

AUSTRALIAN FOREIGN POLICY
AND THE ISRAEL-PALESTINE CONFLICT:
THE CASE FOR 'GOOD INTERNATIONAL CITIZENSHIP'

**A report prepared for the General Delegation of Palestine
to Australia, New Zealand and the Pacific**

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October 2015

EXECUTIVE SUMMARY

This report examines Australian foreign policy towards the Israel-Palestine conflict under the Rudd-Gillard (2007-2013) and Abbott (2013-2015) governments. This analysis was conducted through a methodology developed from the 'good international citizen' doctrine, which prescribes a way for states' to incorporate both moral motivations and national interests within their foreign policy. The report examines how each government has embodied two attributes of good international citizenship: '*compliance with international law*' and '*support for multilateralism*' within their activities and policies towards the Israel-Palestine conflict. It then establishes which government, if either, has demonstrated sufficient requisite behaviour to be considered a good international citizen in that area.

The report then examines Palestine's strategy of 'internationalisation', including efforts to advance international recognition of the State of Palestine through the United Nations. Contrary to Israeli claims that internationalisation seeks to undermine the peace process; the report finds Palestine began internationalising its statehood agenda long before negotiations even commenced. It subsequently delayed the strategy for over twenty years to allow the peace-process to yield results. The strategy has recently resurfaced in response to the breakdown of negotiations and Israel's refusal to cease settlement expansion inside Palestine. Internationalisation is thus presented as a legitimate effort to restore international law to the centre of the conflict.

The report concludes that the strategy provides Australia with an opportunity to be a better international citizen towards the Israel-Palestine conflict, recommending that the Australian government:

- I. Insist that Israel cease settlement expansion inside Palestine;**
 - II. Refrain from calling on Palestine to restart negotiations until Israel has halted all settlement activity inside Palestinian territory;**
 - III. Commence an official dialogue with the Palestinian Authority;**
 - IV. Support multilateral efforts to resolve the Israel-Palestine conflict;**
 - V. Reaffirm Australia's commitment to international law;**
 - VI. Consider unilaterally recognising the State of Palestine, should Israel fail to cease settlements within a pre-determined timeframe.**
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ACKNOWLEDGEMENTS

I would first like to express my gratitude to the staff of the General Delegation of Palestine for their warm welcome and for providing me with the opportunity to intern at their workplace. To the Ambassador and Head of Mission, Izzat Abdulhadi, thank you for all your encouragement and advice during my internship, and for the opportunity to contribute to the objectives of the Delegation. To Suheir Gedeon and Nada Abu-Rahmah, thank you both for your conversation, dialect lessons and strong Arabic *qahwa* – I will miss them all.

I would also like to thank the Director of the Australian National Internships Program, Dr Marshall Clark and the Administrator of the Program, Patricia Oxburrow, for providing the students of ANU with this incredible experience. Finally, I would like to thank Lacy Pejcinovic and Sarah Patterson for their academic advice, which greatly helped in finalising this report.

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LIST OF ABBREVIATIONS

ALP	Australian Labor Party
AUSMIN	Australia-United States Ministerial Consultations
CHOGM	Commonwealth Heads of Government Meeting
DFAT	Department of Foreign Affairs and Trade
EU	European Union
ICC	International Criminal Court
ICJ	International Court of Justice
OPT	Occupied Palestinian Territories
PA	Palestinian Authority
PLO	Palestinian Liberation Organization
PSI	Palestinian Strategy of Internationalisation
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNGA	United Nations General Assembly
UNSC	United Nations Security Council

CHAPTER ONE: INTRODUCTION

On 29 November 2012, the United Nations General Assembly (UNGA) voted overwhelmingly to upgrade Palestine's United Nations (UN) status to *non-member observer state*.¹ The historic vote was seen as a milestone in Palestine's decades-old pursuit of statehood and international legitimacy. Australia chose to abstain from the vote, generating debate around Australia's position towards Palestinian statehood.² In July 2015, the Australian Labor Party (ALP) announced that if the next round of bilateral negotiations between Israel and Palestine should fail, a future-Labor government would unilaterally recognise the State of Palestine.³ The Abbott Liberal government – who traditionally follow the lead of the United States in staunch support of Israel – continue to endorse the bilateral negotiation process and reject calls for unilateral Palestinian recognition.

Meanwhile the Palestinian Strategy of Internationalisation (PSI) has continued to gain momentum. At the time of writing, 136 of the 193 UN member-states (plus two non-members) now officially recognise the State of Palestine.⁴ As the PSI develops and international support for unilateral recognition continues to increase,⁵ debate over Australia's position regarding Palestinian statehood is likely to grow. A greater understanding of Australia's foreign policy towards Palestine is therefore necessary.

This report will examine Australia's response to the Israel-Palestine conflict during the period of the PSI's ascendancy since 2009. It will analyse the activities of the Rudd-Gillard (June 2007 - September 2013) and Abbott (September 2013 - September 2015) governments towards the conflict, through the lens of the 'good international citizen' doctrine. This model has been adopted because of its

ability to accommodate both moral motivation and national interest in a states' foreign policy.⁶ Further, the term 'good international citizen' has been employed by all Australian governments during this period to describe their respective foreign policies.

Chapter 2 examines the 'good international citizen' framework and establishes the methodology to be applied to both governments' activities towards the conflict. It identifies two attributes that states should demonstrate in their behaviour towards a specific activity in order to be regarded as a 'good international citizen'. Chapter 3 assesses the first attribute '*compliance with international law*' and finds that neither the Rudd-Gillard nor Abbott government demonstrated this attribute sufficiently. Chapter 4 assesses the second attribute of '*support for multilateralism*' in both administrations. It finds that while only the Rudd-Gillard government adequately embodied *multilateralism*, it failed to demonstrate sufficient leadership in this area. Chapter 5 examines the origins and objectives of the PSI, and argues that the strategy resurfaced as a response to the breakdown of negotiations and Israel's failure to cease settlement expansion inside the future Palestinian state. It will conclude by arguing that the PSI offers Australia the opportunity to become a better international citizen towards the Israel-Palestine conflict. A list of recommendations for the Australian government is provided in Chapter 6.

CHAPTER TWO: METHODOLOGY

“Good international citizenship is about fulfilling a state’s commitments and encouraging, cajoling or occasionally forcing others to do the same” – John Williams, 2002

1. Introduction

This chapter will establish a methodology based on the ‘good international citizen’ model. Common approaches to foreign policy analysis were considered in the context of their applicability and their overarching worldview theories. For example, the popular *rational actor* model derives from the realist conceptualisation of the state as a unitary actor in international politics.⁷ It is attractive because of its ability to accommodate national interest in the way in which we think about how foreign policy decisions should be made. Yet the theory neglects the role of perception, or “the degree to which actions are shaped by belief and assumptions about reality, rather than by reality itself”.⁸ It also overestimates states’ ability to establish goal-oriented objectives and deliberate them carefully in an environment where policy is frequently made on the basis of inadequate and often inaccurate information.⁹

Incrementalism is presented as a response to the *rational actor* model. *Incrementalism* asserts that decisions “are not made in the light of clear-cut objectives, but through small adjustments dictated by changing circumstances”, and is thus better suited to situations where policy makers are “more inclined towards inertia rather than innovation”.¹⁰ It follows that while *incrementalism* may present a practical tool for assessing the Abbott-Bishop Liberal government’s cautious approach towards foreign policy innovation, it would

nevertheless fail to provide sufficient utility when applied to the more ambitious activist foreign policy objectives of the Rudd-Carr Labor government.¹¹

Other models, such as the *bureaucratic politics* and *organisational process* models seek to examine how processes influence product in a system dominated by multiple autonomous actors. These models, however, do not accommodate scope for political leadership exerted from above and fail to give sufficient consideration to external influences, such as political, ideological and cultural contexts.¹²

Gareth Evans introduced the term 'good international citizen' to the Australian discourse in 1988 as the Minister for Foreign Affairs. As one of the term's strongest proponents, Evans has frequently referenced 'good international citizenship' in both speeches and published works, and argues "being, and being seen to be, a good international citizen" is not only an Australian national interest but also one of the countries main foreign policy priorities.¹³

2. The Concept of 'Good International Citizenship'

As its core, *'good international citizenship'* proposes that states be regarded as citizens of the international community or society of states. As citizens of this society, states are said to bear certain rights and responsibilities, which are similar to those of an individual citizen in a political system.¹⁵ Because states' are said to be the ultimate judges in the moral assessment of their own actions, the 'good international citizen' theory asserts that states' should be encouraged to understand and fulfil their moral obligations, as they are the primary foreign policy 'citizens' within this society. Good international citizenship is therefore

proposed as a method of holding “foreign policy actors to moral account in the system they currently inhabit”.¹⁶

Proponents of the theory assert that a ‘good international citizen’ is prepared to act from a position of self-interest, but also moral motivation. This moral or ethical element aligns closely with the international society tradition,¹⁷ which asserts a view of the international system as a ‘society’ of nation-states in which relations between states are conditioned by moral norms. Yet the ‘good international citizen’ concept demonstrates its ability to accommodate a broader account of the international system by acknowledging the importance of self-interest perceptions. The ‘good international citizen’ model therefore demonstrates greater utility than, for example, structural neorealist perspectives that fail to account for the responsibilities and moral obligations that states can, and do assume, in their interactions with other states.¹⁸ The concept therefore presents a pragmatic alternative to the “radical dichotomy between realism and utopianism”¹⁹ often proposed within foreign policy discourse.

The ‘good international citizen’ model also offers a high degree of utility from a practical perspective. The term emerged from foreign policy practice. It offers states a set of guidelines and principles to articulate the linkages between domestic political ethics and foreign policy behaviours.²⁰ Further, it does not demand that states radically redefine their understanding of their role as the protector of particular interests; yet it does require states to take action on global issues and actively seek to improve positive trends in international politics. Although the concept is not without criticism²¹ it “likely represents the best available rubric for morally oriented action by states”.²²

3. Use in Australian politics

The 'good international citizen' model is inextricably connected with the way Australian leaders perceive and describe their foreign policies. Since 2007, every Australian government has used the term 'good international citizen' to describe its foreign policy.

Abbott used the term in April 2015 to describe Australia's military involvement in the Middle East: "the fundamental point I want to make is that we are a *good international citizen*. We have a long history of shouldering our responsibilities to the wider world."²³ Abbott has also used the term to describe Australia's immigration policy²⁴ and international security:

We've never shirked our share of responsibility: to help people in trouble, to keep the peace and to deter and defeat aggression. That's our record as a good international citizen.²⁵

Abbott's Foreign Minister, Julie Bishop, even used the term to defend Australia's action on Climate Change describing Australia as "a reliable partner. A good international citizen."²⁶

While Rudd used the term only sporadically as Prime Minister, and Gillard not at all,²⁷ ALP Foreign Ministers used the term frequently. Stephen Smith released a ministerial statement on Australian aid titled *Australia's International Development Assistance Program: A Good International Citizen*²⁸ and used the term no less than six times in a speech to the Sydney Institute in 2008.²⁹ Australia's "standing as a *good international citizen*"³⁰ and objective to "act as a *good international citizen* in building a stable and just international rules-based order"³¹ were endorsed by Bob Carr and Kevin Rudd respectively.

Although it originated much earlier than Evan's first use,³² the term's popular genesis in the Department of Foreign Affairs and Trade (DFAT) in 1988 and its adoption by every Australian government since³³ has firmly rooted the good international citizen doctrine into the Australian political lexicon. In fact the term is so well enshrined, that a 2005 Lowy Institute poll assessing the public's attitudes towards foreign policy found that 82 per cent of Australians believe Australia is a 'good international citizen'.³⁴

4. The Good International Citizen Methodology

The following study will employ a methodology based largely upon Pert's good international citizen *attribute-based* framework. Due to the lack of a clear definition or description of the concept in reference to a state's activities, Pert suggests an alternate framework that consists of 'core' attributes that states' should demonstrate in order to qualify as a 'good international citizen'. These are:

1. *compliance with international law;*
2. *support for multilateralism;*
3. *willingness to 'pitch in' to international tasks; and*
4. *morality or ethics – international 'good deeds'.*³⁵

A state does not need to demonstrate all of these attributes in order to be qualified as a 'good international citizen'. Pert asserts that in fact "the presence of one may suffice".³⁶ The state however, must demonstrate a fifth attribute of "*leadership – improving or raising international standards*" in order to qualify that activity or policy as one of good international citizenship:

None of the first four good international citizen attributes, taken alone, will suffice to characterise an activity as a good international citizen activity: each of these attributes requires an additional dynamic quality, described variously as leadership, proactivity, or not simply adhering to existing standards of international behaviour but acting at a higher standard and encouraging other states to do the same.³⁷

This study will therefore proceed to assess Australian foreign policy towards Israel-Palestine via a methodology developed using two of Pert's proposed attributes. The methodology will initially employ the attributes of '*compliance with international law*' and '*support for multilateralism*' in isolation. These two attributes are the most relevant to this study because international law and multilateral diplomacy are issues at the forefront of the Israel-Palestine conflict. Further, Evans asserts that these two attributes alone are sufficient "to enable detailed comparative analysis".³⁸ It will then qualify these initial assessments against the framework's fifth attribute of '*improving or raising international standards*' by way of a leadership test that seeks to assess how the two respective governments have fared in terms of championing good international citizen behaviour. The analysis will conclude by proposing which, if either, party has demonstrated behaviour consistent with the 'good international citizen' model towards the Israel-Palestine conflict in regards to the specific *attribute*.

CHAPTER THREE: COMPLIANCE WITH INTERNATIONAL LAW

1. Introduction

The previous chapter established that '*compliance with international law*' is one of the fundamental attributes of a 'good international citizen'. This chapter will assess Australia's embodiment of this attribute towards the Israel-Palestine conflict. It will establish that international law is relevant to the case for good international citizenship in this conflict because of the overwhelming international consensus that Israel is in clear violation of international law³⁹ and will establish that:

- a) The Fourth Geneva Convention applies to the Occupied Palestinian Territories (OPT);
- b) Israel's settlement program is illegal under international law; and
- c) Australia has a responsibility to ensure Israel's compliance with international law.

The methodology will assess the attribute of '*compliance with international law*' in the policies and activities of the Rudd-Gillard and Abbott governments towards the conflict. It will then qualify this assessment by seeking evidence of leadership in this field to determine if either government can be regarded as a 'good international citizen' on the issue.

2. International law in the Israel-Palestine conflict

2a. *The Fourth Geneva Convention applies to the OPT*

International opinion widely concurs that the OPT are occupied by Israel. The term OPT refers to the territories occupied by Israel following the 1967 six-day war and consists of the West Bank, East Jerusalem and the Gaza Strip. Israel asserts that these territories are not occupied, referring to the areas instead as 'administered territories'.⁴⁰ UN Security Council (UNSC) resolution 242 however – which was adopted unanimously in the aftermath of the 1967 war by all 15 members – emphasises “the acquisition of territory by war” is inadmissible, and affirms the need for Israeli forces to withdraw from “territories occupied in the recent conflict”.⁴¹ Since 1967 the UN General Assembly (UNGA), UNSC and International Court of Justice (ICJ) have repeatedly referred to the territories as the “Occupied Palestinian Territories” and have declared Israel to be an “occupying power”.⁴²

There is international consensus that the Fourth Geneva Convention applies to the OPT. The Geneva Convention refers to the treaties adopted in 1949. The four treaties establish the core international law standards that regulate the conduct of conflict.⁴³ The *Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War* governs the law of occupation. It establishes the rights and duties of the occupying power and outlines how civilian populations of an occupied territory are to be treated by the occupier under international law.⁴⁴

Israel must adhere to the Fourth Geneva Convention. Despite refusing to recognise that the Convention applies to the OPT, Israel remains a party to the

Convention because Israel ratified all four Geneva Conventions on 6 July 1951.⁴⁵ There is therefore, unsurprisingly, little international support for Israel's claim that the Fourth Geneva Convention does not apply *de jure* to the OPT. Moreover, had Israel not ratified the Convention, the international community nevertheless understands that "all states continue to be bound by the customary international law of war *even* if they denounce the Fourth Geneva Convention".⁴⁶

2b. Israel's settlement program is illegal under international law

Israel's settlement program is in clear violation of the Fourth Geneva Convention. According to rule 130 of the Convention "states may not deport or transfer parts of their civilian population into a territory they occupy".⁴⁷ Israel's settlement program inside the OPT is also a "grave breach" of Protocol I, Article 85(4)a, which states:

The transfer 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, [are] in violation of Article 49 of the Fourth Convention.⁴⁸

Israel claims that its settlement program is not illegal because it does not recognise the Fourth Geneva Convention. Yet an overwhelming chorus of international opinion including the UNGA, UNSC, ICJ, International Criminal Court (ICC), International Committee of the Red Cross (ICRC) and European Union (EU) all concur that the Fourth Geneva Convention does apply and the settlements are therefore a clear violation of international law.⁴⁹

2c. *Australia has a responsibility to ensure Israel's compliance with international law*

International rulings affirm Australia's duty to hold Israel to its legal responsibilities. In 2004, the UNGA requested the ICJ to investigate the legal consequences arising from Israel's construction of a 'separation wall' inside the Palestinian territories. The ICJ unanimously ruled:

All States parties to the Fourth Geneva Convention are under an obligation... to ensure compliance by Israel with international humanitarian law as embodied in that Convention.⁵⁰

Australia is a party to all four Geneva Conventions⁵¹ and per Article 93 of the UN Charter; Australia is automatically party to the court's statute.⁵² Australia therefore has a duty to ensure Israel abides by the ICJ's decision.

The UN Charter further affirms Australia's duty to uphold the ICJ's decision. Although the ICJ ruling was a non-binding 'advisory opinion', all UN members nevertheless have a duty to comply with its decisions. Article 94 of the UN Charter states "each Member of the United Nations undertakes to comply with the decision of the ICJ in any case to which it is a party."⁵³ Following the decision, 14 of the 15 judges on the ICJ panel called upon the UNSC to consider what further action could be taken to end the "illegal situation resulting from the construction of the wall",⁵⁴ highlighting the court's commitment to ensuring the swift adoption of its decision.

The UNGA also voted overwhelmingly to demand that Israel comply with the court's decision. 150 states voted to adopt the resolution, yet Australia was one of only six states to vote against it.⁵⁵ The vast majority of UN Member states thus support the position that Israel is in violation of the Geneva Convention.

3. The Australian government's position on the Fourth Geneva Convention

3a. Rudd-Gillard government:

The Rudd-Gillard government demonstrated strong support for international law on the issue of the Fourth Geneva Convention. Each year the UNGA holds a resolution demanding Israel accepts the Convention's *de jure* applicability in the OPT. The Rudd-Gillard government continually voted in favour of the annual resolution (Table 1), which further stresses "that Israel, the occupying power, should comply strictly with its obligations under international law".⁵⁶ Australia's voting position during the five-year Rudd-Gillard government saw a clear departure from the decision to consistently abstain from the resolution in the final years of the Howard administration.

Table 1 - Australia's voting record in the UNGA (2008-2012): Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories.⁵⁷

Year	UNGA Resolution	Government at time of vote	Australia's vote	Total votes in favour	Total votes against	Total states abstain
2014	A/RES/69/91	Liberal (Abbott)	<i>Abstain</i>	166	7	9
2013	A/RES/68/81		<i>Abstain</i>	169	6	7
2012	A/RES/67/119	Labor (Gillard)	<i>In favour</i>	171	6	3
2011	A/RES/66/77		<i>In favour</i>	164	7	2
2010	A/RES/65/103		<i>In favour</i>	169	6	2
2009	A/RES/64/92	Labor (Rudd)	<i>In favour</i>	168	6	4
2008	A/RES/63/96		<i>In favour</i>	173	6	1

3b. Abbott government:

The Abbott government, on the other hand, has not supported the application of the Fourth Geneva Convention in the OPT. In 2013, when confronted with its first opportunity to vote in the annual UNGA resolution, the government chose to abstain rather than participate in the vote.⁵⁸ Of the 182 states eligible to vote, Australia was one of just seven states to abstain. The resolution was adopted with 169 states voting in favour. Julie Bishop defended the government's position, stating "the government will not support resolutions which are one-sided and which pre-judge the outcome of final status negotiations between the two sides".⁵⁹ The opposition Foreign Affairs spokesperson, Tanya Plibersek, criticised the government's lack of community consultation before the vote and called on the government to explain its change of position.⁶⁰

Australia also chose to abstain from the vote in 2014. Again, the resolution was adopted with a vast majority (over 90 per cent of eligible states) voting in favour.⁶¹ Following the vote, opposition MP Maria Vamvakinou publicly censured Julie Bishop for "sending a message that Australia's support for international law is qualified rather than principled".⁶²

4. Israel's settlement program

4a. Rudd-Gillard government:

In the UN, the Rudd-Gillard government strongly supported the position that Israeli settlements are illegal. During this period Australia's voting pattern was again reversed from the Howard administration, which had consistently voted against the resolution between 2004 and 2007.⁶³ The resolution states:

The International Court of Justice concluded that “the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law”... the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory... [is] in violation of international humanitarian law... and in defiance of the calls by the international community to cease all settlement activities.⁶⁴

The Rudd-Gillard administration’s decision to vote in favour of the annual resolution again placed Australia in the large majority of international opinion that acknowledges settlements are illegal (Table 2).⁶⁵

Table 2 - Australia’s voting record in the UNGA (2008-2014): Israel settlements in the Occupied Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan.⁶⁶

Year	UNGA Resolution	Government at time of vote	Australia’s vote	Total votes in favour	Total votes against	Total states abstain
2014	A/RES/69/92	Liberal (Abbott)	<i>Abstain</i>	159	7	12
2013	A/RES/68/82		<i>Abstain</i>	166	6	9
2012	A/RES/67/120	Labor (Gillard)	<i>In favour</i>	169	6	5
2011	A/RES/66/78		<i>In favour</i>	162	7	4
2010	A/RES/65/104		<i>In favour</i>	169	6	3
2009	A/RES/64/93	Labor (Rudd)	<i>In favour</i>	167	7	3
2008	A/RES/63/97		<i>In favour</i>	171	6	2

4b. Abbott government:

The Liberal party has not supported international law as prescribed by the good international citizenship doctrine. The Abbott government’s disregard for international law towards the Israel-Palestine conflict is evidenced by its decision to abstain from the 2013 and 2014 UNGA votes on the illegality of Israeli settlements (Table 2), reversing Labor’s position and thus isolating Australia from the bulk of the international community.

Moreover, the Abbott government undermined Australia's progress on the restoration of international law more globally. Despite claiming that "Middle East resolutions should be balanced",⁶⁷ the Abbott administration demonstrated that it had abandoned any semblance of support for international law towards the conflict when Julie Bishop questioned the illegality of Israel's settlement program in an Israeli interview. Bishop stated "I would like to see which international law has declared them illegal".⁶⁸ Ironically, the very same article conceded "violations of the [Fourth Geneva] convention are considered war crimes under international law. Israel is a party to the convention and is therefore bound by it."⁶⁹

Further, opposition to Australia's tolerance of Israel's actions exists even within Israel. Israeli law experts, including former Israeli Attorney-General Michael Ben-Yair, wrote to Julie Bishop to express their "deep concern" with her comments, and reaffirm support for the international legal consensus regarding settlements.⁷⁰ Finally, the government's ability to criticise Palestinian violence but "rarely condemn Israeli illegality and violence as stridently" further illustrated that it is not yet ready to "join the rest of the world in being a responsible, pro-international law adult".⁷¹

5. Leadership assessment

The Abbott government did not demonstrate the attribute of '*compliance with international law*' towards the Israel-Palestine conflict sufficiently to meet the good international citizen definition. The '*leadership*' assessment will therefore be applied to the Rudd-Gillard government in isolation.

While the Rudd-Gillard administration took a firm stance towards settlements in their UNGA votes, their position outside the UN was markedly different. In the period from late 2007 until early 2013, the government consistently refrained from using the term 'illegal' in its criticism of Israel's settlements. It instead chose to label them as either "undermining" or "counter-productive" to the peace process and often called for a "freeze in Israel's settlement activity".⁷²

The government demonstrated occasional flourishes of stronger public language. Australia's Ambassador to the UN, Gary Quinlan, twice referred to Israel settlements as 'illegal' when addressing the UNSC. In 2011 he stated, "Australia unambiguously opposes new Israeli settlements. They are illegal" and in 2012 he declared, "Settlement activity, which is illegal under international law, must cease".⁷³ Defence Minister Stephen Smith, and Foreign Minister Bob Carr attended the Australia-UK Ministerial Consultations (AUKMIN) in late 2013, and along with two UK ministers,⁷⁴ issued a communiqué that stated "We call on Israel to stop settlement activity. All settlements are illegal under international law and settlement activity undermines the prospects for peace".⁷⁵

However these examples are only a handful of definitive public statements on the illegality of Israeli settlements and signal insufficient requisite *'leadership'* on the issue. Aside from a brief burst of more courageous language in the final months of Rudd's second term in late 2013, the administration demonstrated little appetite for a firmer position towards settlements.⁷⁶

6. Conclusion

Assessment of the Rudd-Gillard and Abbott governments finds that neither administration can be regarded as a 'good international citizen' for this attribute. The Rudd-Gillard government made significant attempts to further the case for restoring international law in relation to the Israel-Palestine conflict through its voting positions in the UNGA. Yet by employing weaker language and describing Israeli settlements as 'unproductive' rather than 'illegal' the administration failed to meet the '*leadership*' assessment and therefore cannot be regarded as a 'good international citizen' on the issue.

The Abbott government consistently undermined any efforts to comply with international law through its voting positions in the UNGA and by publicly questioning the validity of international opinion, which overwhelmingly determines Israeli settlements are illegal. It too, therefore fails to meet the 'good international citizen' standard for the attribute of '*compliance with international law*'.

CHAPTER FOUR: SUPPORT FOR MULTILATERALISM

1. Introduction

This chapter will assess the way in which the Rudd-Gillard and Abbott governments have displayed the attribute of '*support for multilateralism*' in their respective activities and policies towards the Israel-Palestine conflict. It will establish '*support for multilateralism*' as the second important attribute of the good international citizen doctrine. It will then examine how each administration approached the task of multilateralism – performed by both governments primarily as multilateral diplomacy via the UN – and it will examine their actions and statements on relevant multilateral processes. The chapter will conclude with a '*leadership*' assessment to determine which party, if either, has sufficiently worked to raise international standards of multilateral interaction towards the conflict.

2. Australian multilateralism

Support for multilateralism is the second attribute of the good international citizenship framework. *Multilateralism* can be broadly defined as “a process that coordinates behaviour among three or more countries on the basis of generalised principles of conduct”.⁷⁷ More specifically, *multilateral diplomacy* can be defined as “the practice of involving more than two nations or parties in achieving diplomatic solutions to supernatural problems.”⁷⁸ Evans argues that Australia will continue to place a greater emphasis on multilateral diplomacy to advance our own interests and to solve global problems, many of which can only be solved by a multilateral approach.⁷⁹

Evans' conceptualisation of Australia's 'good international citizen' approach to foreign policy aligns closely with our self-perception as a middle-power. The middle-power role is defined as:

The tendency to pursue multilateral solutions to international problems, the tendency to embrace compromise positions in international disputes, and the tendency to embrace notions of 'good international citizenship' to guide diplomacy.⁸⁰

Traditionally, Labor had endorsed multilateralism as a legitimate and necessary form of 'middle-power' diplomacy, while the Liberal party has espoused a greater preference for unilateralism and maintenance of the US alliance.⁸¹ Despite an ideological divergence, for more than half a century the nation's two main political parties have each maintained support for three broad pillars of Australian foreign policy: support for the US alliance; maintaining positive relations with our major Asian neighbours; and the preservation of Australia's position in a rules-based international system.⁸² In pursuit of the third pillar, the UN is said to be the "forum where our good international citizenship objectives are most actively pursued".⁸³

The UN has also proved to be the arena in which the merits of good international citizenship have been most actively challenged. Illustrating the struggles of multilateral diplomacy in international relations, the *Oxford Handbook of Modern Diplomacy* states:

The biggest distortion has occurred on the Israel-Palestine issue. There is now a near-universal consensus in the international community that we need to have a two-state solution and that the forty-five year illegal Israeli occupation of Palestinian land has to end. To rescue the UN and strengthen multilateral diplomacy, we have to quickly resolve the Israel-Palestinian issue because it has generated more international political poison than any other issue.⁸⁴

The following analysis will therefore examine the ‘*support for multilateralism*’ attribute in the Rudd-Gillard and Abbott administrations towards the Israel-Palestine conflict, focusing primarily on activities undertaken in, and statements regarding the UN.

3. Rudd-Gillard government

Kevin Rudd was a staunch advocate for multilateral engagement. DFAT’s 2008 annual report affirmed the new government’s “emphasis on multilateral diplomacy... demonstrated by an enhanced involvement in the United Nations”.⁸⁵ Under Rudd, the ALP promoted multilateralism as a defining feature of its foreign policy platform. In 2007 the party elevated ‘UN Membership’ as one of the three fundamental pillars of ALP foreign policy, which later became Australian foreign policy once in government.⁸⁶

The Rudd government strongly supported multilateralism through the UN. The administration enthusiastically pursued a temporary two-year term on the UNSC. For a country that “prides itself on its good international citizenship”, the UNSC bid made sense: temporary membership on the council is difficult to secure, yet it offers significant prestige and “has wide-ranging scope and authority under the UN Charter to make a real difference”.⁸⁷ Within his first few weeks as Prime Minister, Rudd travelled to the UN headquarters in New York to meet with UN Secretary-General Ban Ki-moon to announce Australia’s candidacy for a non-permanent seat on the UNSC in 2013-2014. Prior to Rudd’s announcement, Australia had not assumed a seat on the UN body in almost thirty years.⁸⁹

Julia Gillard did not share the same enthusiasm for multilateralism as Kevin Rudd, yet she maintained many of his endeavours to restore multilateral efforts to the centre of Australian foreign policy activity. Prime among them, was Gillard's commitment to nurture Australia's UNSC bid through to success. Broadly speaking, multilateral progress from both leaders served to "signify an Australian engagement with international law and multilateralism that had long been lacking."⁹⁰ The government's activities in one area, however, undermined the principles it had earlier upheld in the attribute of '*support for multilateralism*'.

3a. *Palestine's statehood bid*

Despite Australia's vigorous UN campaign, the Gillard-led administration abstained from the historical vote to upgrade Palestine's status in the UNGA. Palestine's bid for unilateral statehood through the UN is regarded as "one of the most significant developments in Israel-Palestinian relations in recent years"⁹¹ because of its potential to multilateralise the conflict and greatly elevate Palestine's statehood agenda.

During this time, both Rudd and Gillard confirmed they did not support the multilateralisation of the Palestinian campaign, despite both affirming support for a two-state solution.⁹² Rudd wanted to wait for the conclusions of peace-process "deliberations"⁹³; Gillard was more explicit. In an article written for *the Australian*, she declared:

If a Palestinian statehood resolution is introduced to the General Assembly we will consider it carefully... But no UN resolution will change present realities on the ground. That is why we believe *direct negotiation* is the only true path to peace.⁹⁴

Australia had not yet commenced its two-year term on the UNSC, yet it was quick to dismiss multilateral diplomacy via the UN as an avenue for progress on the Israel-Palestine conflict. Palestine had long considered taking its campaign for statehood to the UNSC, yet remained weary of a likely US veto on the issue and therefore chose to pursue the bid through the UNGA instead. On 29 November 2012, the UN overwhelmingly voted to accord Palestine *non-member observer status*. 138 states voted in favour of the resolution with only 9 states voting against it.⁹⁵ Australia eventually chose to abstain from the vote and issued a statement, again asserting *direct negotiations* as the only possible basis for resolution of the Israel-Palestinian conflict.⁹⁶ By advocating that both parties return to *direct negotiations*, Australia effectively signalled to the international community that it was prepared to accept the *status quo* and sweep the conflict to the margins of its international agenda.

4. Abbott government

The Abbott government's foreign policy largely stressed bilateralism over multilateralism. Conservative Australian governments have traditionally tended to favour bilateralism as a means for securing interests and maintaining strategic relationships.⁹⁷

Abbott's stance towards multilateralism thus differs greatly from Rudd. Statements such as "more Jakarta, less Geneva" signalled early on that the Liberal party's approach to foreign policy would see a greater reliance on bilateral relationships coinciding with a reduced interest in regional and multilateral institutions, such as the UN or G20.⁹⁸ The Abbott government's disparagement of multilateral endeavours reflects a "deeper conservative scepticism concerning

the efficacy and legitimacy of multilateral cooperation initiatives, both at the global and regional levels.”⁹⁹

4a. *The Australian-Israeli relationship*

The government’s decision to restore its alliance with Israel, without ensuring Australia’s continued engagement in multilateral processes relevant to the peace-process undermines any claim towards good international citizenship against this attribute. Julie Bishop announced one of her aims was to “restore bipartisan support for Israel”.¹⁰⁰

There is nothing inherently concerning about Australia seeking to restore existing alliances with other states, and Bishop’s move was certainly the prerogative of a Foreign Minister. Alan Gyngell notes that governments can, and naturally will, “bring their own philosophies to bear upon their foreign policies”.¹⁰¹

Yet in the case of the ‘*support for multilateralism*’ attribute, Bishop’s statement was relevant because of the aversion it signalled towards multilateral engagement in the conflict. Pert asserts “while an absence of support for multilateralism may not be fatal to good international citizenship, active steps to oppose or undermine multilateralism will be”.¹⁰²

4b. *Multilateral efforts to resolve the conflict*

The Abbott administration continuously opposed multilateral efforts to resolve the Israel-Palestine conflict. The government repeatedly abstained from voting in UNGA resolutions condemning Israel’s settlement activities. It made no effort to communicate or explain Australia’s change of policy to the public,

further eroding confidence in Australia's engagement in the multilateral UN body. Palestine's Ambassador to Australia, Izzat Abdulhadi, explained the government's actions as "regrettable", adding "there was no transparency in their approach".¹⁰³

The Abbott government's *'support for multilateralism'* was also damaged by the way it had reacted to Labor's UNSC bid. Although the Liberal government served the majority of Australia's term on the council (September 2013 – December 2014) the forum's credibility was undermined domestically by the administration's many comments and statements made against the bid while in opposition. In 2010, Tony Abbott told reporters the Coalition would scrap the government's UNSC bid if elected, saying there were "vastly higher priorities for Australia".¹⁰⁴ Julie Bishop also criticised the bid, saying it was unjustified and would not benefit Australia: "we've been concerned in relation to the bid for 2013/2014 from the outset. I can't see any circumstance where we would change".¹⁰⁵

5. Leadership assessment

5a. Rudd-Gillard government

The Rudd-Gillard government actively sought and pursued a role for itself in the UN system. In addition to Rudd's successful campaign to secure a non-permanent UNSC seat in 2013-2014, the administration demonstrated strong leadership qualities by maintaining Australia's record of paying its UN dues regularly and on time. In fact, during the six-year administration, Australia's

financial contributions to the UN increased significantly: between 2006 and 2010 they tripled, and by 2012 they had doubled again.¹⁰⁶

Yet by choosing to abstain rather than to participate in the 2012 UNGA vote, the government undermined its own leadership progress in this field. 51 per cent of Australians wanted the government to vote ‘Yes’ in the resolution, while only 15 per cent supported a ‘No’ vote.¹⁰⁷ Greens leader, Christine Milne, announced her dismay that Australia was not among the “overwhelming global consensus” in support of the bid.¹⁰⁸

5b. Other multilateral forums

AUSMIN: Australia participated in the annual Australia-United States Ministerial Consultations¹⁰⁹ (AUSMIN) each year between 2007 and 2014. Each forum produced a joint Australia-US communiqué, in which the both the Rudd-Gillard and Abbott administrations expressed support for “direct negotiations” between Israel and Palestine.¹¹⁰ Neither government indicated an interest or desire to support multilateral endeavours – in relation to either the resumption of peace-talks or new alternatives to bilateral negotiations – via the AUSMIN forum.

CHOGM: Both government’s participated in multilateral Commonwealth Heads of Government Meetings (CHOGM) forum held biennially. The body boasts 53 member-states of Commonwealth countries¹¹¹ and professes its ability to “generate and sustain effective international action on global challenges”.¹¹² Yet the Israel-Palestine conflict was not raised in this forum by either government and/or the issue did not feature in any of the body’s final outcome documents.

5c. Abbott government

The Abbott government largely failed to demonstrate any leadership towards multilateralism regarding the conflict. Its biggest opportunity came during its fifteen-month seat on the UNSC. A Lowy Institute poll found that 64 per cent of Australians believed a seat on the UNSC would provide Australia with more global influence.¹¹³ While Australia's overall term on the council has been generally regarded as successful¹¹⁴, the Abbott administration failed to capitalise on the opportunity to present or support agenda items towards the Israel-Palestine conflict. Given Australia's strong alliance with the US – one of the five permanent-members holding veto-powers – the opportunity to introduce agenda items to the fifteen-member council that could garner Washington's endorsement was even greater.

Yet Australia did not introduce any measures relating to either Israel or Palestine, and failed to fully capitalise on the opportunity. As President of the council, member-states are afforded the chance to champion 'pet projects'. Australia held the position of Council President twice, first in September 2013 and again in November 2014. During the first presidency, Australia pursued a project on small arms and light weapons, which was seen by many within the secretariat as "a waste of time and energy".¹¹⁵ Australia's November presidency produced a more substantial resolution regarding UN peacekeeping.¹¹⁶ Yet no resolutions seeking to resolve the Israel-Palestine conflict passed during Australia's term. The only Presidential Statement made by Australia relating to the Middle East related solely to events in Syria.¹¹⁷ The missed opportunity to assert a more independent national interest rather than being seen as the only

state to support the US, was said to have diminished Australia's reputation and "international standing".¹¹⁸

6. Conclusion

Based on the assessment above, it is evident that the Abbott government did not demonstrate sufficient '*support for multilateralism*' towards the Israel-Palestine conflict to be considered a 'good international citizen'. Its disdain for Australia's UNSC bid expressed in opposition undermined the government's credibility during its fifteen-month term on the council. Moreover, the government's failure to demonstrate any requisite leadership for this attribute through the UN or other multilateral forums confirms its behaviour as inconsistent with the 'good international citizen' doctrine.

Conversely, the Rudd-Gillard government can be seen to have demonstrated broad support for multilateralism within its foreign policy, yet it too failed to sufficiently meet the 'good international citizen' criteria for this attribute. While the administration pushed heavily to secure a temporary two-year seat on the UNSC, both Kevin Rudd and Julia Gillard actively resisted multilateral efforts that sought to work towards a resolution to the conflict, primarily evidenced through both leaders' staunch support for bilateral negotiations and Australia's decision under Gillard's leadership to abstain from the 2012 UNGA vote to unilaterally recognise the State of Palestine.

One possible explanation for these conclusions is that neither government possessed an adequate understanding of Palestine's strategy of internationalisation. The following chapter will therefore seek to examine the strategy to enable future governments to respond to it more effectively.

CHAPTER FIVE: UNDERSTANDING THE PALESTINIAN STRATEGY OF 'INTERNATIONALISATION'

1. Introduction

This chapter will examine Palestine's Strategy of 'Internationalisation' (PSI). It will analyse the factors that have led to the strategy's ascendance since 2009 as an alternative approach to bilateral negotiations with Israel. Contrary to claims that the PSI seeks to undermine the negotiation process, it will establish that the PSI was originally conceived in the mid-1970s, yet was subsequently delayed for almost twenty years to allow negotiations to succeed. It will argue that the PSI has resurfaced as Palestine's dominant approach towards resolving the conflict precisely because negotiations have failed: they have not produced required outcomes for the Palestinians; yet under a guise of supporting the negotiation process Israeli settlements have continued to expand into Palestinian territory unimpeded. The chapter will establish the PSI's two primary objectives: first, to advance recognition of the State of Palestine via international organisations, and second, to restore international law to the centre of the conflict. The chapter will conclude by arguing that both objectives provide Australia with an opportunity to fulfil its duties as a 'good international citizen' towards the Israel-Palestine conflict. The final chapter of the report will provide a set of recommendations for how Australia can meet the good international citizen criteria by better supporting the PSI.

2. Origins of the PSI

Since 2009, Palestine's leadership in Ramallah has endeavoured to establish internationally recognised parameters for resolving the Israel-Palestine conflict. The term 'internationalisation' features prominently in existing discourse surrounding the peace-process and two-state solution,¹¹⁹ yet no official document is known to exist that definitively outlines the strategy.¹²⁰ Further analysis of the PSI is therefore required. Key events that have contributed to the evolution of the PSI are presented below (Table 3).

Table 3 - Timeline of Events: Evolution of Palestine's Strategy of Internationalisation¹²¹

Year	Event
1974	<ul style="list-style-type: none"> ▪ The Palestinian Liberation Organization (PLO) releases 'Ten-point program' declaring scope for broader political options to armed struggle ▪ Yasser Arafat delivers first address to the UN ▪ The UN and Arab League recognise the PLO as the 'sole, legitimate representative of the Palestinian people
1988	<p>PLO begins to advance internationalisation</p> <ul style="list-style-type: none"> ▪ PLO releases '<i>Declaration of Independence / Proclamation of the State</i>' ▪ PLO debates pursuing statehood through the UN
	<p>PLO defers internationalisation in favour of bilateral negotiations</p> <ul style="list-style-type: none"> ▪ Two PLO factions emerge at odds regarding UN resolution 242: <ul style="list-style-type: none"> ○ <i>First faction led by Riyad Mansour pushes for pursuing statehood through UN immediately;</i> ○ <i>Second faction led by Farouk Kaddoumi raises concerns about possible detrimental outcomes this approach may produce for Palestinian refugees</i> ▪ PLO decides not to internationalise statehood through the UN after Mansour's faction fails to placate Kaddoumi's concerns ▪ Arafat renounces violence; UNGA acknowledges Palestine's <i>Declaration of Independence</i> and changes PLO's UN designation to 'the State of Palestine' ▪ Internationalisation is deferred indefinitely

<p>2009</p>	<ul style="list-style-type: none"> ▪ Abbas publishes letter in the New York Times, titled <i>the Long Overdue Palestinian state</i>; declares "Palestine's admission to the UN would pave the way for internationalisation of the conflict"
<p>2010</p>	<ul style="list-style-type: none"> ▪ Mahmoud Abbas tells UNGA Palestine will return to negotiations if Israel ceases settlement expansion ▪ Talks breakdown when Israeli settlement moratoriums in the West Bank and East Jerusalem expire, Netanyahu refuses to extend the freezes
<p>2011</p>	<ul style="list-style-type: none"> ▪ Arab League approves Abbas's request to withdraw from negotiations ▪ Palestine admitted into UNESCO as 195th <i>member-state</i>
<p>2012</p>	<ul style="list-style-type: none"> ▪ UNGA votes to upgrade Palestine's status to <i>non-member observer state</i>, allowing Palestine to access and join international organisations and conventions

Unsurprisingly, the success of the PSI since 2009 and the results that it produced within a short period of time invoked strong criticism from the strategy's opponents.

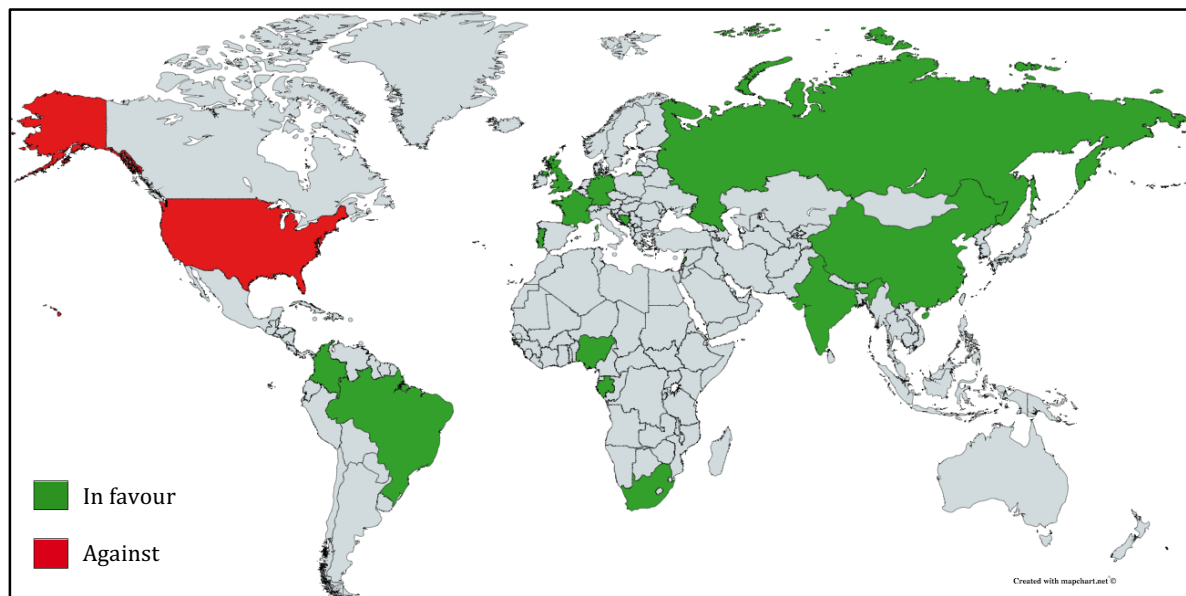
2a. Claims the PSI undermines bilateral negotiations

Israel asserts that Palestine's internationalisation strategy is simply a tactic to derail the peace-process. Israel's National Security adviser Yossi Cohen described the PA's push for internationalisation as an attempt to "advance a forced settlement on Israel on its own terms instead of conducting peace negotiations".¹²² In April 2014, the UN and Swiss government accepted a request from the State of Palestine to accede to the Fourth Geneva Convention. Israel's Ministry of Foreign Affairs declared the move a "multilateral mechanism falling victim to an anti-Israel agenda" adding that it sends "President Abbas the message that unilateral action is preferable to direct negotiations with Israel".¹²³

The US also characterises Palestine's internationalisation strategy as a threat to bilateral negotiations with Israel. When a resolution on the illegality of Israeli

settlements in the West Bank and East Jerusalem came before the UNSC in 2011, the US stood alone as the only state on the 15-member council that failed to condemn Israel's settlements as illegal by vetoing the resolution (Figure 1). American Ambassador to the UN, Susan Rice, claimed to reject Israel's settlement activity, yet she justified the US's veto by arguing that the resolution "risks hardening the positions of both sides and could encourage the parties to stay out of negotiations".¹²⁴ Thus both Israel and the US have portrayed Palestine's efforts to internationalise the conflict as a threat to negotiations and the bilateral peace-process.

Figure 1 - 2011 Draft UNSC resolution on Israeli Settlements¹²⁵



This example highlights the irony of US policy towards Palestine. Washington fails to oppose Israeli unilateralism regarding illegal settlements, yet simultaneously condemns Palestinian unilateral efforts in the UN to enforce international law. However, it is evident that the PSI was not created to undermine bilateral negotiations with Israel. Rather, the PSI's ascendance has

occurred as a result of their failure. In order to explore this more thoroughly it is necessary to examine the factors that contributed to the strategy's resurgence.

3. Reasons for the PSI's ascendancy since 2009

3a. Flawed peace-process

Two decades after abandoning internationalisation for negotiations, Ramallah's reasons for taking a much-needed hiatus from bilateral talks with Israel are legitimate. More than sixteen years after a final settlement was meant to take place, faith in the peace-process is at an all-time low: Israelis and Palestinians alike appear to have lost all hope in bilateral diplomacy.¹²⁶

Examining the series of interdependent events that contributed to the breakdown of negotiations over a twenty-year period is beyond the remit of this report. Yet it is clear that some fundamental issues exist within the bilateral framework. Chief among them is the substantial and growing power imbalance between Israel and Palestine, and the fact that any attempt to level the playing field by pressuring Israel to freeze settlement expansion, or by supporting the PA's reconciliation with Hamas, would inevitably entail a political cost for the US.¹²⁷ Aside from the deeply flawed peace-process, a second factor has led to the rise the PSI during this period.

3b. Israel's settlement program

Israel's illegal settlement enterprise continues to expand into Palestinian land. This land is meant to form part of the Palestinian state. As of May 2015, there are an estimated 547,000 Israeli settlers living illegally in the West

Bank.¹²⁸ This figure has more than doubled since Oslo.¹²⁹ In the period from 2003 to 2008 alone, the settler population in the West Bank grew by 31 per cent.¹³⁰ Since 2009, under Netanyahu, Israel's settler population has grown at twice the speed of Israel's overall population.¹³¹ Israel's settlements, which have reportedly received more than US\$80 billion in investment since 1967¹³² are now said to control more than 42 per cent of land in the West Bank.¹³³ Moreover, the Israeli government provides generous subsidies, financial benefits and tax exemptions to Israelis who move to settlements inside the OPT.¹³⁴

Following further disintegration of the peace-process and combined with Netanyahu's resurging popularity, it is clear that the PA were left with little choice but to abandon negotiations in favour of a new approach to resolving the conflict and ending Israel's occupation.¹³⁵ Confronted with only undesirable options,¹³⁶ Abbas chose to pursue internationalisation via the UN. The final section of this chapter will examine the objectives of the PSI and how Australia can best respond to it.

4. Understanding the PSI

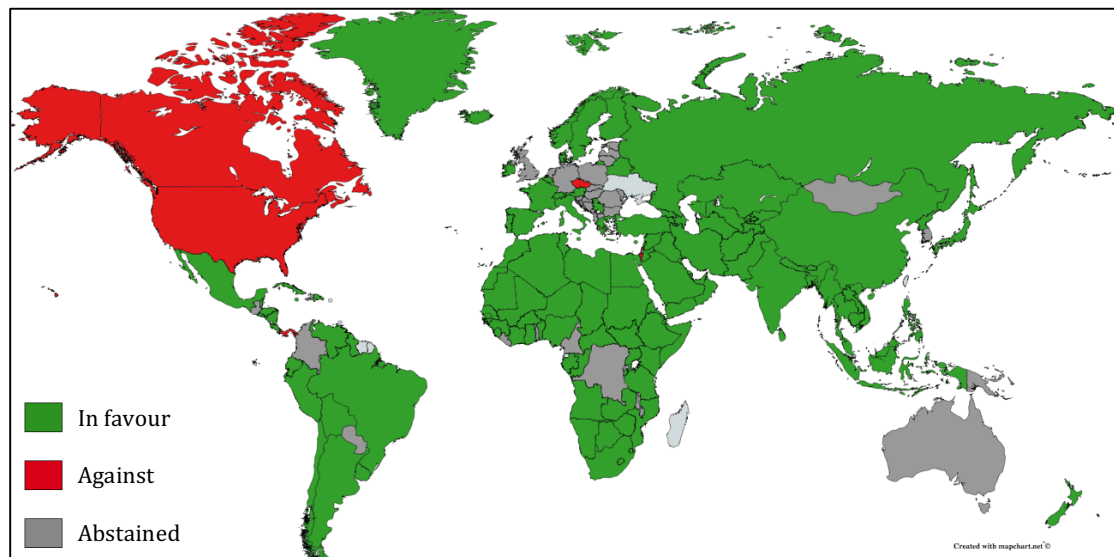
The PSI refers to the Palestinian strategy of advancing recognition of the Palestinian State via two primary means: internationally recognised organisations, and international law. Internationally recognised bodies, particularly within the UN structure, are a central component of the strategy. In 2010 Dr Mohammad Shtayyeh, a member of the Palestinian Delegation to final status negotiations with Israel, laid out how these organisations form the foundation of the internationalisation strategy:

First, Palestine will turn to the international community and ask it to recognize an independent Palestinian state on the borders of 1967... If this does not work, the Palestinians will turn to the UN Security Council to recognize their state. If the proposal is vetoed... the Palestinians will then call for an emergency session of the UN General Assembly... whose resolutions carry the same political weight as those of the Security Council.¹³⁷

The UN has featured, above all other forums and bodies, as the stage for the implementation of the strategy and has served to advance its international foundation. Abbas demonstrated the PA's desire to develop greater state-to-state relations via the UN when he announced that Palestine had "met all prerequisites to statehood" listed in the *1933 Montevideo Convention*, and called upon "all friendly, peace-loving nations to join us in realizing our national aspirations by recognizing the State of Palestine... by supporting its admission to the United Nations".¹³⁸

This component of the PSI is visible when observing that close to 140 countries now recognise the State of Palestine (Figure 2).

Figure 2 - 2012 UNGA resolution A/RES/67/19: "Status of Palestine in the United Nations"¹³⁹



The second component of the internationalisation strategy is to restore greater emphasis on international law in the Israel-Palestine conflict. In his letter to the New York Times, Abbas articulated the importance of redefining the Israel-Palestine conflict on *legal* rather than *political* terms, and he referred to possible claims against Israel in the UN and the ICJ, should the PSI proceed.¹⁴⁰ International law strongly underpinned a draft PLO resolution submitted through Jordan to the UNSC in December 2014, which called upon all parties to abide by international humanitarian law obligations including the Geneva Conventions.¹⁴¹ Although ultimately unsuccessful, the defeat of the 2014 draft resolution provided Abbas with the necessary political incentive to proceed to signing the Rome Statute, which is the founding charter of the ICC, paving the way for further potential criminal charges against Israel.¹⁴² Thus a suitable definition for the PSI may be presented as follows: “the aim of internationalisation is to use the weight of international law and the authority of international institutions to build global support for, and give increasingly tangible form to, Palestinian statehood.”¹⁴³

4a. *Negotiation verses internationalisation*

Internationalisation is a different approach to negotiation, yet the two are not mutually exclusive. The latter can support the former. There is a perception among the PLO leadership that Washington has created a role for itself as the chief mediator in the conflict and does not want this position compromised by multilateralism.¹⁴⁴ By internationalising its agenda via the UN to include members like Russia and the EU, the strategy aims “not so much to exclude the US but to dilute its monopoly on the negotiations” thus boosting Palestine’s

diplomatic leverage.¹⁴⁵ A second, and more commonly held position in Ramallah is that any hope negotiations held for yielding results under the Oslo frameworks are impossible; the PA should instead focus on building national institutions and sufficient governance to acquire the status of a state via the UN.¹⁴⁶ Abbas reaffirmed this position in his speech to the UNGA in October 2015, declaring Palestinians were no longer bound by mutual agreements with Israel, including the Oslo Accords.¹⁴⁷

Ultimately both views assert internationalisation as a framework to end the Israeli occupation. While multilateralism is presented as a response to the failure of bilateral negotiations and Israel's unilateral settlement policies, the PLO "does not make the international recognition of the State of Palestine subject to the outcomes of negotiations".¹⁴⁸ Negotiations are thus the mechanism for resolving the conflict and ending the occupation; Palestine's right to recognition as a state is already established.¹⁴⁹

5. Conclusion

Since 2009, the PSI has risen to become the PA's dominant approach to ending the Israeli occupation and advancing its statehood agenda. While Israel claims the PSI undermines prospects for future negotiations, analysis of the origins and evolution of the strategy demonstrate that the PSI was originally developed long before negotiations even commenced. Internationalisation was then deferred indefinitely to allow a bilateral negotiation process to yield results. However, it is now abundantly clear that this bilateral process has failed to produce tangible outcomes for either party. Moreover, this process has allowed the expansion of Israel's settlement program to continue unimpeded, despite

clear and repeated violations of international law. Now that Palestine has been granted entry into the community of nations, the primary objectives of the PSI are twofold: first, to advance recognition of the State of Palestine via international organisations, and second, to restore international law to the centre of the conflict in a hope to limit Israel's settlement activities. Only then, can Palestine be expected to return to a bilateral negotiation process that offers any chance of yielding meaningful results to end the occupation, and to fully establish the state it has been working towards for over forty years.

CHAPTER SIX: SUMMARY AND RECOMMENDATIONS

1. Summary of findings

This report has examined Australian foreign policy under the Rudd-Gillard (2007-2013) and Abbott (2013-2015) governments towards the Israel-Palestine conflict, under the 'good international citizen' model. It finds that neither government sufficiently demonstrated the attribute of '*compliance with international law*'. Although the Rudd-Gillard government came close, it was let down by its failure to stand by its official UNGA position when it spoke publicly about Israeli settlements. The Abbott government did not attempt to demonstrate '*compliance with international law*' towards the conflict and therefore holds no claim to the title for this attribute.

The second assessment '*support for multilateralism*' found similar results. The Rudd-Gillard government actively championed Australia's successful bid for the two-year UNSC seat in 2013-2014, and embodied broad support for multilateral diplomacy as evidenced when Rudd elevated 'UN membership' as a third pillar of Australian foreign policy. When it came to the issue of Palestine, however, neither Rudd nor Gillard supported multilateral attempts to resolve the conflict. Both leaders continued to call upon Palestine to return to bilateral negotiations, and failed to support Palestine's UN bid in 2012. The Abbott government, for its part, portrayed itself as an administration disinterested in multilateralism. It failed to support multilateral activities in the UN towards the conflict, and was one of only two states to vote against the key 2014 UNSC draft resolution to end the occupation. Moreover, when the Abbott government was afforded the chance to lead initiatives in the UNSC – a rare opportunity to submit its own multilateral

proposal for resolving the conflict – it failed to rise to the occasion and demonstrated disinterest in the Israel-Palestine conflict through this forum. Therefore, neither government can be regarded as a ‘good international citizen’ for this attribute either.

2. Palestine’s Strategy of Internationalisation: Australia’s opportunity to be a ‘good international citizen’

Finally, the Palestinian Strategy of Internationalisation (PSI) offers Australia the chance to be a ‘good international citizen’. The two attributes of the above assessment align closely with the PSI’s two key objectives: to advance international recognition of the State of Palestine via multilateral forums; and to restore international law to the centre of the conflict. Australia is not required to make a radical shift in order to meet these attributes. Nor does it require Australia to renounce its long-standing support for the State of Israel. Australia can remain a strong friend to Israel and simultaneously be a ‘good international citizen’ towards Palestine. Some recommendations are listed below.

3. Recommendations for the Australian government

- I. **Insist that Israel cease settlement expansion inside Palestinian territory** as a necessary requirement for the resumption of bilateral negotiations between both parties;
- II. **Refrain from calling on Palestine to restart negotiations** until Israel has halted all settlement activity inside Palestinian territory;
- III. **Commence a formal dialogue with the Palestinian Authority** to acquire a better understanding of Palestine’s Strategy of Internationalisation and its implications for Australia

- IV. **Support multilateral efforts to resolve the Israel-Palestine conflict** by voting in favour of annual UNGA resolutions on the illegality of Israeli settlements and the applicability of the Fourth Geneva Convention
 - V. **Reaffirm Australia's commitment to international law** by acknowledging Australia's responsibility to hold Israel to account for violations of the Fourth Geneva Convention, as prescribed by the UN charter;
 - VI. **Consider unilaterally recognising the State of Palestine** should Israel fail to cease settlements within a pre-determined timeframe.
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