriminate, amounting to collective punishment and constituting grave breaches, war crimes, and crimes against humanity. For the other side, such action is proportionate, taken in self-defense, and grounded in security considerations. Although most of these controversies will not be authoritatively resolved, the legal arguments and processes through which they are made are important elements of broader political and diplomatic struggles between the parties.

This paper seeks to illuminate some of the key issues in dispute by way of an introduction to the core principles of the Law of Armed Conflict (LOAC), also referred to as International Humanitarian Law (IHL), relevant to the debate, and to the way in which each side approaches them in support of its arguments.

## Zooming Out: The Big Questions

Before venturing into the heart of the legal debate, it is important to appreciate the major legal questions that each side views in diametrically opposed terms. The starting point is how one characterizes the Israeli-Palestinian conflict. Is it an international armed conflict (IAC), a non-international armed conflict (NIAC), an armed conflict short of war, or some other sort of a unique conflict? This is not some abstract question, as different answers lead to the application of different sets of rules.

Also critical is how one characterizes the West Bank and Gaza. Are they "occupied" territories, subject to the law on belligerent occupation? Are they "contested" or "disputed" territories? Do they have some other status? Are the West Bank and Gaza a single territorial unit or are they two separate entities, perhaps with different legal statuses? Who exercises effective control over them (Israel? And if not, who is in control on the Palestinian side?), and what does "effective control" mean in this context? Beyond these questions, what about the areas that Israel has purported to annex, notably in and around Jerusalem?

Again, how one answers these questions may lead to the application of different sets of rules – whether those of the law of armed conflict, international human rights law (IHRL), or a combination of the two, perhaps supplemented by agreements between the two sides such as the Oslo Accords. The answers also have direct relevance to the issue of attributing legal responsibility for acts and omissions.

Before attempting to address these questions, we will offer a brief summary of the law of armed conflict.

# IHL – A Brief Overview

There are two separate branches of the law on the use of armed force. The *jus ad bellum* addresses the legality of the *resort* to armed force. The *jus in bello* (or IHL) regulates the *conduct* of hostilities. This paper focuses on IHL.

IHL differentiates between rules which address the conduct of hostilities in an international armed conflict (IAC), i.e., between States, and rules which address non-international armed conflicts (NIAC), i.e., conflicts between a State and an organized armed group within the State. The boundary between such conflicts and civil disturbances, properly addressed through traditional law-enforcement measures, is also important. Characterizing a conflict is often heavily contested, notably because different categorization triggers different rights and obligations of the participants.

The Israeli-Palestinian conflict does not easily fit into traditional categories, straddling the boundaries between them and raising issues about asymmetry between the obligations of the parties to the conflict. In practice, however, both the International Court of Justice (ICJ, or the "World Court" that is the principal judicial organ of the UN)[i] and the Israeli Supreme Court have taken the view that the conflict is an international armed conflict, and therefore that IAC rules apply.

## The Relevant Law

The principal IHL rules relevant to the conflict are found in a patchwork of treaties and customary international law (i.e., law derived from the practice of States). Key agreements include the Regulations Respecting the Laws and Customs of War on Land of 1907 (hereinafter Hague Regulations),1F[ii] the four Geneva Conventions of 1949,[iii] Additional Protocols I and II to the Geneva Conventions of 1977,[iv] as well as other rules

of customary international law.4F[v] Into this body of rules has now more recently also been woven principles of international criminal law, as contained most notably in the 1998 Rome Statute establishing the International Criminal Court (ICC), which adds a layer of individual criminal responsibility.

## Key Principles

IHL has evolved to strike a careful compromise between military necessity and humanitarian considerations. At the heart of the law are four core principles: *humanity*, *military necessity*, *distinction,* and *proportionality*.5F[vi]

***Humanity***: This principle seeks to "humanize" war by imposing limits on the means and methods of warfare, by according protection to certain categories of persons, by requiring the humane treatment of captured persons, and by minimizing superfluous injury and unnecessary suffering.6F[vii] The "Martens Clause," found initially in the preamble to the 1899 Hague Convention II on the Laws and Customs of War on Land, encapsulates the balance between humanitarian concerns and the reality of conflict by requiring measures to protect both belligerents and civilians "as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience."

***Military Necessity***: Military necessity permits a belligerent to resort to combat measures which are indispensable to achieve a legitimate military purpose (to subdue the enemy), while restricting it to measures which are not otherwise prohibited by international law. The conduct of hostilities is restrained by balancing considerations of *military advantage* against *humanitarian* concerns. Military necessity is, however, an elusive concept.

***Distinction***: The principle of distinction dictates that parties to an armed conflict must at all times distinguish between civilians and civilian objects on the one hand and military objectives on the other. Only the latter are legitimate targets for attack. Civilians are considered *protected persons,* and any intentional attack directed against them would be unlawful. Combatants alone are permitted to take a direct part in hostilities and are a legitimate target of attack. Combatants who do not distinguish themselves from the civilian population remain a legitimate target of attack and may be tried for the war crime of failing to distinguish themselves from the civilian population.

An overlapping issue concerns how to legally characterize individual members of organized armed groups, or even lone attackers. Are they civilians who should be treated legally as criminals? Are they civilians are engaged in hostilities, and therefore subject to attack under certain circumstances? Are they combatants who may be targeted and detained as such under IHL? Zooming in further, the picture becomes more complicated still when civilians (properly so called) take a "*direct part in hostilities*," and, as a result, lose the protection that would follow their civilian status and forfeit their immunity from attack. The legal threshold of *direct participation in hostilities* is, however, heavily debated. Further still, what happens when those participating in hostilities use or operate from civilian areas to shield military objectives, store weapons, hide or launch attacks? While IHL requires combatants to distinguish themselves from civilians, and thus not locate themselves in civilian areas or shield themselves behind civilians or amongst

civilian objects, the reality of the Israeli-Palestinian battlefield poses significant challenges in this regard, not only in respect to the interpretation of the principle of distinction, but also with respect to military necessity and proportionality.

***Proportionality***: The principle of proportionality prohibits attacks that would otherwise be lawful but which result, or would result, in *excessive* damage to civilians or civilian objects. It accepts, however, that "incidental damage or injury to civilians and civilian objectives" may be caused as long as such damage (often referred to as collateral damage)7F[viii] is not *excessive* in relation to the expected military advantage. This principle reflects a balance between *military necessity* and *humanitarian* considerations, leaving discretion to the *reasonable commander* in the field, although also limiting the permissible scope of attacks. Defining proportionality in practice is elusive and is subject to determination on a case-by-case basis. In this cost-benefit equation, there are many unresolved questions. How does one quantify the excessiveness of civilian casualties in comparison to the potential loss of lives of soldiers? Is the potential loss of life of soldiers even a valid consideration? How does one measure the lives of one's own civilian population in comparison to the protection of the population of the other side?

Infused into the debate on humanity, military necessity, distinction, and proportionality are other challenges associated with particular methods and means of warfare. These include, for example, cyber operations, which have become a new legal front in the Israeli-Palestinian conflict. Threshold questions abound, such as whether and in what circumstances cyber operations might amount to an "armed conflict," and whether cyber action may draw a lawful kinetic response. The assessment of "damage" and the danger posed by cyber operations to the civilian population, as well as challenges of attributing such conduct to a party to the conflict (and, in turn, attributing legal responsibility), are critical in any analysis of proportionality. The Israeli position is that international law is applicable to cyberspace and that IHL applies to cyber operations conducted in the context of armed conflict.8F[ix] An official Palestinian position on this has not yet been articulated.

## The Responsibility of the "Occupying Power"

Besides these core tenets regulating combat, international law also imposes special responsibilities on an occupying power. An occupying power is required to act in the best interests of the people under occupation to restore and ensure public order.9F[x] IHL also places restrictions on an occupier's use of the lands and resources of the occupied territory and on the annexation of occupied territory by the occupier.

## The Responsibility of Parties to an Armed Conflict

When a State and non-State armed groups are engaged in an armed conflict, one of the challenges revolves around questions of the asymmetry of the conflict and whether and to what extent IHL rules apply to non-State actors. The asymmetry in a battlefield becomes evident in the differences in size, capabilities, sophistication, and *modus operandi* between the parties. Leaving aside gaps in law, there is a growing acceptance that, at a minimum, non-State armed groups must abide by IHL principles, must distinguish themselves from

civilians and civilian objects, may not target civilians or launch indiscriminate attacks, and must take precautions in attack.

## Accountability for War Crimes

Serious violations of IHL constitute war crimes. The Geneva Conventions identify a distinct subset of violations of particular gravity which are defined as "grave breaches"; the Conventions essentially require every State to criminalize such offences and prosecute alleged perpetrators.10F[xi] These were later listed in the ICC Statute, which established the International Criminal Court, as a category of war crimes.

## Attributing Responsibility and Accountability to Non-State Actors

As mentioned above, the accepted view today is that non-State actors are subject to IHL.11F[xii] In this context, one of the most serious unsettled questions concerns the attribution of the conduct of non-State actors to States, and, in turn, the attribution of responsibility to the host States for any violations by non-State actors operating in their territory. While considerable attention has been given to matters of State responsibility for acts of *State* officials and agents, the discussion of such matters in respect to non-State actors is in considerable flux. This challenge becomes more acute when non-State actors operate in a territory whose statehood is disputed. In such circumstances, it is even more difficult to trace a link between paramilitary groups and the entity in whose territory they operate, let alone attribute any responsibility to the latter.

## International Criminal Law: Connecting Geneva to Rome

The Geneva Conventions require that all parties respect and ensure respect of their obligations and enact legislation necessary to provide effective criminal sanctions for persons committing or ordering the commission of grave breaches of the Conventions. The primary obligation, therefore, is on the parties to the conflict to ensure that their armed forces comply with IHL rules. Complementary to this internal enforcement responsibility, including domestic judicial scrutiny, the International Criminal Court (ICC) was established in 1998 by the Rome Statute to pursue accountability for war crimes and other offenses. There are currently 123 parties to this treaty, including Palestine, which acceded to it in January 2015.12F[xiii] Israel, alongside other States (including the U.S., Russia, China, and India) has not joined. The ICC has jurisdiction over war crimes, crimes against humanity, genocide, and the crime of aggression, committed on the territory of ICC contracting parties.13F[xiv]

## Applicability of IHL vs. IHRL

The humanitarian situation in the West Bank and Gaza also raises issues of international human rights law (IHRL). This in turn raises unsettled questions of the interplay between IHL and IHRL – whether they are distinct or complementary bodies of law and, if both apply, which takes precedence.14F[xv] There is also a parallel debate over the applicability of IHRL extraterritorially, to occupied territories.

As the scope of this paper is restricted to addressing the application of IHL to the Israeli-Palestinian dispute, it suffices to say that IHL and IHRL are separate bodies of law. IHL, which predates IHRL, regulates the conduct of hostilities and belligerent occupation. IHRL, which developed in the aftermath of World War II, addresses the obligations of a State in respect of the civil and political (and other) rights of persons in its territory and under its jurisdiction. The crux of the debate relates to how these two bodies of law interact and whether they apply to the Israeli-Palestinian conflict. This determination has direct implications on the interpretation of the lawfulness of military operations as well as on delimiting Israel's rights and duties towards the Palestinian population under its control and the rights and freedoms to which that population is entitled. The International Court of Justice, in its 2004 *Wall* advisory opinion regarding Israel's construction of a security barrier,15F[xvi] rejected the Israeli position that its obligations under international human rights instruments do not apply to territories under its occupation. This, however, remains the subject of considerable debate.16F[xvii]

While both IHL and IHRL address the rights of persons, they do so through different prisms, with the result that they at times strike different and even contradictory balances (for example, IHRL usually imposes stricter requirements on the use of lethal force or detention). The differences in approach to the right to life perhaps exemplifies the distinction between these bodies of law. While the right to life under IHRL is fundamental and cannot be derogated or infringed even in exceptional times of national emergency, IHL, in contrast, permits lethal use of force in armed conflict, recognizing the permissibility of taking lives, certainly of combatants but also of civilians in certain circumstance (under the notion of incidental/collateral damage).

# Implications of the Applicable Law to the Israeli-Palestinian Dispute

With this overview of the law of armed conflict in mind, the following section addresses some of the major issues arising specifically in the Israeli-Palestinian conflict.

## Legal Classification of the Conflict

While, from a Palestinian perspective, there is no doubt that the conflict in all its dimensions is an international armed conflict, the Israeli classification, especially with respect to the conflict in Gaza, has undergone a gradual conceptual shift. In 2000, Israel

viewed its conflict in Gaza as an "*armed conflict short of war,*"17F[xviii] endeavoring to walk a delicate line between an international armed conflict (i.e., between State actors) and a non-international armed conflict (i.e., an internal conflict between a State and non-state actors). In this context, Israel classified the party opposing it as being neither the Palestinian people nor the Palestinian Authority but rather only those organizations and individuals said to be involved in terrorist activities. In the years that followed, however, before Israel's disengagement from Gaza in 2005, the Israeli Supreme Court treated the conflict as an *international armed conflict*, with the implication that Gaza was occupied and subject to the law on belligerent occupation.18F[xix] Following this, and Israel's military operation Cast Lead in Gaza, Israel stated that the "classification of the armed conflict between Hamas and Israel as international or non-international in the current context is largely of theoretical concern, as many similar norms and principles govern both types of conflicts."19F[xx]

After Israel's disengagement from Gaza, the Israeli Supreme Court continued to view the conflict as an *international armed conflict*,20F[xxi] irrespective of the classification of the territory in question (whether occupied or not). Following this line, the Turkel Commission of Inquiry report, which addressed the Gaza flotilla incident of 31 May 2010, 21F[xxii] concluded that "there is a consensus that the conflict between the State of Israel and the Hamas is an *international armed conflict*, although the reasons that have led various parties to this conclusion vary."22F[xxiii]

Notwithstanding Israel's comment quoted above that the classification of the conflict between Israel and Hamas "is largely of theoretical concern," the assessment of whether the Israeli-Palestinian conflict is either an international armed conflict (IAC) or a non-international armed conflict (NIAC) remains important, as from such a determination may follow the application of different sets of rules, with material consequences. The law of IAC, for example, provides for much greater protection for civilians and civilian objects, and more heightened restrictions on the conduct of States than the law applicable to NIAC. To illustrate, IAC law contains very well-developed rules in relation to prisoners of war. There are no such provisions in NIAC. This said, however, there is wide agreement that the IHL principles relating to the protection of civilians and to military targeting are also applicable in the context of a NIAC.

## Status of the West Bank and Gaza and the Applicability of the Fourth Geneva Convention

The law of belligerent occupation is a subset of IHL which imposes certain obligations on "occupying" powers. Hence, how one classifies the status of the West Bank and Gaza has significant legal implications because the answer determines the scope of Israel's responsibilities, as well as those of the other parties to the conflict. For example, if either or both of these territories is "occupied," then Israel's responsibilities and duties towards the local populations would be materially different from a situation in which either or both of the territories were not considered to be occupied, either because Israel did not exercise effective control or for some other reason. Among the special responsibilities imposed on an occupying power is the requirement to act in the best interests of the population under occupation to restore and ensure public order and safety. IHL also places restrictions on

an occupier's use of the land and resources of the occupied territory and prohibits the annexation of occupied territory by the occupier.

One test of whether a territory is occupied is whether a State exercises "effective control" over that territory. This requirement is found in Article 42 of the 1907 Hague Regulations, which reflects a cornerstone rule of customary international law addressing belligerent occupation. It emphasizes the requirement of *actual* control of the territory in question: "Territory is considered occupied when it is *actually* placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised." In this regard, however, the question of whether it is *actual* control that is necessary, or whether *potential* control will suffice, to establish occupation (i.e., effective control over the territory in question) is the crux of the debate with respect to the West Bank and Gaza. Israel argues that *actual* control is the defining factor, whilst proponents of the Palestinian position essentially take the position that *potential* control and other forms of indirect control are sufficient to establish effective control.

Following 1967, when Israel assumed control of the West Bank and Gaza, it took the view that it was not an "occupier" but it nonetheless accepted that it had certain responsibilities over these territories, considering them to be *administered*, *disputed* or *contested* territories (see the following section).23F[xxiv] In particular, while denying the formal application of the Fourth Geneva Convention, it applied the humanitarian provisions of that Convention as a practical matter (this will be addressed in the following section). In time, the Israeli position advanced a further argument, based on its interpretation and application of the Oslo Accords, namely, that the progressive Israeli redeployment from significant parts of the West Bank and virtually all of Gaza, in favor of almost complete Palestinian civil competence and extensive, and in some cases complete, Palestinian security competence, changes any assessment of whether these territories are occupied.24F[xxv] In other words, in the areas where Israel is not exercising *actual* effective control, it cannot be said to be an occupier. Further still, with Israel's withdrawal from Gaza in 2005, the argument advanced was that discussions about the status of the West Bank on the one hand, and Gaza on the other engage different considerations. This will be addressed further below.

The Palestinians,25F[xxvi] however, and the majority of the international community, continue to view both the West Bank and Gaza as occupied Palestinian territories (OPT), a term and acronym that has become their official designation at the United Nations. The ICJ, in its 2004 *Wall* advisory opinion, adopted this view:26F[xxvii]

The territories situated between the Green Line and the former eastern boundary of Palestine under the Mandate were occupied by Israel in 1967 during the armed conflict between Israel and Jordan. Under customary international law, *these were therefore occupied territories in which Israel had the status of occupying Power*. Subsequent events in these territories, as described in paragraphs 75 to 77, have done nothing to alter this situation. All these territories (including East Jerusalem) remain occupied territories and Israel has continued to have the status of occupying Power.

Proponents of this view argue that Israel possesses undeniable military supremacy in the air, on land and at sea. Its exclusive control of airspace, telecommunications, border crossings (except at the Rafah border crossing between Gaza and Egypt), and natural resources, directly influences the daily lives of the civilian population. It follows from the preceding that, according to the Palestinian position, the West Bank remains occupied, even if the Palestinian Authority is the formally governing authority on matters of law and order. As regards Gaza, Palestinians depict it as the world's largest open-air prison and continue to see it as the responsibility of Israel, the occupying power.27F[xxviii]

Focusing more directly on the situation in Gaza, while the Israeli Supreme Court expressly recognized that Gaza was under belligerent occupation prior to Israel's withdrawal in 2005, Israel's unilateral disengagement from Gaza in that year raised the question of whether a review of this classification was necessary. In other words, since 2005, there is a question about whether Gaza and the West Bank have the same status, and therefore whether the same set of legal rules governing Israel's responsibilities applies to both.

Israel has argued that its disengagement from Gaza in 2005 terminated Gaza's occupation. Israel lacks physical military presence inside of Gaza, and it therefore has little ability to enforce law and order in Gaza on a day-to-day basis. Furthermore, the Rafah border crossing between Gaza and Egypt (which is under Egyptian control) allows free movement to and from Gaza that is not subject to Israeli control. With Hamas assuming overall control in Gaza in June 2007, the Israeli Supreme Court accepted, in 2008, that Israel had relinquished effective control over and responsibility for Gaza,28F[xxix] although Israel maintains some responsibility derived from its control of the crossing points into the strip.

This Israeli position, however, remains heavily contested, given both Israel's physical dominance over Gaza and the historical links of dependence between Israel and Gaza. The cumulative effect of Israeli control over Gaza's air and maritime space, as well as most border crossings,29F[xxx] with wider Israeli control over the flow of goods and services to and from Gaza, indicate considerable continuing control. Given this, most States, the International Committee of the Red Cross (ICRC),30F[xxxi] and the UN consider that Gaza remains under Israeli occupation even after its disengagement.

Given these opposing positions, the debate thus remains whether actual, effective control can be exercised without the physical presence of troops on the ground and the ability to regulate daily life.31F[xxxii] The Israeli answer to this question is no. The Palestinian answer to this question is yes.

## Applicability of the Fourth Geneva Convention

Inextricably bound up with the issue of the status of the territories is the question of the applicability of the Fourth Geneva Convention (with its panoply of rules addressing belligerent occupation). Once a territory is occupied, the specific provisions of the Fourth Geneva Convention apply. Consistently with Israel's position on the question of occupation (as outlined above), Israel takes the view that the Fourth Geneva Convention does not apply formally to the West Bank and Gaza, as a matter of law (i.e., *de jure*) –

even though Israel has a stated commitment to apply the humanitarian provisions of the Convention to the territories as a practical matter (i.e., on a *de facto* basis)*.*32F[xxxiii]

The reasoning behind this approach goes back to the contested status of the territories prior to the 1967 war. Israel's position is that for these territories to be "occupied," they must have been taken from another state that had sovereignty over them. But according to Israel, neither Egypt (in respect of Gaza) nor Jordan (in respect of the West Bank) had sovereignty over the territories, which were part of the territory of the British Mandate of Palestine until 14 May 1948. Therefore, these territories are not technically – in a legal sense, under IHL – occupied. This reasoning is highly contested by most of the international community.

Feeding into this debate is that, under the Israeli-Palestinian agreements,33F[xxxiv] the West Bank and Gaza are regarded as a "a single territorial unit." Similarly, the ICJ, in its 2004 *Wall* advisory opinion, recognized the OPT as a single territorial unit, as do also many UN Security Council and General Assembly resolutions. Since 2005, however, the reality on the ground has changed materially, not just in consequence of the Israeli disengagement from Gaza but also following the Hamas assumption of power there in 2007. Since then, the West Bank and Gaza have in fact been governed by two separate Palestinian governmental entities – the Palestinian Authority, exercising authority in the West Bank, and Hamas, exercising control in Gaza.

## The Relevance of the Oslo Accords

In addition to the debates highlighted above, there is also a question about the continued application and, if so, the effects of, the special agreements and arrangements concluded between the parties over the years, such as the Oslo Accords (primarily, the 1995 Interim Agreement). Are they still valid and binding? If so, what is the relationship between these special agreements and arrangements and applicable IHL?

These questions govern the application of not only the law on self-determination, but also IHL rules regarding, in particular, settlements. Under the Oslo Accords, the question of settlements was deferred for resolution to permanent status negotiations. The issue of Israel's jurisdiction over the West Bank – differentiated, under the Oslo Accords, into Areas A, B and C, each with differing allocations of jurisdiction to Israel and the Palestinian Authority – is also inextricably tied up with this issue. The (restricted) competence of the Palestinian Authority under the Oslo Accords is also relevant to the debate over whether Palestine is entitled to accede to international treaties, including, for example, the Statute of the International Criminal Court (addressed further below).

With all of their fragility, the Oslo Accords between the Israelis and the Palestinians are perhaps the only remaining link connecting the two sides on countless points of daily life, including coordination on security matters. While Israel considers the Accords to be an important part of the applicable legal framework between the parties,34F[xxxv] the Palestinians place much less weight on them, especially in light of the current proceedings before the ICC and the general Palestinian view that Israeli actions and settlements are responsible for undermining the Accords.35F[xxxvi]

On May 19, 2020, Palestinian President Abbas announced that "The Palestine Liberation Organization and the State of Palestine are absolved, as of today, of all the agreements and understandings with the American and Israeli governments and of all the commitments based on these understandings and agreements."36F[xxxvii] However, following the ICC pre-trial chamber's request for clarification of this statement, the Palestinian reply took a much more nuanced approached,37F[xxxviii] stating that: "Substantively, the Statement declares that *if Israel proceeds with annexation, a material breach of the agreements between the two sides, then it will have annulled any remnants of the Oslo Accords and all other agreements concluded between them* […]." In the light of the evident differences between these two statements, the Palestinian attitude towards the Oslo Accords remains a live issue.

# Zooming In: Concrete Cases Mirroring the Legal Narratives

Beyond the preceding "big picture" differences between the two sides, there is also a sharp divide between the parties at the level of IHL detail. This section addresses some specific cases to illustrate the point.38F[xxxix]

The Palestinian position is grounded in human rights and IHL grievances. This is rooted in a contention that prolonged occupation is itself a violation of international law.39F[xl] The Israeli position rests on a claim for a right of self-defense combined with IHL justifications, emphasizing its existential security concerns, alongside human rights grievances of its own population.

The Palestinians have initiated countless proceedings against Israel, in both legal and political fora, including at the UN, before the ICJ (albeit indirectly, in the form of the General Assembly request for the *Wall* advisory opinion), and more recently before the ICC. Human rights treaty bodies, most recently the Committee established under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Human Rights Council and its numerous special procedures, special rapporteurs, fact-finding missions and commissions of inquiry, are frequently called upon to address aspects of the Israeli-Palestinian dispute. The Palestinian narrative is captured in many UN reports and resolutions, as well as NGO reports, covering all aspects of IHL and IHRL.

On the Israeli side, independent oversight within the IDF, and its procedures for investigating possible violations of IHL, have attracted both praise and criticism. Israel's Supreme Court, sitting as High Court of Justice for cases that arise from the occupied territories, maintains judicial oversight over Israel's military operations, even in the height of military operations,40F[xli] with rules on standing that allow not only affected persons to bring petitions but also human rights organizations. The Court has addressed many IHL questions and rendered decisions on such matters as: targeting killing; the use of neighbors to warn residents of homes in which terrorists are said to be located; the use of particular weapons (such as artillery, flechettes, and white phosphorus); administrative detention; house demolitions of suspected terrorists; supply of electricity, food, water and medicines;

the evacuation of wounded; allegations of IDF attacks on ambulances and medical personnel; etc. While attracting praise for this oversight role, as well as domestic criticism for perceived judicial activism, the Supreme Court has also been the subject of heavy criticism by both Palestinians and other commentators (including Israeli academics and NGOs) for not going far enough.

## Lawful or Unlawful Use of Force under IHL?

As explained above, any consideration of the legality of use of force under IHL turns on questions of humanity, military necessity, distinction, and proportionality, an assessment of each of which will be fundamentally fact-specific. Israeli justifications of individual action are invariably met with Palestinian responses which contest the justification not only on the facts but also with a counter-narrative. The Israeli justification of *military necessity*, for example, is often countered by Palestinian allegations of *collective punishment* and *indiscriminate* and *excessive use of force*. Air strikes, closures, restrictions on movement, destruction of property, appropriation of land, allegations of pillage, and restrictions on the supply of fuel and electricity to Gaza, are some of the charges often raised in the context of indiscriminate and excessive use of force. The sections below address these issues in more detail.

## Distinction: Targeting and Human Shields

The principle of *distinction* between civilians and combatants imposes obligations on both sides of an armed conflict. One of the biggest challenges in this context relates to targeting and the use of human shields. Drawing on the general discussion above, IHL prohibits the deliberate shielding of military objectives among the civilian population and civilian objects, as civilians are protected persons under IHL and cannot be a deliberate object of attack. Once a civilian object is used for military purposes, it loses its protected status, making it amenable to attack. However, the lines become increasingly blurred and intricate when it comes to determining what is a *military objective*, and ascertaining the identity of the persons involved, and whether and for what period such persons may become a legitimate military target.

In this regard, Israel is often criticized for targeting civilians with actions seen by critics as extra-judicial killings and assassinations, building on a human rights narrative in which lethal means of conduct are unlawful. Israel is also accused of disproportionate military action.

Israel, however, invariably justifies its actions on the basis of military necessity and proportionality (including a collateral damage claim). Its targeting of what it labels suspected terrorists has been the subject of debate both internally and worldwide, and Israel's Supreme Court ruled on the matter in 2006,41F[xlii] implicitly accepting that targeted killing may, depending on the circumstances and compliance with relevant legal principles and safeguards, be lawful.

To make this more concrete, when accused of striking residential areas or schools, causing civilian deaths and damage to property, Israel responds by pointing to the tactics employed

by Hamas and other Palestinian paramilitary groups in Gaza in defiance of the principle of distinction by operating from densely populated areas, blending in with the civilian population, disguising militants as civilians and using civilian localities (schools, residential apartments buildings, public institutions and roofs) as bases of operation. Israel also charges these groups with exploiting the special status of protected sites and distinctive emblems (such as hospitals, ambulances and places of worship) and other sensitive sites (U.N. facilities) for military purposes (such as storing explosives and weapons there even when other storage sites are available, launching mortar attacks in and around them, using such sites as sniping posts, and using ambulances to transport weapons or as an escape route). Critics of Israel's position point to the impossible reality of the Palestinian position, which (it is said) leaves them with little alternative but to operate from civilian spaces.

Another such challenge relates to the prohibition of *indiscriminate* attacks, which are not directed at a specific military objective. Israel is often charged with launching indiscriminate and disproportionate attacks against civilian objectives in Gaza,42F[xliii] which, if established, would amount to war crimes and crimes against humanity. These allegations are met by the Israeli response that military operations that cause unintended damage to civilians do not constitute a violation of IHL, much less a war crime. In this regard, Israel also points to its use of extensive and even unparalleled precautionary measures, including advance warnings of attack when feasible, to minimize civilian harm in advance of an attack. Israel, in turn, charges Hamas and other groups with committing war crimes and crimes against humanity, both by deliberately attacking Israeli civilians and by intentionally using Palestinian civilians, including children, as human shields, exposing them to serious danger and exploiting their protected status.

Linked to the issue of what constitutes a lawful *military objective* are other contested questions, including what qualifies as *direct participation in hostilities*? As mentioned above, while IHL prohibits any deliberate attacks aimed at civilians – as only military objectives may be lawfully targeted – the position is different in the case of civilians who take a direct part in hostilities. In such cases, those participating in hostilities lose their civilian protection and become lawful military targets for such time as they take a direct part in hostilities.

What amounts to *direct participation in hostilities*, and what the period is for which immunity from targeting is lost, however, are heavily contested. In particular, is civilian immunity lost by a person taking a direct part in hostilities only for as long as the person concerned is physically participating in an armed operation or does it go beyond this narrow period? This raises the issue of what has been termed a "revolving door," in which a civilian may dip in and out of participating in hostilities, regaining their civilian immunity from attack as soon as the narrow window of their "direct participation" is over. Further, does direct participation include planning attacks, and other similar supporting conduct? What about civilians acting as *voluntary* human shields? These are not academic questions but a concrete reality in the Israeli-Palestinian conflict.

When a civilian object, area, or facility is used, for example, to store weapons, or as a command-and-control post, or the place from which attacks are launched, it becomes a military objective in consequence of that use, irrespective of the degree of use.43F[xliv]

However, when *only part* of a civilian building is converted into a military objective (for example, when a single floor or wing of a hospital is used as Hamas headquarters), should the calculation be different? What about a *momentary* use of a civilian building for launching rockets, where soon after the attack the perpetrators flee the scene?44F[xlv] Israel, for its part, admits that the presence of civilians in proximity to a military objective impacts its assessment of proportionality, pointing out to instances where it aborted attacks against hospitals out of concern for the inevitable harm to civilians, but rejects the contention that the presence of civilians can have the effect of presumptively precluding military operations.

## Proportionality

As will be recalled from the discussion above, the principle of proportionality tolerates the killing of civilians in certain circumstances, notably subject to the requirements that civilians may not be directly targeted and that any collateral civilian casualties must not be excessive relative to the legitimate military objective to be achieved. While it is straightforward to formulate this principle in abstract terms, it is much more challenging to apply it operationally.

The Palestinian narrative on proportionality rests on a strict interpretation of permissible civilian casualties (or so-called collateral damage or incidental loss of life), linking it closely to international human rights law, rather than only IHL. The Israeli narrative, in contrast, invoking the practice of other States (including the United States and other advanced democracies),45F[xlvi] observes that the loss of civilian life, even extensively so, does not of itself equate to a disproportionate or excessive use of force if warranted by the military necessity of the target. Israel also contends that the lives of its soldiers are a valid consideration in the balancing equation, and that its use of force is proportionate. While Israel occasionally admits to operational errors in military actions, it insists that the errors did not amount to IHL violations so long as the target was a legitimate military objective.

Linked to the earlier consideration of distinction and indiscriminate attacks, among the charges leveled at Israel are also those relating to its choice of particular weapons or means, which are said to be indiscriminate or to cause disproportionate collateral damage. In response to such allegations, Israel points out that certainty and precision are particularly challenging in urban battlefields, and even the use of the most precise weapons available may not be sufficient to avoid civilian casualties. In this regard, it points to "surgical aerial strikes" using precision guided munitions to minimize civilian casualties. Israel also advances counter-allegations against Palestinian use of indiscriminate methods and means (for example, improvised explosive devices, booby-traps, suicide bombers, etc.).

## Settlements

Looming heavy above all the aforementioned issues are accusations with respect of the legality of settlements in the West Bank and Israel's occupation more broadly, resting on

the interpretation of Article 49, paragraph 6 of the Fourth Geneva Convention and Article 8(2)(b)(viii) of the Rome Statute.

Article 49, paragraph 6 of the Fourth Geneva Convention, a treaty to which both Israel and Palestine are parties, provides: "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies." Article 8(2)(b)(viii) of the Rome Statute, to which Palestine is a party, but Israel is not, similarly provides that the following constitutes a war crime: "The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory."

Critics of Israel's settlement policy and practices argue that the settlements in the West Bank constitute a continuous violation of these rules, amounting to a war crime. They also assert that settlement construction is contrary to the Oslo Accords' Interim Agreement.46F[xlvii] Numerous UN resolutions over the years, the ICJ in its *Wall* advisory opinion, the ICRC and many NGOs have condemned the settlement enterprise by invoking the inadmissibility of acquisition of territory by war and labelling the construction of settlements as illegal and a flagrant violation of international law. Tied to this are also allegations of destruction and confiscation of Palestinian property, exploitation of natural resources (primarily land, water, and minerals), the changing of the demographic composition of the territory in violation of the right to self-determination, and the establishment of a dual system of law for the benefit of Israeli settlers and settlements.

# The International Criminal Court (ICC)

The settlements dispute has more recently become the focus of ICC attention when the Court decided, in February 2021, that it has jurisdiction over the situation in Palestine, both in the West Bank (including East Jerusalem) and Gaza, with respect to alleged crimes committed both by Israelis and Palestinians in the context of the Israeli-Palestinian conflict since 2014, *including settlement activity.*47F[xlviii]

Quite apart from the debate about the legality of the settlements, the ICC assumption of jurisdiction has raised other significant questions, including as to the ICC's jurisdiction over Israel and Israelis in circumstances in which Israel is not a party to the ICC Statute. The Court's competence to address the implications of the Oslo Accords' deferment of negotiations on settlements to the permanent status negotiations phase is also a matter of debate.

Those who believe that conduct in the Israeli-Palestinian conflict should be subject to ICC scrutiny, including the ICC's Office of the Prosecutor, take the view that Palestine meets the necessary legal requirements to properly refer the issue to the ICC. Among other arguments, Israel counters that the ICC cannot exercise jurisdiction on the grounds that Palestine does not meet the criteria for statehood under international law, that its accession to the ICC Statute is therefore improper, and that Palestine cannot delegate to the ICC a criminal jurisdiction to prosecute that it does not possess.48F[xlix] Israel further contends

that, even if the ICC Statute were to be interpreted to allow non-sovereign entities to confer jurisdiction to the Court, Palestine would still not qualify because under the Israeli-Palestinian agreements, the Palestinian Authority has no criminal jurisdiction in the relevant areas.

## Accountability and Impunity

Into this debate enters a dispute over the accountability of the parties to the conflict. Both sides hold heavy grievances towards each other on grounds of the claimed commission of war crimes, crimes against humanity and other violations of IHL and IHRL. Amongst other allegations, Israel is accused of a denial of justice and a culture of impunity. The Goldstone Report on Israel's Cast Lead military operations in Gaza, released in September 2009, accused Israel of committing war crimes and grave breaches under the Geneva Conventions. Richard Goldstone himself eventually backed off from some of his findings,49F[l] but his commission's report illustrates the uncompromising clash between the competing narratives. In the face of such allegations, Israel finds itself defending the integrity and independence of its judicial system and its oversight and investigations mechanisms.50F[li] Israel, in turn, charges Hamas and other Palestinian para-military groups with the commission of war crimes and other violations, including the recruitment and exploitation of children and a general lack of accountability.

While most of the international attention is focused on Israel, the criminal accountability of non-State actors, primarily Hamas in Gaza, also attracts close scrutiny. As discussed earlier, Hamas is bound by IHL, but, when it comes to attributing responsibility to non-State actors, the challenge becomes even greater when such actors operate in a territory whose statehood is disputed. In such circumstances, it is even more difficult to trace a link between the paramilitary groups and the entity in whose territory they operate, let alone attributing responsibility to the latter. For example, to what extent, if at all, can the *State of Palestine,*51F[lii] represented by the Palestinian Authority in the West Bank, be responsible for acts or omissions by Hamas and other armed groups in Gaza, when it does not manifest effective control in these areas, even though it purports to represent Palestine as a whole, and the Palestinian people? Further, to what extent could *Hamas*, which is in control of Gaza, be held accountable for the launching of rocket attacks into Israel by other paramilitary groups in Gaza (such as Islamic Jihad)?

# Conclusion

Everything about the Israeli-Palestinian dispute is seen through the prism of different narratives. This includes legal controversies. So, while the Palestinian and Israeli positions on such issues as targeting, terrorism, etc. can each be addressed by reference to the legal narratives of each side, the underlying theme with respect to all of these issues is that the two sides approach the dispute with diametrically opposed legal perspectives. The way each frames the dispute leads to completely different appreciations of what is lawful and what is not.

The purpose of this paper has been to raise questions and demarcate the contours of legal debates, not to provide answers. That irresolution is partly due to the nature of specific legal disputes in the Israeli-Palestinian conflict, which involve deep clashes not only over basic facts but over interpretations of specific rules and even over which general legal frameworks to apply. It is also partly due to the nature of international law in general, which relies heavily on decentralized decision-making and enforcement rather than any single, authoritative adjudicator. Moreover, even when a domestic or international tribunal rules on some of the specific controversies discussed above, that will hardly settle the matter among the parties and other actors.

Despite their enduring insolubility, these legal arguments are important to the broader Israeli-Palestinian conflict. Beyond any normative commitments to rule of law itself, a theme of this paper is that legal arguments are political tools wielded by both sides. Legal arguments and processes through which they are made and evaluated also have diplomatic consequences. Through their legal claims, counterclaims, evidentiary, jurisdictional, and procedural disputes, the parties to the conflict will continue to appeal to the conscience of the world to vindicate the fundamental righteousness of their cause.

# Bibliography

A vast amount of literature and a wide range of views can be found on the Israeli-Palestinian conflict. Beyond the footnotes in this paper, listed below is a sample of useful sources for those interested in further delving into the legal conundrum.

## Palestinian Sources


- State of Palestine, Ministry of Foreign Affairs
- Permanent observer of Palestine to the UN
- Al-Haq
- Al Mezan Centre for Human Rights
- Al-Shabaka
- Palestinian Centre for Human Rights (PCHR)


## Israeli Sources


- Israeli Ministry of Foreign Affairs
- Israeli Ministry of Justice
- IDF International Law Publications


## Blogs and Websites


- Lawfare
- EJIL: TALK
- Just Security
- Oxford Public International Law
- "The question of Palestine at the UN"

- ICRC
- Human Rights Watch on Israel and Palestine
- Amnesty International
- B'Tselem

[i] The ICJ can adjudicate in legal disputes between States that have agree to its jurisdiction, and it can also give advisory opinions at the request of UN organs. See the ICJ website.

[ii]The Hague regulations are considered as reflecting customary international law. They regulate the conduct of warfare and hostilities.

[iii]Particularly relevant to our discussion is Geneva Convention IV relative to the Protection of Civilian Persons in Time of War (the fourth Geneva Convention) although the other conventions are equally important in protecting the victims of armed conflicts.

[iv] There is also an additional protocol III to the Geneva Convention on the use of emblems (2005) to which both Israel and Palestine are parties.

[v] There are additional treaties regulating different aspects of warfare or choice of weapons, such as the Convention on certain Conventional Weapons (CCW), the Convention on certain Biological Weapons (1972), the Convention on the Prohibition of Chemical Weapons (1993), the Convention on the Prohibition of Antipersonnel Mines (Ottawa treaty,1997), the Convention on Cluster Munitions (2008), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954).

[vi] There are also other important principles, although beyond the purview of this paper, including the obligation to take precautions in attack, non-discrimination, and the prohibition on torture.

[vii] Nicholas Tsagourias, *International Humanitarian Law – Cases, Material and Commentary* (Cambridge University Press, 2018), Chapter 2, p. 39.

[viii] Military manuals of states also stress that the judgment of the commander is based on the information that he may reasonably be considered to possess *at the relevant time* when the decision to attack is made.

[ix] Roy Schondorf (Israel's Deputy Attorney-General), Israel's Perspective on Key Legal and Practical Issues Concerning the Application of International Law to Cyber Operations, International Law Studies 97 (2021), p. 395, 398-399.

[x] For instance, see Article 43 of the Hague Regulations. A much more detailed account is found in the Fourth Geneva Convention. Such duties include the requirement to ensure humane treatment of protected persons, without discrimination, to respect their family rights, religious convictions, practices and customs, to provide specific labor conditions, ensure food and medical supplies for the population, maintain medical services, and more.

[xi] Geneva Convention 1, Article 50; Geneva Convention 2, Article 51; Geneva Convention 3, Article 130; Geneva Convention 4, Article 147; Additional Protocol 1, Article 11; Additional Protocol 2, Articles 11 and 85. See the ICRC website. With some contextual variation, grave breaches include "willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

[xii] Appeals Chamber of the Special Court for Sierra Leone: Prosecutor v. Sam Hinga Norman (Case No. SCSL-2004-14-AR72(E)) Decision on Preliminary Motion Based on Lack of Jurisdiction (Child Recruitment), Decision of 31 May 2004, at para. 22.

[xiii] The Palestinian Authority has also lodged a declaration under Article 12(3) of the Rome Statute accepting the ICC's ad-hoc jurisdiction.

[xiv] Interestingly, terrorism as such is not included in the Rome Statute due to the ongoing controversy surrounding the interpretation of this term.

[xv] The ICJ advisory opinion on the legality of the threat or use of force of nuclear weapons (1996) applied the *lex specialis* rule, according to which the applicable law in armed conflict is IHL while human rights apply at all times.

[xvi] *Wall* Advisory Opinion, 177–81, paras 102–13.

[xvii] For example, see Michael Dennis, "Application of Human Rights Treaties Extraterritorially to Detention of Combatants and Security Internees: Fuzzy Thinking All Around?", *ILSA Journal of International & Comparative Law,* vol. 12 (2006) 459 at p. 480.

[xviii] Israel's First Statement to the *Sharm el-Sheikh Fact-Finding Committee* (the Mitchell Commission (2000).

[xix] *Ajuri v IDF Commander*, HCJ 7015/02 (3 September 2002), opinion of President Barak, para 22; *Public Committee against Torture in Israel v. Government of Israel*, HCJ 769/02 (Dec. 14, 2006). In a later case, the court acknowledged that this classification is not without difficulty, See *Physicians for Human Rights v. Prime Minister of Israel*, HCJ 201/09 (Jan. 19, 2009).

[xx]See International Law and the Classification of Conflicts, ed. Elizabeth Wilmshurst (Oxford, 2012) part II, chapter 9. This is also supported by the ICRC study (2005) which identifies all existing IHL norms.

[xxi] *Public Committee against Torture in Israel v. Government of Israel*, HCJ 769/02 (Dec. 14, 2006).

[xxii] The Independent Public Commission of Inquiry (Turkel Commission) Report, 46–7, para. 40.

[xxiii] For a detailed account see Iain Scobbie on Gaza (2 August 2012) from *International Law and the Classification of Conflicts* edited by Elizabeth Wilmshurst. In contrast, it is also noteworthy that the US position in the Hamdan judgment viewed the conflict between the US and Al-Qaeda as a non-international armed conflict.

[xxiv] There is also a part of the Israeli narrative which holds in reserve a claim to the West Bank and Gaza.

[xxv] Israel's response to Mitchell, para. 43.

[xxvi] official statement, entitled Borders, found at the Palestinian Liberation Organization – Negotiation Affairs Department website.

[xxvii] *Wall* Advisory Opinion, 09 July 2004, ICJ Reports 2004, p. 136, para. 78.

[xxviii] Submission to the ICC on Behalf of Palestinian Victims Residents of the Gaza Strip, by Raji Sourani, Chantal Meloni, Triestino Mariniello (16 March 2020), p. 7 at para. 13.

[xxix] *Al Bassiouni* case, para 12, where Israel's restrictions on the supply of electricity and gas to Gaza was challenged. See also Yuval Shany, "The Law Applicable to Non-Occupied Gaza: A comment on Bassiouni v. The Prime Minister of Israel," *Israel Law Review* 42:1 (2012).

[xxx] Yuval Shany, "Faraway, So Close: The Legal Status of Gaza after Israel's Disengagement," *Yearbook of International Humanitarian Law* (Vol. 8, August 2006*);* Hebrew University International Law Research Paper No. 12-06 at p. 4.

[xxxi] Peter Mauer, "Challenges to international humanitarian law: Israel's occupation policy," *International Review of the Red Cross*, 94:888 (Winter 2012), 1503 at p. 1508.

[xxxii]*Hebrew University International Law Research Paper No. 12-06* (above, n. 32) at p. 14.

[xxxiii] Meir Shamgar, "The Observance of International Law in the Administered Territories," in *Israeli Yearbook on Human Rights*, vol. 1, 1971, pp. 262–7. This commitment has been repeatedly affirmed by Israel. See Government of Israel, "The operation in Gaza: factual and legal aspects" (July 2009) 11, pars. 30–31.

[xxxiv] Article 4 of the 1993 Declaration of Principles on Interim Self-Government Arrangements between Israel and the PLO, and the Interim Agreement on the West Bank and Gaza (28 Sept. 1995), art. XI(1), 36

[xxxv] Dov Jacobs, Joshua Kern, Daniel Reisner, Implications for the ICC on the Resumption of Israeli-Palestinian Cooperation and the Relevance of the Oslo Accords in Current ICC Litigation, Opinio Juris (4 January 2021).

[xxxvi] Palestinian human rights organizations in an amicus submission to the ICC on 16 March 2020, stated that "the Oslo Accords ceased to be binding in 1999, when a permanent settlement was not reached, as provided for in the agreement."

[xxxvii] ICC-01/18 (26 May 2020) para. 5.

[xxxviii] ICC-01/18 (4 June 2020) para. 13.

[xxxix] The cases addressed in the paper were chosen to illustrate key aspects of the dispute. They are naturally inconclusive. There are other controversies surrounding the nature of the Palestinian demonstrations (peaceful or violent) and Israel's choice of weapons to disperse them; Israel's resort to measures of house/home demolitions (punitive vs. deterrent), expropriation of property, allegations of pillage, limiting supply of fuel and electricity to Gaza, administrative detention vs. arbitrary arrest, prize law and maritime blockade, and more broadly IDF rules of engagement.

[xl] Some argue that the occupation is illegal as it violates *jus cogens* norms, such as the prohibition of the acquisition of territory by force and the failure to respect Palestinian self-determination. For a recent discussion, see Ardi Imseis, "Negotiating the illegal: on the United Nations and the illegal occupation of Palestine, 1967–2020," EJIL, 2020, 31(3), 1055-1085; and David Hughes, "Of tactics, illegal occupation and the boundaries of legal capability: a reply to Ardi Imseis", EJIL, 2020, 31(3), 1087–1103.

[xli] Schmitt, M. N. and Merriam, J. J. (2015) The Tyranny of Context: Israeli Targeting Practices in Legal Perspective, University of Pennsylvania Journal of International Law, 37 (1). pp. 53–139 at p. 91. For a critique see Yuval Shany and Amichai Cohen, Contextualizing Proportionality Analysis? A Response to Schmitt and Merriam on Israel's Targeting Practices, (7 May 2015), Just Security.

[xlii]See the English translation of the Supreme Court's judgment in HCJ 769/02.

[xliii] Al-Haq, position paper (2009), "Operation Cast Lead and the Distortion of International Law: A Legal Analysis of Israel's Claim to Self-Defense under Article 51 of the UN Charter."

[xliv] Schmitt, M. N. and Merriam, J. J. (2015) *The Tyranny of Context* (above, n. 43). pp. 53-139 at p. 91.

[xlv]Additional questions include: what constitutes a "war sustaining" effort; more concretely – does the financing and material support of armed or militant activity qualify as a military objective for purposes of targeting? Where is the line drawn between lawful military targets and persons who are not part of an organized armed group or who do not have a permanent military function within the militant organization? Then there is a subset of questions relating to the determination of "dual-use" targets. What about the targeting of electricity infrastructure and supply? Is this a legitimate target of attack, on the ground that it makes an *effective contribution* to military action? Article 52(2) of Additional Protocol I (an article which Israel also accepts as customary) defines military objectives as: "In so far as objects are concerned, military objectives are limited to those objects

which by their nature, location, purpose or use make an *effective contribution* to military action and whose partial or total destruction, capture or action and whose partial or total destruction, capture or a definite military advantage."

[xlvi] Henckaerts and L. Doswald- Beck, *Customary International Humanitarian Law* (ICRC, Cambridge UP, 2006), vol. I, at 49, and the practice of Australia, Belgium, Canada, France, Germany, Italy, Netherlands, New Zealand, Spain, United Kingdom, and United States cited there.

[xlvii] "Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of permanent status negotiations" Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (also known as the Osco Accords II), 28 Sep. 1995, Art. XXXI (7).

[xlviii] This was categorically rejected by Israel, arguing that the ICC lacks jurisdiction over the matter. For a detailed account of its position see Memorandum of the Office of Israel's Attorney General (20 December 2019). The ICC decision unleashed the debate over Palestinian statehood and whether Article 12 of the Rome Statute was lawfully triggered.

[xlix] Ibid.

[l] Richard Goldstone, "Reconsidering the Goldstone Report on Israel and War Crimes", op-ed, Washington Post (April 1, 2011); For further critique see Jamie Stern-Weiner, "Goldstone's fatal retraction," *Le Monde diplomatique,* 11 April 2011.

[li] For a detailed account of Israel's response to the conflict in Gaza (2014), see The 2014 Gaza Conflict: Factual and Legal Aspects - The Full Report.

[lii] UN General Assembly resolution 67/19 of 29 November 2012 accorded "Palestine" the status of "non-member observer State" at the UN.

# Appendix I.

# Full Text of Main UN Resolution Concerning Israel

## UN General Assembly Resolution 181 (Partition Plan) - November 29, 1947

*United Nations General Assembly Resolution 181 called for the partition of the British-ruled Palestine Mandate into a Jewish state and an Arab state, with economic union between the two. It was approved on November 29, 1947 with 33 votes in favor, 13 against, 10 abstentions and one absent. The resolution was accepted by the Jews in Palestine, yet rejected by the Arabs in Palestine and the Arab states. The full text of this resolution has not been included here due to its great length, but can be found at the following link:*

https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/038/88/PDF/NR003888.pdf?OpenElement

## UN Security Council Resolution 242 - November 22, 1967

The Security Council,
Expressing its continuing concern with the grave situation in the Middle East, Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace, in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

Affirms that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

Withdrawal of Israeli armed forces from territories occupied in the recent conflict; Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

Affirms further the necessity for guaranteeing freedom of navigation through international

waterways in the area;

For achieving a just settlement of the refugee problem;

For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

Requests the Secretary General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

# UN Security Council Resolution 446 - March 22, 1979

The Security Council,

Having heard the statement of the Permanent Representative of Jordan and other statements made before the Council,

Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East,

Affirming once more that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 1/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

1. Determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

2. Strongly deplores the failure of Israel to abide by Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and the consensus statement by the President of the Security Council on 11 November 1976 / and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, 32/5 of 28 October 1977 and 33/113 of 18 December 1978;

3. Calls once more upon Israel, as the occupying Power, to abide scrupulously by the 1949 Fourth Geneva Convention, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the

Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories;

4. Establishes a Commission consisting of three members of the Security Council, to be appointed by the President of the Council after consultations with the members of the Council, to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem;

5. Requests the Commission to submit its report to the Security Council by 1 July 1979;

6. Requests the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission.

7. Decides to keep the situation in the occupied territories under constant and close scrutiny and to reconvene in July 1979 to review the situation in the light of the findings of the Commission.

# UN Security Council Resolution 478 (On Jerusalem) - August 20, 1980

The Security Council,

Recalling its resolution 476 (1980) of 30 June 1980,

Reaffirming again that the acquisition of territory by force is inadmissible,

Deeply concerned over the enactment of a "basic law" in the Israeli Knesset proclaiming a change in the character and status of the Holy City of Jerusalem, with its implications for peace and security,

Noting that Israel has not complied with Security Council resolution 476 (1980),

Reaffirming its determination to examine practical ways and means, in accordance with the relevant provisions of the Charter of the United Nations, to secure the full implementation of its resolution 476 (1980), in the. event of non-compliance by Israel,

1. Censures in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;

2. Affirms that the enactment of the "basic law" by Israel constitutes a violation of international law and does not affect the continued application of the Fourth Geneva Convention of 12 August 1949 Relative to the Protection of Civilian Persons in Time of War in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;

4. Affirms also that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

5. Decides not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all Members of the United Nations:

    a. to accept this decision;

    b. and upon those States that have established diplomatic Missions in Jerusalem to withdraw such Missions from the Holy City;

6. Requests this Secretary-General to report to the Security Council on the implementation of this resolution before 15 November 1980;
7. Decides to remain seized of this serious situation.

# UN Security Council Resolution 497 (On the Golan Heights Law) - December 17, 1981

*Syria complained to the Security Council after the Knesset adopted the Golan Heights Law on 14 December. The following resolution was adopted unanimously and called on Israel to rescind forthwith its decision.*

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The Security Council,

Having considered the letter of 14 December 1981 from the Permanent Representative of the Syrian Arab Republic contained in document S/14791,

Reaffirming that the acquisition of territory by force is inadmissible, in accordance with the United Nations Charter, the principles of international law, and relevant Security Council resolutions,

1. Decides that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect;

2. Demands that Israel, the occupying Power, should rescind forthwith its decision;

3. Determines that all the provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 continue to apply

to the Syrian territory occupied by Israel since June 1967;

Requests the Secretary-General to report to the Security Council on the implementation of this resolution within two weeks and decides that in the event of non-compliance by Israel, the Security Council would meet urgently, and not later than 5 January 1982, to consider taking appropriate measures in accordance with the Charter of the United Nations.

# Appendix II.

# Text of Israel's Declaration of Independence

The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.

Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland. In recent decades they returned in their masses. Pioneers, defiant returnees, and defenders, they made deserts bloom, revived the Hebrew language, built villages and towns, and created a thriving community controlling its own economy and culture, loving peace but knowing how to defend itself, bringing the blessings of progress to all the country's inhabitants, and aspiring towards independent nationhood.

In the year 5657 (1897), at the summons of the spiritual father of the Jewish State, Theodor Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

This right was recognized in the Balfour Declaration of the 2nd November, 1917, and re-affirmed in the Mandate of the League of Nations which, in particular, gave international sanction to the historic connection between the Jewish people and the Land of Israel and to the right of the Jewish people to rebuild its National Home.

The catastrophe which recently befell the Jewish people—the massacre of millions of Jews in Europe—was another clear demonstration of the urgency of solving the problem of its homelessness by reestablishing in the Land of Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the community of nations.

Survivors of the Nazi holocaust in Europe, as well as Jews from other parts of the world, continued to migrate to the Land of Israel, undaunted by difficulties, restrictions and dangers, and never ceased to assert their right to a life of dignity, freedom and honest toil in their national homeland.

In the Second World War, the Jewish community of this country contributed its full share

to the struggle of the freedom- and peace-loving nations against the forces of Nazi wickedness and, by the blood of its soldiers and its war effort, gained the right to be reckoned among the peoples who founded the United Nations.

On the 29th November, 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in the Land of Israel; the General Assembly required the inhabitants of the Land of Israel to take such steps as were necessary on their part for the implementation of that resolution. This recognition by the United Nations of the right of the Jewish people to establish their State is irrevocable.

This right is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State.

Accordingly we, members of the People's Council, representatives of the Jewish Community of the Land of Israel and of the Zionist Movement, are here assembled on the day of the termination of the British Mandate over the Land of Israel and, by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly, hereby declare the establishment of a Jewish state in the Land of Israel, to be known as the State of Israel.

We declare that, with effect from the moment of the termination of the Mandate being tonight, the eve of Sabbath, the 6th Iyar, 5708 (15 May, 1948), until the establishment of the elected, regular authorities of the State in accordance with the Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948, the People's Council shall act as a Provisional Council of State, and its executive organ, the People's Administration, shall be the Provisional Government of the Jewish State, to be called “Israel.”

The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

The State of Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of the 29th November, 1947, and will take steps to bring about the economic union of the whole of the Land of Israel.

We appeal to the United Nations to assist the Jewish people in the building-up of its State and to receive the State of Israel into the community of nations.

We appeal - in the very midst of the onslaught launched against us now for months - to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.

We extend our hand to all neighboring states and their peoples in an offer of peace and good neighborliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East.

We appeal to the Jewish people throughout the Diaspora to rally round the Jews of the Land of Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream - the redemption of Israel.

Placing our trust in the Almighty, we affix our signatures to this proclamation at this session of the provisional Council of State, on the soil of the Homeland, in the city of Tel-Aviv, on this Sabbath eve, the 5th day of Iyar, 5708 (14th May, 1948).

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# Appendix III.

# Text of the Protocol on the Treatment of Palestinian Refugees in Arab States (Casablanca Protocol)

*For political reasons, the Arab states have pursued a policy of purposeful non- integration of Palestinian immigrants. The Casablanca Protocol grants Palestinians the right to work and own property in the host countries while retaining their Palestinian nationality.*

## Regulations adopted by the League of Arab States, September 10, 1965

On the basis of the Charter of the League of Arab States and its special annex pertaining to Palestine, and of the LAS Council resolution concerning the Palestinian issue, and, in particular, of the Special resolution pertaining to safeguarding Palestinian existence,

The Council of Foreign Ministers of Member states agreed, in its meeting in Casablanca on 10 September 1965, upon the following regulations, and called upon member states to take the necessary measures to put them into the sphere of implementation:

1. Whilst retaining their Palestinian nationality, Palestinians currently residing in the land of ..... have the right of employment on par with its citizens.

2. Palestinians residing at the moment in ..... in accordance with the dictates of their interests, have the right to leave and return to this state.

3. Palestinians residing in other Arab states have the right to enter the land of ..... and to depart from it, in accordance with their interests. Their right of entry only gives them the right to stay for the permitted period and for the purpose they entered for, so long as the authorities do not agree to the contrary.

4. Palestinians who are at the moment in ....., as well as those who were residing and left to the Diaspora, are given, upon request, valid travel documents. The concerned authorities must, wherever they be, issue these documents or renew them without delay.

5. Bearers of these travel documents residing in LAS states receive the same treatment as all other LAS state citizens, regarding visa, and residency applications.

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# Appendix IV.

# UN General Assembly Resolution 194 (Concerning The Refugee Question) – December 11, 1948

The General Assembly,
Having considered further the situation in Palestine, [...]
Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;
Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations [...].

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# Appendix V.

# Text of Israel's Nation-State Law (2018)

*Unofficial translation by Dr. Susan Hattis Rolef*

*Source: https://knesset.gov.il/laws/special/eng/BasicLawNationState.pdf*

## Basic Law: Israel – The Nation State of the Jewish People

1. Basic Principles

    a. The Land of Israel is the historical homeland of the Jewish people, in which the State of Israel was established.

    b. The State of Israel is the nation state of the Jewish People, in which it realizes its natural, cultural, religious and historical right to self-determination.

    c. The exercise of the right to national self-determination in the State of Israel is unique to the Jewish People.

2. State Symbols

    a. The name of the State is "Israel."

    b. The State flag is white, with two light-blue stripes close to the edge, and a light-blue Star of David in its centre.

    c. The State emblem is a seven-branched menorah with olive leaves on both sides, and the word "Israel" at its base.

    d. The State anthem is "Hatikvah."

    e. Details regarding the State symbols shall be determined by law.

3. State Capital

    a. Jerusalem, complete and united, is the capital of Israel.

4. Language

a. Hebrew is the State language.

b. The Arabic language has a special status in the State; arrangements regarding the use of Arabic in state institutions or vis-à-vis them will be set by law.

c. Nothing in this article shall affect the status given to the Arabic language before this law came into force.

6. Ingathering of the Exiles

a. The State shall be open for Jewish immigration, and for the Ingathering of the Exiles.

6. The Connection with the Jewish People

a. The State shall strive to ensure the safety of members of the Jewish People and of its citizens, who are in trouble and in captivity, due to their Jewishness or due to their citizenship.

b. The State shall act, in the Diaspora, to preserve the ties between the State and members of the Jewish People.

c. The State shall act to preserve the cultural, historical and religious heritage of the Jewish People among Jews in the Diaspora.

7. Jewish Settlement

a. The State views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and strengthening.

8. Official Calendar

a. The Hebrew calendar is an official calendar of the State, and the Gregorian calendar shall serve alongside it as an official calendar; the use of the Hebrew calendar and the Gregorian calendar shall be determined by law.

9. Independence Day and Memorial Days

a. Independence Day is the official national holiday of the State.

b. Memorial Day for the Fallen in Israel's Wars, and the Holocaust Martyrs' and Heroes' Remembrance Day, are official memorial days of the state.

10. Days of Rest and Statutory Holidays

a. The Sabbath and the Jewish holidays are the established days of rest in the State; non-Jews have the right to observe the days of rest on their days of Sabbath and holidays; details regarding this matter shall be determined by law.

11. Entrenchment

a. This Basic law shall not be modified except by a basic law, passed by a majority of the members of the Knesset

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