



Israel - Palestine Conflict - A Tale of Grave Human Violations & Innumerable Casualties

KEYWORDS

Mr.Manish Dalal

First year, Faculty of Law, Noida International University

Mr.ArunKumar Singh

Assistant Professor in Law Noida International University * Corresponding author

ABSTRACT *Israel - Palestine conflict is one of the most burning issues of modern times which poses a big threat to international peace & security. This conflict is an example of grave human rights violations & a large no. of human casualties'. The warring sides are the Israeli government on the one hand and a group named Hamas which is controlling Gaza Strip after winning the elections in 2006 on the other hand. Hamas is mostly viewed as a terrorist organization all over the world. Both Israel & Hamas do not recognize each other's authority & ready to use violence to achieve their means. But to understand the reasons for this conflict one has to go back to history in the middle of 20th century where it all started.*

Introduction

The history of this war dates back to the year 1948 with the declaration of State of Israel on 15th May, 1948 which didn't go down well with the Arab League which proclaimed that the entire area given to Israel belongs to them & it didn't recognize Israel as a State giving rise to 1948 Arab-Israel war in which many people lost their lives & many more became refugees.

According to an estimate around 15000 people lost their lives in that war & the no. of persons who became refugees was much more than that & by the time a ceasefire was adopted by the warring sides Israel was holding most of its mandate territory while West Bank was acquired by Jordan & Gaza Strip went to Egypt. As far as the holy city of Jerusalem was concerned it was split between Israel in west & Jordan in the east.

But the violence didn't end there. On 5th June, 1967 once again a war broke down which lasted for 6 days & in that 6 day war Israel achieved great success as it managed to capture West Bank & East Jerusalem from Jordan & Gaza Strip from Egypt which brought the complete control entire conflicted area into the hands of Israel.

After the acquisition of Gaza Strip, West Bank & East Jerusalem by Israel in the six day war it was criticized worldwide for such acquisition including the United Nations Security Council which passed Resolution 242 which called for "withdrawal of Israeli armed forces from the territories occupied in the recent conflict & termination of all claims or states of belligerence & respect for & acknowledgement of the sovereignty, territorial integrity & political independence of every state in the area & their right to live in peace within secure & recognized boundaries free from threats or acts of force.

This resolution of United Nations Security Council proved to be of great importance & in fact it became the basis for all subsequent peace negotiations that took place between Israel, Palestine & surrounding Arab countries.

But after the acquisition of these conflicted areas by Israel in 1967 things instead of getting better became worse & the violence escalated further which turned into a full blown war between the two sides time & again till the present times.

The First Palestinian Intifada

The First Palestinian Intifada also known as a the first Palestinian uprising against the Israeli occupation began on 8th December, 1987 & ended on 13th September, 1993 with the signing of Oslo Accords. It was the first biggest uprising against Israel after their 1967 occupation of the disputed territory of Gaza Strip, West Bank & East Jerusalem. This uprising which lasted for almost 6 years had a large no. of casualties to its credit where people from both sides lost their lives with majority of deaths occurring on the Palestinian side. According to an estimate 2,162 Palestinians were killed in this violence while 160 Israelis lost their lives. Israel tried its level best to crush this uprising by using an iron hand & applying all possible means but failed to control it which spread like wildfire & led to the signing of Oslo accords which was a great milestone in the history of this conflicted region.

The Second Palestinian Intifada

After the end of first Intifada in 1993 another Palestinian uprising began on 28th September, 2000 & ended on 8th February, 2005 known as Second Palestinian Intifada. It turned out to be much more bloodier than the first Intifada as the no. of people who lost their lives in this Intifada was much more than the first one. As per an estimate around 3,354 Palestinians & 945 Israelis lost their lives in this uprising.

Acts of violence outside Israel & Palestine

The violence in the Israel - Palestine conflict is not limited to the territories of Israel, Gaza Strip, West Bank or Jerusalem alone but it extends to various other parts of the world as well. Following are some of the examples for that

1. The Munich Olympic Massacre (1972)

The Munich Massacre was a terrorist attack which took place during the 1972 Olympic Games held in Germany by the Palestinian terrorists. On 5th September, 1972, eight Palestinian terrorists belonging to a Palestinian terrorist outfit called Black September killed 11 Israeli athletes & in that process 5 terrorists were also killed while other three were arrested by the German authorities. One German police officer was also killed in that encounter. After that gruesome terrorist attack relations between Israel & Palestine deteriorated further & it led the Israeli authorities to initiate operation "Wrath of God" in which Israeli intel-

ligence agency Mossad killed most of the suspected perpetrators of the Munich Massacre in various parts of the world between 1972 to 1988.

2. The Hijacking of Air France Plane (1976)

On 27th June, 1976 an Air France plane was hijacked by some Palestinian terrorists & taken to Entebbe in Uganda where they kept 103 Israelis & Jews as hostages with the support of government of Uganda while releasing all the non Israeli or Jewish hostages. But on the intervening night of 3rd & 4th July, 1976 Israel raided with over hundred commandos & freed all the hostages after killing all the 7 terrorists who had hijacked the plane & destroying 11 MIG fighter planes. Although in that process one Israeli commando & 3 hostages were also killed but the operation was a great success & boosted the morale of the Israelis.

Peace Initiatives & Processes so far

Various countries of the world especially USA has tried its level best to bring about an amicable solution to this ever burning conflict but so far none of the peace initiatives have been successful in bringing peace to the region mainly due to the hardened position of both the warring parties & lack of flexibility between the two. Below are some of the peace processes that have taken place so far -

1. Oslo Accords (1993)

In 1993, Oslo Accords were finalized between the Prime Minister of Israel Yitzhak Rabin & Palestinian leader Yasser Arafat under which it was agreed that Israel would gradually hand over the control of Palestinian territories to the Palestinians in return for peace. Arafat also wrote a letter of recognition of right of Israel to exist which was said to be a milestone in the history of Israel - Palestine relations. But just when it was thought that peace will return to the region things once again took a nasty turn with the assassination of Israeli PM Yitzhak Rabin by an Israeli fanatic as a result of which the peace process was once again abruptly without any concrete result.

2. Camp David Summit (2000)

In July, 2000, Camp David summit was convened by the then US President Bill Clinton between Israeli Prime Minister Ehud Barak & Palestinian President Yasser Arafat in which the Israeli PM made the following offer to Yasser Arafat - A non militarized Palestinian State with entire Gaza Strip, 92% of West Bank & parts of East Jerusalem. The offer also included that most of the Jewish settlements would be ceded to Israel & custodianship of Temple Mount will be given to Palestine without any sovereignty over it & return of refugees to the prospective Palestinian State with no right to return to Israel.

But the offer was rejected by Yasser Arafat & no counter offer was made from his side & as a result of which Camp David Summit also failed to achieve its objectives.

3. The Clinton Plan (2000)

After the failure of Camp David Summit US devised its own peace plan to resolve the dispute which was eventually presented on 23rd December, 2000 which proposed the establishment of a Sovereign Palestinian State consisting of Gaza Strip & 94 to 96% of West Bank. In case of Jerusalem, the Arab areas were proposed to be given to Palestine while the Jewish areas were proposed to be given to Israel. Both the parties accepted the Clinton's Plan & it became the basis for negotiations at the subsequently held Taba Summit.

4. Taba Summit (2001)

Taba Summit held in January, 2001 in Egypt failed to achieve much success as elections were due to be held in Israel but the two sides did issue a joint statement at the Summit which stated that "The sides declare that they have never been closer to reaching an agreement & it is thus our shared belief that the remaining gaps could be bridged with resumption of negotiations following the Israeli elections". Next month Ehud Barak was defeated in the elections & Ariel Sharon became the new Prime Minister of Israel on 7th February, 2001 & he didn't resume the high level talks with Palestine.

5. Road Map for Peace (2002)

The road map for peace was proposed by the European Union, Russia, United Nations & US on 17th September, 2002 but the proposal never made it beyond the first phase as it never attempted to resolve the disputed questions & rather left them open for negotiations at a later stage.

6. Arab Peace Initiative

There was also a peace initiative from the Arab countries as well which was proposed for the first time by Saudi Arabia but this initiative also failed to achieve much success as it was never accepted by either of the warring sides.

Role of United States

United States has played a proactive role in resolving this dispute by initiating various peace processes like the Oslo Accords in 1993, Camp David Summit in 2000, Clinton Plan in 2000, Taba Summit in 2001 & Road Map for Peace in 2002 but none of these peace processes achieved the desired result though some progress was certainly made towards peace. No other country in the world has done so much to bring peace in this conflicted region. So US has done a commendable job in this regard. But at the same time US is also criticized by many for providing military assistance to Israel. According to the CRS report Israel has received over \$121 billion of US aid since its formation in 1948 & the most shocking part of that is that out of this \$121 billion aid around \$70 billion has been in the form of military assistance. Many people are of the view that if US cuts down on its military aid to Israel peace can return to this conflicted area.

Indian Position

Relations between India & Israel were formally established in January, 1992 & since then their ties have flourished. Prior to that India was scared to establish ties with Israel as it was thought that this decision might not go down well with the Indian Muslims. Currently India is the largest customer of Israeli military equipments & Israel is second largest military partner of India after Russia.

Apart from this India is Israel's largest defense market accounting for almost 50% of Israeli sales which is quite a big number.⁽¹⁷⁾

So as far as Indian position is concerned regarding this conflict India always condemns the violence in Gaza but never says anything about Israel & has never passed any resolution in Lok Sabha against Israel. Although India always calls for peaceful solution of this dispute.

Causalities so far

This war between Israel & Palestine has turned out to be the most bloodiest & longest war in the history of mankind with innumerable casualties' on both sides. According to

an estimate between 1965 to 2013 more than 21,500 people lost their lives consisting of both Israelis & Palestinians & the no. keeps on rising as the war is still not over.

Current Position

The biggest milestone in the history of Israel Palestine conflict came in the year 2005 when Israeli under Prime Minister Ariel Sharon removed all Jewish settlements & troops from Gaza Strip on 11th September, 2005 & the disengagement was complete. After withdrawal of Israeli troops from Gaza things started getting better in the region but relations between Israel & Palestine once again turned sour when Hamas won the elections in 2006 & came to power in Gaza. Since then Israel has held Gaza under a blockade by controlling all of its borders & coastline.

Thus withdrawal of Israel from Gaza turned out to be nothing more than mere symbolism as Israel still controls the territorial waters, airspace & land crossing points of Gaza. Israel says that these steps are necessary to protect its citizens from terrorist attacks regularly carried on by Hamas while Hamas says that unless this blockade is removed peace can't return to the region.

Life in Gaza

Life in Gaza is very difficult for the inhabitants of that area as there is often scarcity of even basic necessities of life like food, clothing & shelter. There is widespread unemployment & poverty in the area. The standard of living of the people of Gaza is very low & there are vast cases of malnutrition among the children. Apart from that many innocent people are losing their lives due to continuous shelling from Israel & in fact shelling & army operations have become part of day to day life of people of Gaza. One of the main reason for the lack of development of that area is because Israel is holding Gaza under a blockade, it control its coastline & all entry & exit points which has severed Gaza from the rest of the world.

Major sticking points

Some of the major sticking points which still remain unsolved & are the main reason for this conflict are as follows

1. Who will guarantee peace to Israel in return of their withdrawal from the conflicted area ?
2. Whether Palestine will recognize the right of Israel to exist ?
3. What will happen to the Israelis who have settled in that conflicted area ?
4. What will happen to Palestinian refugees ?

5. Who will control Jerusalem ?

Possible Solutions

1. Two State Solution

One possible solution to this problem is by making a new Palestinian State consisting of Gaza Strip, West Bank & parts of Jerusalem & in return the proposed Palestinian State should guarantee peace to Israel & recognize their right to exist. Although both the parties seem to agree to this possible solution but due to deep mutual distrust between them the peace negotiations have fallen apart time & again. Another reason for that is lack of flexibility from both sides.

2. One State Solution

Another possible solution to this raging conflict is the one state solution under which whole of the conflicted area is either converted into one big Israeli state or one big Palestine state after peaceful negotiations. But both the warring sides can hardly agree to this. According to the experts such a solution can create more problems than solution & a two state solution seems to be more practical & reasonable.

Conclusion

So, after this elaborate & detailed discussion about this conflict in the end it can be safely concluded that this problem cannot be solved unless all the above mentioned sticking points are not properly addressed by both the parties. Both the parties must share the concerns of each other & should be little more flexible in their approach in dealing with this delicate issue. US & the Arab countries can play a vital role in resolving this dispute through peace. A two state solution seems to be a good solution to this problem but for that to achieve both Israel & Palestine must shun violence because peace can be achieved only through peace & not through violence history is proof of that fact & there can be no substitute for peace.

REFERENCE

1. "Historical Time Line for Israel/Palestine by Noa Baum at UMass Amherst on 5th April, 2005. Retrieved on 6th August, (2014).
2. "History of the Israeli-Palestinian Conflict". December 2001. American Documentary, Inc. Retrieved on 6th August, (2014).
3. "History of the Israeli-Palestinian Conflict". December 2001. American Documentary, Inc. Retrieved on 6th August, (2014).
4. UN Resolution 242. Ret. on 6th Aug, 2014. Retrieved on 6th August, (2014).
5. B'Tselem Statistics; Fatalities in the first Intifada. Retrieved on 6th August, (2014).
6. B'Tselem - Statistics - Fatalities, B'Tselem. Retrieved on 6th August, (2014).
7. www.history1900s.about.com. Munich Massacre by Jennifer Rosenberg. Retrieved on 6th August, (2014).
8. Entebbe Raid. (2014), the Editors of Encyclopaedia Britannica. (2nd ed., vols. (2 15) .
9. Camp David, The Tragedy of Errors by Malley, Robert & Hussein Agha. The New York Review of Books. 9th August, 2001. Retrieved on 7 August, (2014).