

The Palestinian Crisis and the Issue of the Right to Self-Determination

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1-Introduction

In the current situation, the Palestinian people find themselves as a displaced nation without a state, and are deprived of their right to determine their own destiny. Since its establishment, the Zionist regime government has employed various tactics in accordance with a policy of forced transfer, with the aim of fragmenting and isolating the Palestinians. Consequently, the Palestinians have been subjected to different legal and political systems. This policy seeks to undermine the national unity of the Palestinians and erode their existence and identity. Zionist regime has consistently restricted the right to self-determination on the entire Palestinian land exclusively to Jews. The purpose of this article is to clarify, based on international law, the application of the right to self-determination for the Palestinian nation, including which category of Palestinians and in which territory.

2-Methodology and Conceptual Framework

This article has been prepared using the descriptive-analytical method and relies on library texts and reliable sources in the context of the virtual space. The concept of self-determination for the Palestinian nation refers to the right to self-determination in its foreign meaning, which entails having an independent state. In this research, the right to self-determination in its foreign sense is extended to all residents of Palestine who lived in the territory during British rule, were displaced to other countries due to war, those who currently reside in Palestine, or are situated within the territorial borders of the current state of Zionist regime.

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3-Discussion

The research findings suggest that the right to self-determination should be applied to all Palestinians who lived in the entire Palestinian territory under British mandate between 1922 and 1948, which including those in the West Bank, Gaza Strip, Jerusalem, Palestinian refugees, and Palestinians with Zionist regime citizenship. The research argues that any attempt to grant self-determination without considering these limits would not fully and appropriately exercise the right, as it would only include a portion of the Palestinian people and a portion of the Palestinian land. In order to ensure a comprehensive and just exercise of the right to self-determination, it is necessary to consider the entire Palestinian nation and their historical and legal entitlements.

Considering that the apartheid-colonial regime of Zionist regime prevents the Palestinian people from realizing their right to self-determination, the only possible legal solution that gives Palestinians the right to self-determination should be through the right to decolonization for the nation. Palestine should be followed within the framework of the borders of Palestine under the British mandatory. So far, the international community has helped to continue denying this right by Zionist regime by limiting the realization of the right to self-determination for the Palestinian people. This can be seen especially in the so-called Oslo peace process in 1993. The latest proposal regarding the peace process is the "Deal of the Century", also known as Trump's peace plan. According to this plan, other parts of Palestine, including half of the West Bank and part of East Jerusalem, which according to the international community belong to the Palestinian, will be handed over to Zionist regime, and in return, Zionist regime will recognize an independent state of Palestine in the other half of the West Bank and the entire strip, Gaza and several neighborhoods of East Jerusalem.

The apartheid-colonial regime of Zionist regime prevents the Palestinian people from realizing their right to self-determination. Recognizing the right to decolonization for the Palestinian nation is the only possible legal solution that gives Palestinians the right to self-determination. Palestine should be established within the framework of the borders of Palestine under British mandatory rule. So far, the international community has contributed to denying this right by

Zionist regime, limiting the realization of the right to self-determination for the Palestinian people. This is evident, especially in the so-called Oslo peace process in 1993. The latest proposal regarding the peace process is the "Deal of the Century", also known as Trump's peace plan. According to this plan, other parts of Palestine, including half of the West Bank and part of East Jerusalem, which according to the international community belong to the Palestinians, will be handed over to Zionist regime. In return, Zionist regime will recognize an independent state of Palestine in the other half of the West Bank, the entire Gaza Strip, and several neighborhoods of East Jerusalem.

This proposal not only fails to lead to the establishment of an independent Palestinian state, but also does not effectively recognize the right to self-determination for the Palestinian people. It is important to note that the creation of an independent state does not necessarily equate to exercising the right to self-determination. These two concepts are not synonymous with each other, as a state is a means to achieve political, social, and economic development as well as a dignified life for a nation. The inability of a state to practically provide these affairs makes its existence useless. Therefore, for the Palestinian people, having a state in the form that has been proposed so far in the peace negotiations and is supposed to exist within the framework of Zionist regime's colonial-apartheid policies, does not necessarily equate to determining their right to destiny.

4-Conclusions and Suggestions

The peace negotiations that have been held between Israel and Palestine have weakened the inalienable rights of the Palestinian people to determine their destiny. A human rights-based approach to resolving the Palestinian issue is crucial for ensuring the rights of all residents of British Mandate Palestine, including those in exile and the Palestinian refugees. Guaranteeing the right of return for Palestinian refugees is indeed a necessary precondition for addressing the Palestinian people's right to determine their destiny. Adopting a human rights-based approach involves ensuring the right to self-determination for all residents of British Mandate Palestine, regardless of religion or race, and establishing a new nation based on equal rights for all. The duties

of a third government regarding the Palestinian issue can vary depending on their specific role and involvement in the conflict. However, based on the provided requirements in the draft government responsibility plan, the following points can be considered:

1. Recognizing Israel as a colonial and apartheid regime and taking practical measures to stop colonial actions of the regime which is the source of the fragmentation of the borders of Palestine under the mandate system, the denial of the right of Palestinians to self-determination and the denial of the right of return to Palestinian refugees and internally displaced persons.
2. Promoting a human rights-based approach to the decolonization process in Palestine is key to ensuring that the Palestinian people can exercise their right to self-determination and that equal rights are guaranteed to all residents.

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