



By: **Ferry Biedermann**

Arrest warrants and a Lebanon ceasefire obscure other imminent danger in the Middle East



This past week finally had the appearance of being at least slightly positive for peace and stability in the Middle East. First there were the arrest warrants **issued** by the International Criminal Court and then there was the **ceasefire** in Lebanon.

But the arrest warrants against Israel's Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant will do nothing in the short- to medium-term, and possibly not ever, to protect the Palestinian population in the occupied territories. While the ceasefire points at processes under way that make extra protections much more urgent.

The agreement in Lebanon between Israel and Hezbollah at this particular moment, is the Netanyahu government getting a distraction out of the way of the incoming US administration, one that Trump had indicated he'd like to see ended.

It allows both the administration and the Israeli government to focus on two main, though possibly contradictory, issues that they'd like to advance: First, for Saudi Arabia to join the Abraham Accords between Israel and a number of Arab states, reached in Trump's first term.

And secondly, an ambition shared by the current Israeli government and several incoming Trump Middle East officials, not in the last place the designated ambassador to Israel Mike Huckabee, annexation of parts of the West Bank and forestalling the emergence of a Palestinian state once and for all.

The danger of dispossession

Israeli settlers, part of the Netanyahu government, have escalated violence, harassment and intimidation against the Palestinian population in the occupied West Bank since the Hamas attack on Israel of 7 October 2023.

Significantly, what has increased more than anything else, is the seizure of Palestinian lands and the dispossession and displacement

of Palestinians. It signals the settlers' wish, given a fresh boost after the Trump victory, to annex at least parts of the West Bank, as voiced by Finance Minister Bezalel Smotrich.

"I intend, with God's help, to lead a government decision that says that the government of Israel will work with the new administration of President Trump and the international community to apply Israeli sovereignty over Judea and Samaria," Smotrich **said** days after the Trump win.

The danger of dispossession and/or annexation is not limited to the West Bank

The danger of dispossession and/or annexation is not limited to the West Bank; settler leaders are also talking about re-establishing Gaza settlements that Israel withdrew from in 2005.

The settlers hope to capitalise both on Israeli public opinion in the wake of the attacks by Hamas of 7 October last year, as well as on the more generalised feeling that abandoning these settlements unilaterally at the time, only empowered Hamas and made Gaza into a launching pad for violence against Israel.

Permanent displacement of Palestinians from the north of the Gaza Strip could happen under the guise of turning the area into a buffer zone, although Israel has denied it intends to do this.

Deterring Iran

While significant from a human rights stand point, as well as helping to boost the UN's image in the Arab world and the Global South where anger over the death toll in Gaza and international 'inaction' is greatest, the ICC's arrest warrants will do nothing to deter settler violence, Palestinian dispossession, or annexation.

An optimistic reading of the Trump

administration's, as yet hypothetical, plans for the region, has Saudi Arabia currently holding the fate of the Palestinians in its hands.

The thinking is that Riyadh can only be brought onboard an alliance with Israel, aimed at deterring Iran and strengthening the overall US position in the region, if there are no annexations, and the possibility of a Palestinian state is kept alive.

But that is not something Palestinians and those who favour a two-state solution and an eventually negotiated settlement in the region, should bank on. Apart from the realpolitik that can make such vague assurances disappear in an instant, the Saudi position has not figured in Israel's behaviour on the ground.

Even if the Trump administration blocks outright annexation, there is next to no chance that it will try to rein in such Israeli schemes on the ground

With Israel extending its de facto control over the Palestinian territories ever deeper, expanding the settlements and integrating them into the Israeli legal system, it is carrying out a 'de jure' annexation, as detailed earlier this year by the Israel Policy Forum.

Even if the Trump administration blocks outright annexation to keep alive hopes of Saudi Arabia joining the Abraham Accords, there is next to no chance that it will try to rein in such Israeli schemes on the ground that effectively have the same result.

While both the current US government and the EU get accused of not doing nearly enough to call Israel to order, the Biden administration did recently sanction an Israeli settler group that it accuses of being behind attacks on Palestinians. And the EU earlier this year, imposed sanctions on several settler leaders and organisations.

The outgoing top EU diplomat Josep Borrell called for continued work on the Two-State Solution at his last official activity in Brussels

on Thursday.

"Tomorrow I will be leaving, but I want to ask to everybody that has been engaged in supporting the Two-State Solution to continue working hard on that. Without it, there will not be peace in the Middle East, and without peace in the Middle East, the whole region will be in danger. Not only the whole region. It is a cancer that will metastasize, affecting international relations and affecting – from (the) inside – European societies," said Borrell.

Drops in the ocean

These are only drops in the ocean and far less than what's needed to offer meaningful protection for Palestinians in the occupied territories, but they are a lot more practical than the arrest warrants, without belittling what they're issued for.

The settlers and their backers, inside and outside of government, have used the Hamas attacks of 7 October to escalate their actions, while international attention has been focused mainly on the death toll in Gaza.



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The Biden administration's measures against the settlers will in all likelihood be revoked by Trump and his team. And the EU is internally too divided on the issue to take much further-reaching steps.

Yet, the legal inadmissibility of Israeli

settlements, dispossessing and displacing the civilian Palestinian population and applying Israeli law to occupied territories, seems a lot more clearcut than the murky jurisprudence surrounding the conduct of war and the investigation of alleged war crimes.

Protecting the Palestinian population in the occupied territories and keeping alive the two-state solution is not just a legal, human rights imperative, it is also a political one.

Because despite what the Israeli right, the settlers and their supporters in the Trump administration might think, annexation and displacement are not going to make the conflict go away.

During the first Trump term, the Abraham Accords were predicated on the mistaken assumption that the Palestinian issue was no longer a significant factor. This is what Hamas punctured on 7 October 2023.

The biggest mistake a Trump administration that values the absence of conflicts on its watch could make is to, once again, wish the Palestinians away.