



Palestine and Kurdistan, New States in the Middle East?

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2017

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Research paper submitted to qualify for the title of:

Professional in International Business

Director:

Dusan Praj

Master in International Relations

Line of research:

International Relations

Institution Universitaria Esumer

Faculty of International Studies

Medellin, Colombia

2017

...Peace cannot be maintained by force; can only be achieved with understanding...

Albert Einstein

Gratefulness

The development and good results obtained with the accomplishment of the work in reference are thanks to the dedication, patience and dedication that they have offered us during this one. First we thank God for giving us the strength to allow us to finish the job. To Dusan Praj, who after the serenity with which he directed the development of the project until its completion, did not leave aside the temper that carries a work of such magnitude; thank you for the understanding and patience you preserved.

Finally, to Katherin Castrillón Martínez, Politologist and friend, which was one of the key pieces for the correct understanding of the different political aspects that were approached during the investigation.

Abstract

This research examines the difficulties experienced by the Palestinian and Kurdish people throughout history and at present, in order to determine the possibility of creating autonomous and independent states for each. Throughout the study, was used secondary sources such as newspaper articles, magazines, reports, press releases, among others that helped to clarify the situation and perceive different positions on the subject.

The sources analyzed show that there are two sides to each of the situations and that there are several arguments that support it. On the other hand, it has been demonstrated that conflicts have managed to capture the attention of the international community, which has been constantly participating and has sought to give a solution from its appearance to the present. In addition, it was noted throughout the investigation that the parties seeking to create a country have different basic aspects that bring them closer to the goal.

Finally, the data obtained were analyzed through public international law and the different arguments that were addressed during the course of the investigation, with which it was possible to respond to the object of study.

Keywords

Middle East, Kurdistan, Palestine, Independence, Geopolitics, Conflict.

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Introduction

The Middle East through history has been an area that has been characterized to capture the attention of the international community due to the constant situations that are witnessed in it. One of the reasons for these conflicts has been the geostrategic position of this area, which has led to the creation of disputes between states that want to exercise control over the different territories, rich in natural resources, and which These problems are constantly being witnessed.

The current conflict between Israel and Palestine is summed up in a struggle for a territory that began years ago and which still has left millions affected. A war that has become more complicated by the different positions of States, culture, religion, and as mentioned earlier by the control of natural resources and some territories.

In the past, the Palestinian territory presented military inferiority in the confrontations in comparison with Israel reason why this managed to impose its control on Palestine, taking possession of the territory, exerting control on the economy, the population, and the borders, among others. Including the Gaza Strip and the West Bank, who have also been subjected to Israeli control.

In vain attempts to reach agreement on the part of the countries that attempted to mediate this conflict have affected the relations between some, thus leading the international community to divide into two parts, those who support Israel and those who support Palestine. However, the search for a solution to the situation is still latent.

On the other hand, the situation of the Kurdish people is not different from that of Palestine and much less insignificant. Kurdistan's struggle to achieve independence has been present since the division of the Ottoman Empire. But this desire for sovereignty has been lost because of the difficult situation and the lack of a determined territory for the creation of a country.

Despite the negative repercussions on the part of the Islamic State and other organizations, who are supporters in the disputes of Kurdistan imposing power with the force, the town has managed to maintain itself through the years. However, the conflicts have deteriorated the population, territories and infrastructure that are patrimony of the people.

The illusion of both countries to be an independent State is evident; Nevertheless, constant competition between the parties involved in each of the disputes has made it difficult to achieve a peace process among themselves and, in turn, a solution with which all parties are in agreement and satisfied.

As a consequence of the above, the main purpose of the investigation is to analyze the situations and thus to know, what possibility exists in front of a solution of the conflicts.

1. Formulation of the Project

1.1 Background

When the history of the Western world is mentioned in hundreds of documentaries and reviews with its prowess of civilization, including the notion of the republic as its main pillar, in addition to plunge into the political progress and economic opening that occurred in the twentieth century with the democracy; all praise the culture and legacy Greek and Roman. Nevertheless, although it is true that his great empires, along with his contributions in scientific, architectural, artistic progress and in the richness of philosophical reason and their inputs to society at the time of created a constitution, has given until the day of Today, a cornerstone of admiration. Even so, it does not cease to disturb as the area of the world where the cultural wealth is most varied and exotic of all, is in constant chaos due to ethnic issues among them. This is evidenced by relevant facts and initiatives of a social system and economic order that is lived.

However, this region is constituted by several States, and in which there has been prove of economic, political and social inconveniences, so that this degree work will focus on the problems that have lived and live the Palestinian and Kurdish people and which are the true object of study.

The present name of Palestine derives precisely from the name given to the region by the Romans in reference to the land of the Philistines (Pelishtim). Arab nations argue that the present Palestinians were never part of ancient Israel, nor had any ties to the people of King

David, but were a "*people of the sea*" from the island of Crete and the last survivors of the Minoan population, whom after of the second Jewish rebellion against the Romans in 70 a.C., were settled there in a coastal strip, from the Tel Aviv to the present Egyptian border and in which flourished several city-states like Ekron, Ashdod, Ashkelon, Gath and Gaza. In that historical moment the greatest Jewish diaspora was born, initiating an exodus in which its aim was back again in 1948 to these lands due to the genocide and discrimination during World War II in the Nazi Holocaust against them. Zionism, a political movement organized in Europe at the end of the 19th century and born with the purpose of building a national and secure home for the Jewish people, considers that it is their promised land, and although millions of Jewish descendants in the world of the branches more orthodox of the religion do not recognize it and say that their messiah has not yet arrived, they defended it about two thousand years ago. This generates a new polemic, and a polarization within the certainty of the current Israeli interests.

Therefore, this geostrategic region that unites three continents is a place where miscegenation was common and in which, despite the great dispute between the empires, the possibility of maintaining a certain independence was alive if allied with one another for reasons of faith, rooted to their idiosyncrasy and convenience. (Bel Ventura, 2011)

Many have been the problems that have been witnessed in one of these two populations, but have shown a series of events that have marked the situation of these. The secret agreement Sykes - Picot was one of the triggers of the problems that have plagued this region. In 1916, in the middle of World War I and without having finished, a treaty was celebrated between France and the United Kingdom in which they arranged how could be the distribution of the

lands of Ottoman Empire. (Meseguer M. , 2016) She asserts that only an imaginary line from Palestine to Iraq was enough to spread the land where cultures, languages and different clans and tribes were left out of the project.

Five zones were constituted in total; under the mandate of France would be what is now known as Syria towards east of Mosul; in turn, the United Kingdom would have under its mandate Basra and Baghdad, and what today is known as Iraq and Israel.



Figure 1: (Maiquez, s.f.). Sykes – Picot agreement. [Figure].

But this breakdown was not the true beginning of the problem that is now evident between the State of Israel and the Palestinians; the real inconvenient came from the strategy used by the UK to access the Indian route and in turn expand its participation within the region.

In 1917, Arthur James Balfour (United Kingdom Foreign Minister), made a formal communication from the British government where he declared the creation of a Jewish home in what at that time was considered the British Mandate of Palestine. (Segura, 2016)

It was in 1948, when that statement was formalized. After the Holocaust, the Jews sought support in the UN and in addition to the economic problems with which Britain counted at that time, the power of Palestine was ceded and gave way to the division of the State in two: Israel and Palestine. At that time, the Arab state owned 92% of the land, but this division handed over 52% to Israel. (Unadikum, s.f.)

Later in 1949, at the end of the Israeli independence war, two-thirds of the Palestinian population (almost 800,000) were refugees in Lebanon, Jordan, Syria, Gaza and the West Bank, thus leaving almost 77% of the territory under command Of the Israeli state. Once the State of Israel was proclaimed, the first war was immediately declared by the Arab countries (Egypt, Iraq, Lebanon, Syria, and Transjordan). This was called the "*war of independence*" by the Israelis or the first Arab-Israeli war, which lasted until January 1949, ending with victorious Israel and with more territory under its mandate than that proposed by the plan of partition of the UN. The second Arab-Israeli war was a product of actions taken by the then Egyptian president (Gamal Abdel Nasser) in 1956. Nasser aspired to have control over the Suez Canal, expelling or indemnifying the English and French, in order to prohibit the passage of the boats of Israel by the channel. These facts led to England and France together, with Britain, will attack Egypt militarily for the fear that the latter prohibited the passage of oil shipments that mattered to their countries. The Suez War ended with the withdrawal of the English and French in December 1956 by constant pressure from the United Nations to

withdraw from Egypt and the lack of support they had hoped for from the United States, leaving the Suez Canal under Control of the United Nations. (Pellini, 2014)

Later, in 1967, Israel was beginning to perceive threats from Egypt and Syria. During April and May of that year, there were several incidents at the borders such as the air battles over the Golan Heights; but this set of pressure erupted on May 22, when Egypt decided to ban Israel from entering its ships through the Straits of Tiran, which was a declaration of war and was a reason to take the initiative and start. Later, in 1967, Israel was beginning to perceive threats from Egypt and Syria. During April and May of that year, there were several incidents at the borders such as the air battles over the Golan Heights; But this set of pressure erupted on May 22, when Egypt decided to ban Israel from entering its ships through the Straits of Tiran, which was a declaration of war and was a reason to take the initiative and start. With only three hours, the Israeli state destroyed most of the Egyptian air force, which was called "*Operation Moked*". However, Israel sent a statement to the King of Jordan stating that they did not intend to attack them and asking them to remain neutral, but the Jordanian army was ordered to open fire by Egypt.

After six days of strong struggles, Israel conquered the Gaza Strip, the Sinai Desert, the Golan Heights, Judea, and Samaria and annexed Jerusalem.

Because of these drawbacks, the United Nations Security Council passed a number of resolutions seeking to end the conflict but did not represent any change.

Israel did not cease to colonize the Palestinian territory and to take its resources, denying them the self-determination and rights that were fundamental to them. However, in 1988 the

then leader of the Palestine Liberation Organization (PLO) issued a statement urging the creation of a "*just and lasting peace*", accepting Israel as a State. (Schwarze, 2013). He also asked the Jewish state to return to the pre-Six Day War (1967) division in order to build an Arab-Palestinian state within those territories.

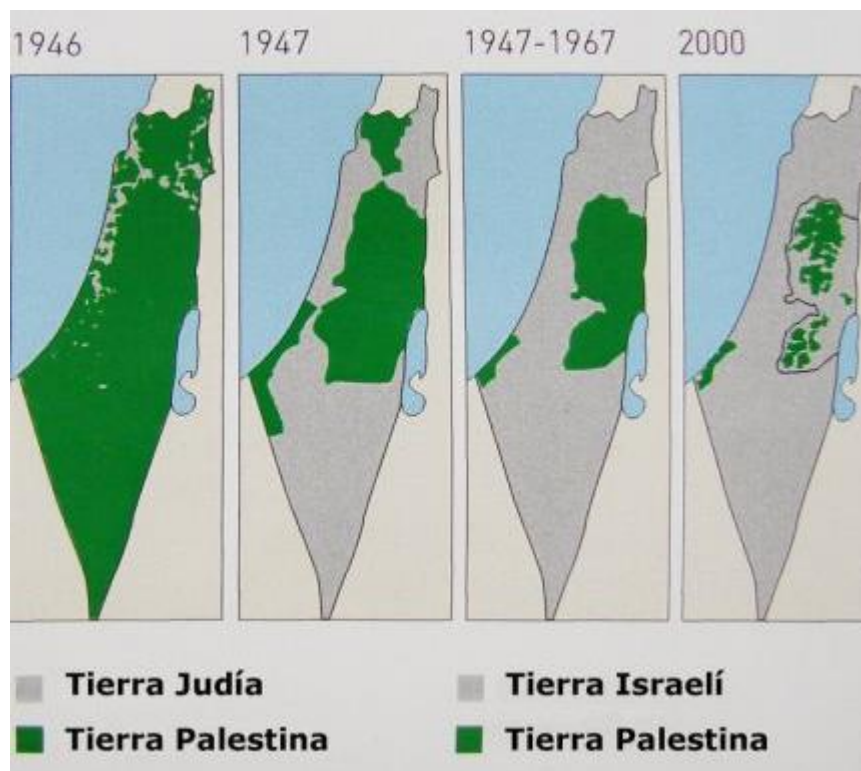


Figure 2: (Lopez, 2012). Palestinian Land Loss from 1940 to 2000. [Figure].

Three years after the declaration, the main leaders of Spain, the United States, the USSR, the PLO, Israel, Egypt and Lebanon, among others, celebrated in Madrid the Peace Conference (1991) with the quest to end the historic conflict between Palestinians and Israelis. For three days, issues such as territorial security, settlements and their refugees, economic development, and other issues were addressed. Following the conference, the possibility of further negotiations between Israel and Palestine was opened. Two years later,

then Palestinian leader Yasir Arafat, and Israeli Prime Minister, Isaac Rabin, met and created the Oslo Accord, in which the PLO was pacted and approved as the representative of the Palestinian people and in turn the possibility that the latter created a self-government, thus giving the beginning of the ANP (Palestinian National Authority). However, this agreement failed because of the assassination of Rabin in 1995.

Once the agreement failed, in 2000, the United States under Bill Clinton sponsored a new agreement called Camp David II. However, and similar to the previous one, it failed because Arafat refused to accept the percentage of territory that was to be delivered to him and which represented something small to the Palestinians. (Meneses, s.f.)

Kurdistan

There is very little information in the Western media about the Kurdish conflict, and it is even one of the most disparate cases in the world today. They are a mostly Sunni Muslim people, but they are of Persian and non-Arab genotype, just as their language is a miscegenation between ancient Turkish and Persian, of Indo-European origin. It is of the utmost importance to emphasize that at present the Kurds are the people who represent the largest ethnic without state in the world with an estimated 30 million people (15 million are part of Turkey and 15 million are world-wide) which have survived centuries of extermination policies, and more in the 20th century, where after the separation of the Ottoman Empire was forced to remain its new state called Turkey when it dissolved its

territory in a process of "*balkanization*" and each nation Which had been conquered would separate from the Balkans to the end of the Red Sea in Yemen of the Osmanlı Dynasty.

A Kurdish nationalist movement was seen in present-day Turkey since the late nineteenth century, and the Ottomans promised independence to the Kurds in 1920 when the Treaty of Sèvres was held in France, limiting the new Turkey only to Constantinople and Part of smaller Asia. Kurdistan would be the current Turkish administrative region of Eastern Anatolia, just as Armenia would own some districts to form Great Armenia after its separation of Russia.



Figure 3. (Messenger of History, 2015). Treaty of Sevres 1920. [Figure].

Under the command of Greece would remain Thrace, Imbros and the region of Smyrna. In turn the separation of Egypt, Hejaz and Yemen was recognized; Under the British administration they would follow Cyprus and receive Mosul, Palestine and Transjordan; for

their part Syria, Lebanon and Hatay (Alejandreta) passed to French administration and finally, Castellorizo for the Italians. (Messenger of History, 2015)

Sultan Abdul Hamid II, seeing himself defeated, accepted this agreement. And so it was until 1923 that the Turkish nationalists rose under the command of General Officer Mustafa Kemal Atatürk (Greek), who was the father of present-day Turkey, and acquired all the lands that had been lost in a constant struggle against foreign forces including those of French and Italian influence. All this resulted in a new pact made at the Laussane Conference in 1923. There the Kurds then lost their right to a new state over a land already legally self-proclaimed and even more so when all the oil extracted from Turkey is now The Kurdish territory. At that time the character of the Kurdish people was not recognized nor was it allowed to speak their language in public, being a restriction in practice until 1991. (Besikci, 1992)

Since 1923, after signing the Treaty of Sèvres (which certified the surrender of the Ottoman Empire in 1920), which recognized the Kurdish State as autonomous, the treaty of Laussane then gave it by failure and would eventually put the Kurds in the Same situation in which they are now, after 94 years without stability and divided between Syria, Turkey, Iraq, Iran, Azerbaijan, Armenia (being the last two at the time part of the USSR of the Caucasus).

As a sequel to the world wars and by the agreements mentioned above as they are the Sykes-Picott new borders are drawn in this area of the Middle East and divide the 550,000 square kilometers of what is Kurdistan among the 6 countries mentioned above.

On the one hand, the more conservative sectors of Kurdish society, more interested in protecting their religion than in an uncertain nationalist project, did not welcome the

separation of the nascent Turkey, which promised an Islamic state of Turks and Kurds and Ended up staying with most of Kurdistan. (BBC News, 2014)

The current situation with Iraq is different. In this country there are 4 million Kurds that correspond to a quarter of its population within an area of 76,000 square kilometers and from which 74% of Iraq's oil is extracted.

In Iran, however, there are 8 million inhabitants, with 17% of the total population; Extracting from its region 20% of the national oil.

In Syria 2 million Kurds are currently registered, but the situation there is more complex because of the Kurdish area of this desert country is extracted the total of its oil, unlike the aforementioned ex-soviet countries of Azerbaijan and Armenia where its production and contribution to the income nations can be said to be null. (Lopez Molina, 2012)

The Iraqi Constitution passed in 2005, after US intervention, sought and adopted a highly decentralized federalism as a model of state and that was when the Kurdish people were automatically recognized as an autonomous region. Also, the constitution collected some of the demands of the Kurdish parties, mainly in relation to the statute of the province of Kirkuk. They already have their own international airport and a unique foreign investment compared to the rest of the Middle East, only similar to the Turkish or Israeli. (Lopez Molina, 2012)

1.1.1 State of Art

At the moment the conflict between Israel and Palestine persists, a battle that through the time has taken many lives; On the other hand, the Kurdish people have wished for centuries the promise of a self-governed and self-governing state. However, several questions arise according to certain situations that have influence in the subject.

The aim is to determine the current situation of these two peoples (Palestine and Kurdistan), through the referenced educational, journalistic and critical sources, in order to find different investigative contributions that reinforce the object of study.

In one of the articles of the magazine *Foreign Affairs*, (Ben-Ami, 2008) describes that one of the most difficult stages of the conflict between the Palestinian population and the Israeli community occurred between 30 November 1947 and 15 May 1948, and where the birth of the State of Israel represented the "*Nakba*" or "*Catastrophe*" for the Palestinians. However, he points out that the Arabs had lost the war long before this event. The author claims that the Palestinian exodus began years ago from the 1936 riots in an effort to mitigate the Zionist acquisition of land, which represented a failed strategy, and as the author argues a "*crippling defeat that the I leave in a state of fatalistic disorder.*"

Also, in one of his publications (BBC World, 2016) Argues that because of the promises made to the Jews and Arabs by the British during World War I and the Holocaust during the second, the tension for creating a Jewish state grew steadily and it was on May 14, 1948 that The birth of Israel was born. However, it states that the day after it was created, the first Arab-Israeli war began, which, as mentioned above, is called "*independence*" by the Jews.

On the other hand, (Meseguer M. , 2016) Says that *"from the uncertainty of the agreement of Sykes-Picot, that precipitous departure of the British and the final division of the territory, comes the capital conflict of the Middle East,"* also notes that these agreements created a *"monster"*.

But despite statements and analyzes about the situation of the Palestinian people and their evident support for it, it is possible to show the opposition of some who support the situation of Israel and reject a Palestinian state.

In an Israeli-American daily, Israel's Public Security Minister, Gilad Erdan, is quoted as saying: *"I believe that all members of this cabinet oppose a Palestinian State, and the Prime Minister is the first among them, no one believes that in the next few years there is, God willing, a Palestinian State"*. (Israel Times Staff, 2017)

In a press release, Minister of Culture and Sports Miri Regev is quoted as saying: *"A Palestinian state is not the solution to peace. I have said it many times, there is only room for a national state, the State of Israel. The Jews have national rights over this land"*. (Domb, 2017)

In an Israeli newspaper, (Eichner & Nachshoni, 2017) allude to the statement of Transport Minister Yisrael Katz: *"Israel needs to say it clearly and forcefully: NO to a Palestinian State, YES to a Jerusalem expanded and united completely under Israeli sovereignty"*.

Another claim, cited by (Mathus Ruiz, 2017), Is from Trump during a White House conference close to Prime Minister Benjamin Netanyahu on February 14, 2017. The

president argues that he supports any of the choices that are made as long as it makes both parties happy.

The reality is that the United States further favors Israeli control over the disputed territories over the past few years and completely ignores the Palestinian voices within them of leader Mahmoud Abbas, who has said that the transfer of a American diplomatic mission from Tel Aviv to Jerusalem, which is a current project of the US president, could destroy the entire peace process, which has been paralyzed for years. While in the White House this gesture is seen as a sign of support for a diplomatic solution in the West Bank, the leader of the Palestine Liberation Organization Hanan Ashrawi, pointed out that the new US position is meaningless and that Washington is trying to Satisfying Netanyahu's policies with Trump on his side altogether and failing to demand the creation of two states reiterating that the peaceful coexistence of Israel and Palestine would not be necessary within a world order.

In turn, in a publication, (International The Day, 2017) Mentioned that Saeb Erekat, who is the main Palestinian negotiator, clarified that for Palestine the declarations made by the American president directly propose “*to eliminate the State of Palestine*” and says at the same time that a single State for the benefit of all would not be only a “*Jewish State*”. For them the great alternative of the conflict centers on unifying forces for the formation of “*a simple democratic State that guarantees the rights of all: Jews, Muslims and Christians*”.

In Iran, therefore, unlike what happened for decades in Turkey, or what is happening now in Syria, it is not Kurdish identity that is pursued, but its link to political claims. Except for certain limitations to the imposition of Kurdish names (those including terms such as

freedom, struggle, etc.), Kurdish cultural manifestations and the use of the Sorani language are generally tolerated. It is worth mentioning that in Iran it operates the Kurdistan Free Life Party (PJAK), founded in 2004, and it is with the PKK, the second remaining Kurdish armed group.

At the political level, during the period 2008-2013, some important changes have taken place. First, although the involvement of Kurdish leaders in Iraqi affairs is always topical, Kurdish society as a whole is increasingly disconnected from the rest of the country. The Kurds have lived a very different experience from the rest of Iraq for more than 20 years. In short, for the Kurds, federalism is an indispensable condition of their membership in Iraq. Thus, the Kurdistan Regional Government (KRG) is fully recognized as an “Iraqi” and regional actor. Its president, Massud Barzani, is received as such in most of the capitals of the Middle East and West, while its capital, Erbil, hosts a large number of consulates from around the world. (Tejel, 2014)

(Melamed, 2014) It demonstrates that because of its strategic location in the border areas between Iraq and Syria, the Kurds, with their army known as *Peshmerga*, have become a fundamental element of armed resistance in the face of the expansive threat of the Islamic State (ISIS) in the region.

Following the fact that in 2012, when Syrian forces of President Bashar Assad withdrew from northern Syria due to the civil war that the Arab country has been suffering for 6 years, the Democratic Unity Party (PYD) took this border area to Turkey under their control. The factions that control much of the territory of the Syrian north recently voted to declare itself

a federal and autonomous entity with respect to the direct executive power of Damascus (Syrian capital). (Duman, 2016)

It is an area that for the moment controls mostly the Islamic State (ISIS) and lacks a Kurdish population. Once these zones are released, they will join the new federation. *“The Geneva talks will not be successful without us. We fight ISIS on the ground, we protect our region and we manage it”*, said Aldar Jalil, who is a Kurdish delegate and at the same time is against the Syrian government's claim that this entity would have no legal value and *“no would have no real impact”*. (Mourenza, 2016). The United States, which has been the main support of the Kurds in its campaign against the ISIS, said by State Department spokesman Mark Toner that *“it will not recognize any autonomous zone within Syria”*, although it said at the same time that yes They would accept a federal structure in case all Syrians support it; A position similar to that expressed in the last days by Russia. (Mourenza, 2016)

This latest support from Russia is particular, said the Turkish expert in the Middle East, Oytun Orhan *“The Assad may not like to grant autonomy to the Kurds, but will find a fait accompli and supported by Russia as a way to punish Turkey”*. (Mourenza, 2016)

1.2 Problem Statement

The Middle East has long been regarded as an age-old culture and one that has received great attention because of its social problems and the significant role it represents for the world economy. However, much of the attention is directed at one of the most questionable

situations that are experienced daily in this region. One of these, which has always been an area that attracts world attention, is the Israeli-Palestinian problem that has been pronounced for decades, and which is summarized in the struggle of two nations located in the same State.

Later, another circumstance that attracts interest is the difficult situation that the Kurdish people are facing, which, like Palestine, is constantly seeking to be a state.

These two themes in contrast have been debated for years and despite attempts by the UN to counter or seek a solution applicable to these growing problems, have represented in failed tests.

As mentioned above, it is necessary to investigate thoroughly what the general aspects are, as well as the possible consequences or effects that have both politically and economically and the impacts generated so far or future with the probable formation or not of these “States”.

Research question

Is it possible that in future the creation of two independent states for each people?

1.3 Justification

The analysis of the different conflicts that arise in a State, is a good tool to create new social, economic or political strategies, which help to avoid falling into such conflicts. In addition,

knowledge of these conflicts is of great importance, due to the great influence that the countries involved in this situation have and which involve all political and economic aspects at the international level.

Regarding this research study, one must know what role each one of the parties fulfills throughout history and at present to understand its origin and all the aspects that they imply. That is why through this can provide a contribution to those who wish to know the subject under study for professional, social or personal support.

1.3.1. Personal justification

Given that International Relations is the line of research that was decided to address, in addition to the fact that the topic has an important degree of relevance for the authors; This work is important because of his studies in international business and the great influence that has today the geopolitical aspect and the relations of the states in the world economy. Likewise, on a personal level, it is considered a topic of high interest and a complement to the professional career.

1.3.2. Theoretical justification

Through this research it will be possible to make a considerable contribution to future research required by the new students to support their studies in relation to the topics

addressed. Therefore, it is important to carry out the investigation because it can contribute different positions, arguments and resources to analyze the situations that were evidenced during the course of this one.

1.4 Objectives

1.4.1 Overall objective

Analyze the feasibility of Palestine and Kurdistan being recognized as independent States from the general legal, political, social and economic aspects.

1.4.2 Specific objectives

- Analyze from the background of the origin of the conflicts of each of the peoples under study
- Identify social and political factors that contribute to the consolidation of new states in the Middle East (Palestine and Kurdistan).
- Compare which of the two peoples has the best chance of having an independent State, depending on the different aspects they have.

1.5 Methodological framework

1.5.1 Method

The method that will be used to approach the object of study is to do a documentary research where it is possible to compare different sources of research that contribute to the development of the subject as a whole to fulfill the stated objectives. So the research will be based on the facts that have happened over the years, the reason for the current battle, the causes and consequences that have generally faced countries, their economies, their populations and internal problems, among others, both in Kurdistan and in Palestine

They will analyze books, news, web documents, and the different resources that contribute information to the research topic.

1.5.2 Methodology

Collection of information: The collection of the information for the investigation will be carried out through secondary sources of internet. In the first instance, the search for this will be done through search engines specialized databases such as *Ebsco* or *Google Academic*, in order to find studies, articles and scientific reports that allow to contextualize the object of study.

1.6 Scope

This work is carried out in order to analyze and compare the feasibility of having and recognizing a state for the Palestinian and Kurdish people, as well as the possible effects they can generate in the political, economic and social sphere both nationally and internationally through of the information collected on the current situation in which each nation is.

2. Project Implementation

2.1. Definition of concepts.

Al Fatah

Formerly, this was a Palestinian group led by Yasir Arafat and carrying out terrorist attacks. It was founded in 1956 in Gaza and had as its main objective the fight against Israel and the creation of an independent Arab-Palestinian state.

However, this movement joined the PLO four years later and decided to reorient its policy in pursuit of Palestinian national aspirations and peace.

PNA

The Palestinian National Authority is an autonomous organization created in 1993 by the Oslo Accords in order to negotiate a Palestinian territory and in turn the international recognition of it.

The organization manages or administers part of the Occupied Palestinian Territories (OPT). However, its creation has not changed the situation of the Gaza Strip and the West Bank because Israel has invaded these territories that are legally under its control.

Nakba

The Nakba is an Arabic term, which translates as "catastrophe". This term refers to the expulsion of Palestinians once the creation of the State of Israel.

Jewish Holocaust

Holocaust is a word of Greek origin that translates as "sacrifice by fire." The Jewish Holocaust was the persecution and sacrifice of approximately six million Jews by the Nazi government.

PLO

It is the Organization for the Liberation of Palestine. After the military failure in the war against the state of Israel, the Palestinian people had decided to stop following the orders issued by the Arab countries, assuming its own organization of defense.

It was created in May 1964 intended to contribute to the recovery and in turn articulation of the Palestinian identity in both communities and settlements.

PKK

It is the Kurdistan Workers Party. Founded in the late seventies by Abdullah Ocalan in order to fight for the independence of Kurdistan. However, this organization is classified as a terrorist by the United States and the European Union.

Gaza and the West Bank, what do they live for?

Economically, countries such as Gaza and the West Bank have been affected by the military actions of the State of Israel. On December 3, 2003, the Group of Seven Economy Ministers (G7), the seven most industrialized countries, expressed their support to economic

development in Gaza and the West Bank, and stressed that achieving that goal will help to achieve peace in the Middle East.

Gaza Strip

In order to understand the political and military conflict specifically in the Gaza Strip, it would be necessary to begin with the very appearance of the State of Israel as a consequence of the Second World War, because its emergence was mainly determined by the fact that *“millions of Jews began to Find a place and an institutional structure, a homeland, where they could rebuild their lives after the Nazi Holocaust”*. (Patiño Villa, 2013)

On the other hand, the Gaza Strip is a self-governing territory that maintains its autonomy thanks to the Oslo Accords (Resolution 1860) and is part of the Palestinian National Authority located southwest of Israel and the Sinai Peninsula, Observer of the UN being recognized like State by this organism.

From the settlement of a Jewish state within Palestine supported by the Zionists in 1942 supported by Great Britain that with the dissolution of the League of Nations at the end of the war, in addition to the recommendation to divide the territory into two states the Zionist Arabs revolted because of the political pressure that gave rise to Jerusalem, Palestine and Israel. This territorial dispute has given rise to the war of 1948, the war of the six days, the war of attrition, the war of the Yom Kippur, the war of Lebanon, among others; which is further supported by the ambiguous Israeli internal conflict and the old religious conflict.

By the year 2014, the consequences of the military attacks in previous years were reflected in the country's economy and trade. The Gaza Strip was limited because of trade restrictions,

which affected companies that had to slow down their processes due to lack of materials. In addition, companies destroyed in shelling or people who left the country together with their businesses for fear of dying because of the attacks, generated a high unemployment rate. By 2015, according to World Bank reports, Gaza's economy was on the verge of collapse. The unemployment factor was 43%, the highest in the world. (Sputnik Mundo, 2015)

The various factors of this geopolitical conflict, such as the blockade of Palestine, strongly affected the GDP of the Gaza economy, the main sectors affected were agriculture, construction and electricity. As for the social sphere, the risk of death with which the population lives daily has been due to the permanent danger of being targeted by bombings in shelters, hospitals, And colleges of the UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East). This has left thousands dead, most of whom have been civilians.

Israel, which has imposed a blockade on Gaza since its capture in 2006, has contributed to chronic water shortages, through strict control of airspace, territorial waters, freight traffic and population movement economic and humanitarian conditions are in critical condition in June 2007. For its part, Hamas (the Arabic acronym for the Islamic Resistance Movement) took power, expelling the supporters of President Mahmoud Abbas from the territory, further aggravating the conflict.

The only access point to Gaza that is beyond Israeli control is the Rafah terminal, on the border with Egypt; However, since the removal of Egyptian President Mohamed Mursi in

July 2013, Cairo closes it regularly and only opens it sporadically to let humanitarian convoys pass.

West Bank

After the establishment of the State of Israel and the displacement of thousands of people who lost their homes, the Palestinian national movement began to regroup in Gaza and the West Bank, then controlled by Egypt and Jordan, and to refugee camps in other Arab states. (BBC Mundo, 2014)

For 2008, there was an increase in land prices for Palestinians. The report by the BBC warned of little investment in the Palestinian economy. (BBC Mundo, 2008)

For 2011, the UNRWA public a report from the press that objects on the West Bank economy boom with the Palestinian Authority and Israeli occupation, according to research by Salem Ajluni. (Imemc News, 2011) The report says that the increase in employment attributed to the West Bank is distorted by the increase in the unemployment rate due to the lack of stimulus towards refugees and that they decide to leave the labor market. It is also claimed that inflation has caused the loss of purchasing power of Palestinian workers.

According to UNRWA research, the real unemployment rate in the West Bank reached 25 per cent in the second half of 2010, up from 23.5 per cent in 2009. Among refugees, the unemployment rate has increased by 1 per cent, reaching 27.9% (Imemc News, 2011)

Benjamin Netanyahu, in his speech to the US Congress, said that the economy of the West Bank was booming thanks to lower restrictions on free movement within the territory.

According to the World Bank, total annual growth in the West Bank is around 10%. International donations are an important aspect of funds from the Palestinian Authority and the GDP of the West Bank. In recent years, the economy has benefited from the growth of economic aid and increased tourism. (Banco Mundial, 2011)

Agriculture contributed more than 50% of GDP in the West Bank and Gaza. Before the blockade, Gaza was a major exporter of oil, citrus or strawberries.

The UNRWA General Commissar, Pierre Krähenbühl (quoted by Perez I. 2014) says: *“The blockade on the Gaza Strip is the longest block in history”*, but it should also be added that it is also the most economic blockade for the entity that imposes it because the products consumed in Gaza come from Israel at costs that are not easily accessible to consumers and with huge profits for the Israelis.

In 2013, a World Bank report mentions that Israeli restrictions create adverse conditions for Palestinian farmers to cultivate their land, build homes or generate commercial growth in areas controlled by the State of Israel. (Mendoza, 2013)

In 2015, according to the OECD, Palestine's main exports were: stone building, other furniture, plastic lids, laminated tobacco and footwear textiles. On the other hand, its main imports were: refining of oil, electricity, cars, cement and animal feed. In addition, the Palestinian country presented strategies to encourage national exports, the 5-year time-scale plan, which seeks to increase exports, of quality, and worldwide, and where there are also interests to promote economic development and Of the country. (Agencia EFE, 2015)

Resolution 242 and 338.

The United Nations Security Council adopted a resolution on 22 November 1967, which set out the growing concern about the situation in the Middle East; affirming and insisting that the States of that area had the need to strive for lasting peace through the implementation of different plans among those proposed: the withdrawal of the Israeli armed forces from the territories they occupied during the conflict, the end of all situations of conflict between States, in addition to the pledge by each of them to guarantee non-violation of territories, free navigation through the international routes of the area and the search for a solution to the problem of refugees. (Consejo de Seguridad ONU, 1967)

Resolution 338 was tabled on 22 October - 1973, in which the United Nations Security Council called on parties concerned in the conflict between Israel and Palestine to end all military activities and a ceasefire. Besides, it presented a time limit for the implementation of the resolution, mentioning that after the ceasefire, negotiations began and the resolution 242 was applied.

Despite the constant search by the international community to create a possible solution to the conflict that is experienced in the area and as shown below with the current situation of Israeli settlements, it is evident that the applicability of these resolutions does not represent nor generate a great difference in the problematic. Following the attempts of the United Nations, Israel has not wished to implement the provisions of the resolutions, which has led

to many more that have not represented any change or progress to that problem. However, it can be emphasized that most countries recognize that Israel is the one who should take measures to restrain the situation and support the requests that have been constantly submitted.

Division of Palestine under the Oslo Agreement

It should be mentioned that the Oslo agreement was not a day only in which the parties in dispute were found to make this pact, but were a series of agreements actually negotiated by the then leaders who were Isaac Rabin and Yasir Arafat, being one of the Israeli government which is recognized by the international community and the last by the Organization for the Liberation of Palestine, which is only approved in some nations for diplomatic reasons. Talks on the table of these agreements were secret and dealt with topics such as the withdrawal of Israeli troops in the Gaza Strip and the West Bank, giving the right of the Palestinians themselves to self-govern in these demarcations under their own power. For many Palestinian Arabs and the rest of the Arab community in the Middle East, the agreement was not of any benefit as issues such as Israeli settlements, Palestinian refugees, Jerusalem's administrative division and security were isolated to the agreement. The exact borders were also excluded and instead the division of the three zones of Palestine in the West Bank. (Jacobsohn, 2017)



Figure 4: (Jacobsohn, 2017). The Oslo Accords of 1993. [Figure]

Area A, under full control of the Palestinian Authority:

Large cities such as Jenin, Tulkarem, Nablus, Ramallah or Bethlehem are located in zone "A", which is under Palestinian civilian and military control. They make up 3% of the West Bank and hold 20% Palestinian West Bank demography.

Area B, under civilian control of the Palestinian Authority and military control of the Israeli army:

The villages and the surrounding area "A" make up area "B", which accounts for 27% of the West Bank and 70% of its population. They are administered by a mixed regime, with Palestinian civilian control and joint military control.

Area C, under Israeli control:

Zone "C" is established by the rest of the West Bank, which is equivalent to 70% of its territory composed almost entirely by land of easy fertilization. All the roads that it owns lead to the settled colonies of Israel, being these irrigated in almost all the valley of the Jordan and of East Jerusalem.

All borders in zone "C" are fully controlled by Israel. This means that if something happens in zone "B" that the police presence needs, Palestinian agents should come from zone "A". And if something happened in zone "C" agents would have to go a long way to reach that destination. But in addition, they should first ask the Israeli authorities for permission to pass through the checkpoints. (Martin, 2013)



Figure 5: (Pappé, 2013). Palestine in the hearth. [Figure]

Settlements.

Settlements are considered as villages or even cities or localities that have been built on colonized territories, in this case by Israel during the Six Day War in 1967. These settlements began to be built in the West Bank and continued to spread following the Oslo Accords of 1995, which divided the territory into two completely different areas (Israeli and

Palestinian). About 630,000 Israelis live in settlements in the West Bank and East Jerusalem together with 2.9 million Palestinians.

Currently, more than 200 Israeli settlements are considered illegal by the international community and the United Nations, which has led the latter to take action against the controversy with such settlements.

On 23 December 2016, the United Nations adopted resolution 2334, in which the Security Council reaffirmed old resolutions, including resolutions 242 and 338, condemned the State of Israel for the measures taken by it and which altered the Composition of Palestine declared in the statute of the Palestinian Territory occupied since 1967, and which includes the east of Jerusalem. In this document the organization expresses that the settlements jeopardize the feasibility of a possible solution that is based on the borders established in 1967 and in the creation of two States that live in peace; also present the following arguments:

- The creation of Israeli settlements is considered illegal and constitutes a violation of international law, as well as an obstacle to the solution to the conflict through the creation of two States.
- Israel is required to put an end to settlements in the Palestinian territory, including East Jerusalem.
- No change is recognized to the lines established in 1967 that are not agreed to by the parties.

- The complete withdrawal of settlements is fundamental to the solution to the conflict, and calls for Israel to take positive steps to remedy what has been caused in those territories.
- It induces for measures to be taken to prevent acts of violence against civilians, as well as calling for the fulfillment of international law duties with a view to strengthening the fight against terrorism. Apply for on both sides to act in accordance with international law, including human rights.
- It confirms its intention to support the parties in all negotiations and requests the Secretary-General to report every three months on the implementation of the provisions presented in the resolution. (Consejo de Seguridad ONU, 2016)

However, Israel rejected the adoption of this resolution and stated that the country would not abide by the terms presented therein. Despite the requests expressed in the resolution, Israel decided to pass legislation to legalize 3000 new settlements in Palestinian territory in the West Bank. Currently, illegal Israeli settlements in Palestinian territory violate the human rights of the Palestinian population in various ways as the UN has pronounced. Christine Chanet, who is the head of the UN commission on the Israeli colonies, states that these settlements are related to and form part of a general pattern of offenses that are mostly distinguished by the denial of the right to self-determination against the Palestinians. (El Pais, 2013)

According to Article 49 of the Fourth Geneva Convention, “*Israel must put an end to all settlement activities without preconditions*”. (Comité Internacional de la Cruz Roja, 1949)

Israel decided not to submit a periodic review to the UN Human Rights Council in 2013 as a strong protest to the creation of this international assembly of lawyers & humanists. (Crónica de Aragon, 2013). He said in a statement from the Foreign Ministry that he rejects the Council's report as partial and does not contribute to efforts to end the conflict.

This report clearly supports the idea that since 1967, after the 6-day war, Israel has participated, led and *“had full control over the planning, construction, development, consolidation and promotion of settlements in Palestinian territory.”* (El Pais, 2013)

For the year 2017, the Israeli government succeeded in getting its controversial law approved by its nation's congress approving 3,800 settlements located in Palestinian territories, and to be more specific, were made privately owned by more than 600,000 Israelis who profess the Judaism. In the East Jerusalem area there are 12 settlements in which 200,000 Israelis live.

Although only 2% of the West Bank territory, it is criticized that Israeli settlers not only carry out simple activities such as agriculture and road construction, but also take them as strategic military points. Besides, Israel grants subsidies to the Israeli inhabitants for colonizing those zones. However, Palestinians see this presence and possession not only in the West Bank, but also in the city of Israel as the fragmentation of the beginning and end of their sovereignty as a possible option to be a Palestinian State. It should be noted that Israel's main motive is more territorial than symbolic. It was approved with 60 votes in favor and against 52, thus legalizing settlements that the Supreme Court of Israel ordered to disarm

because it was a violation of private property not only state but international. (BBC Mundo, 2017)

Although the United Nations calls for an end to Jewish settlements in Palestinian territories, Israel has not received much support, with the exception of allied countries mostly from the United States.

Attached is the fact that within the period from October to December 2016 different agencies had approved an approximate 20 anti-Israeli resolutions, completely ignoring the historical ties that the Jews claim to have and the thesis of themselves that says that the settlements were built on public barren land. (Antebi, 2017). The UN Security Council expresses with its representatives “...*the establishment of settlements by Israel in the occupied Palestinian territory since 1967, including East Jerusalem, has no legal validity*”. (El Comercio Mundo, 2016).

Benjamin Netanyahu who is the prime minister said in a statement: “*Israel rejects this shameless anti-Israel resolution of the United Nations and will not fulfill its terms*” (Clarín Mundo, 2016). Apart from the great concern that disregard of the resolutions that have already been expressed before this conflict, since Israel continues to make settlements “*putting at risk the viability of the two-State solution based on the borders agreed in 1967*” (Bassets & Sanz, 2016). It can be taken as negligence if it is thought that before the UN-proposed land repartition in 1947, with its resolution 181/11 called the Partition Plan of Palestine and that it is done when the British Mandate has just ended so to speak, Only 6% of the territory was owned by Jewish people and that included Jordan in said Mandate. (Culla, 2005). If we add that they were part of the 31.5% of all the population occupied there

we see great difficulty between wanting to be a solid state and even more when they are granted 55% of Palestinian territory to form their nation and demography in half Still Arabic. (Palestina Recordada, 2003). Very different from the condition of the Palestinians who were the 67% of the population then existing in the whole territory and were left with 45% of the disputed. (Biblioteca Virtual Judia, s.f.)

This is a breach of the Law as approximately half a million Israelis who profess the religion of Judaism live in 140 illegal settlements, all of which are built on West Bank territory which since the 1993 Oslo Accords had already been distributed and ceded to the PLO definitively, until the failure of this same one by the death of the Israeli minister Rabin in 1995, by an extremist Jew, in addition to the triumph of the Likud movement in the following elections giving as leader to the current minister Netanyahu. (Infobae Mundo, 2016). In the face of the latest resolution given last December, the UN Council said that the settlements constituted a breach of international law and in turn made it difficult to resolve the conflict through the creation of two states as well as a lasting and complete peace. (Mundo, 2016)

Antebi argues that these resolutions that sentence Israel are impartial and omit according to him, the real problem that increases the diplomacy of the region and is the terrorism that suffer from Hamas and Palestinian groups with the figure that only in 2016, 50 Israeli citizens died in multiple attacks by them and another 600 were injured. He explains that for his nation Israel is outrageous that after 2005, from where they were displaced from Gaza and where 20 progressive Israeli-controlled cities were dismantled and even moving Jewish cemeteries, they received in 2016 an estimated 3,000 missiles launched by Hamas since Palestinian territory, where the same Israelis say they still have the right.

The Israeli administration judges that it is unjust and at the same time inapplicable the proposal to continue giving land to a Palestinian Arab people who are not even in their government ready to recognize the right of the Jewish state on any frontier. (Antebi, 2017)

Paradoxically above all the above and knowing Israel's refusal to give up the land so easily, in 2003 the then Israeli Prime Minister Ariel Sharon on November 27 of that year said that it was Israel that had to cede territories for the cause of peace and give them up as soon as possible, and for the security of his people the wall that is now built will be built, although at that time there was an extended period of time in which no Islamic activist group was attacking them. Curiously, it was Prime Minister Sharon himself, who led the occupation of Palestinian territories to build settlements since the mid-1970s, being a supporter of and affiliated with the radical Likud party, which is Israeli and in favor of colonization. (ABC, 2003)

More recent than the one documented in the previous paragraph that dates back approximately 14 years and was before the strong conflict between the parties that occurred in 2005, it is notable to refer to the statements given in 2009 by the then Minister of Affairs Israeli Foreign Minister Tzipi Livni, who stated that Israel was the nation that should give up territory to the Palestinians in order to survive as a democratic and Jewish integration mandate. This fact is remarkable, since it was made in the Conference of Presidents of Great Jewish-American Organizations, that was composed of 51 political and religious guilds of United States defenders of the State of Israel, and before 100 leaders present there. Livni expressed *"I believe that Israel is fighting for its existence not only because it is the only democracy in the Middle East but because it is also the only Jewish State in the world"*.

(Europa Press, 2009). These words of encouragement for the Palestinian Arab cause were said by the recognition of that year made by the UN towards the Palestinians, due to the request of these to the Right of Return.

Statute of Jerusalem

Resolution 181 (III), adopted in 1947, provided for the creation of two states (Israel and Palestine), as well as predicting Jerusalem as a separate demilitarized zone under the responsibility of the United Nations Trusteeship Council. The organization would create a statute for the city with a validity of 10 years and in turn would appoint a governor.

(Naciones Unidas, s.f.)



Figure 6: (Naciones Unidas, s.f.). Statute of Jerusalem. [Figure]

Although the foregoing was meant to be a diplomatic resolution and of full approval between the two sides, it was replaced by constant hostilities by Israel, who occupied the western sector of Jerusalem and eastern Jordan. In the face of the world and putting its own interests before Israel as a nation 3 years later in 1950 it would proclaim Jerusalem as its capital city, ignoring a solution for Palestine. This moment was used to formalize the control that Jordan had on the West Bank at that time and where, in addition, the Arab Legion had owned that city as well as the western control of the Jordan River, including cities like Jericho, Bethlehem, Hebron and Nablus. (Cavendish, 2000)

In 1967, after the 6-day war, Israel succeeded in occupying East Jerusalem and the West Bank, with demographic and physical changes to which the General Assembly and the Security Council have on many occasions declared invalid and still do. (Naciones Unidas, s.f.) They mention that in 1980 Israel took steps to establish its capital in a unified Jerusalem and the General Assembly considered that Israel's action constituted a violation of international law including the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. This position has been constantly reaffirmed by the United Nations. (Ouazraf, 2010)

It is necessary to clarify that said mentioned agreement focused on the due protection of the civilian people in time of war like victims of this one in the year 1949.

The great purpose and mission of Israel at that time and even today is the total annexation of Jerusalem and make it the capital of its nation. Since the military occupation of the West

Bank and Jerusalem in 1967, this idea has taken hold, but no country, not even the United States, which is its greatest political and economic support, has installed its embassy in Jerusalem. At that moment the UN Security Council pronounced: *"The principle of acquisition of territory by military conquest is inadmissible"* And did not agree with the Israeli measures taken at the time. The UN ruled that all the legislative and administrative rules to which Israel has been invited for the purpose of amending the Jerusalem Statute, as well as the expropriation of fields and possessions, the transfer of inhabitants and legislation aimed at introducing the Sector attended, are generally abolished and can not vary this this regulation. (De Currea Lugo, 2016)

Israel ignored what was said by the Security Council and approved the Basic Law (July 30, 1980) by which it says that the city mentioned in its "integration and unification" is its capital. The Security Council rejected this law from the outset when it considered that it violated international law and pronounced itself: *"All measures and legislative and administrative acts adopted by Israel, the occupying power, which have altered or are intended to alter the character and status of the Holy City of Jerusalem ... are void and devoid of value"*. The council said *"Not to recognize the Basic Law and other measures of Israel which, as a result of this law, are designed to alter the character and status of Jerusalem"*. (De Currea Lugo, 2016)

If we try to see Jerusalem as an autonomous and independent city of Palestinian or Israeli jurisdictions we see that it will never be the case since an autonomous governance of this city as a nation similar to the city-state of the Vatican (they would be similar as enclaves) or Singapore is impossible because of the emotional forces of each side that entail.

Ready to be part of 2 states, Jerusalem is an indivisible part for both parties. According to international law Jerusalem would be a condominium of Israel and Palestine. This place could be an indivisible fraction of the 2 nations, institute it for both as its main city and be directed by local municipalities, to which would be ceded so many powers of the municipal government in their maximum effort, and by a agglomerated mayoralty that would lead to the Management the main issues that would effectively be handled from a general urban plane. (Whitbeck, 2007)

It is clarified then that the differences between terms like municipal administration and sovereignty is that the first supposes a number of organizational practices the second one in Jerusalem is a great symbolism within the attachment and psychological rootedness and the religious creed. The city having these last 3 factors is demonstrated and is seen in itself that it surpasses more like a metropolis of pilgrimage and spirituality than of a city with economic influence. (Whitbeck, 2007)

Based on the concept of “*statu quo*” which makes it appropriate to the situation of the moment, we note then that Israel has the current sovereignty of Jerusalem so to speak, but it is not entirely true since it only has its administrative control and this was achieved through its armed forces, actually being illegal because sovereignty can only occur when it is given with the consent of the international community and has not been so for the other states of the world and not even that of its current and historic major ally that is the United States. Until 2007, the only nations with embassies in that place were Costa Rica and El Salvador, but have already moved their diplomatic offices to Tel Aviv. This situation has been like that since 1967, year in which the war of the Six days war was confronted.

John Whitbeck, a North American lawyer specializing in conflict resolution, and especially the Middle East says that the desired accession of an increased East Jerusalem has been manifested as "null and empty", and Jerusalem has evidently incorporated itself among the areas occupied by an extensive succession of unanimous or near-unanimous resolutions, of the Security Council and the General Assembly of the United Nations. (Whitbeck, 2007)

It is even worthy to re-consider in this context that the notion that a country can declare a capital city to any settlement in its territory is debatable under international law, not even the West Jerusalem district, also known as West Jerusalem, has the approval of the international community.

Yasir Arafat questioned the opponents of this idea of creating a condominium in Jerusalem given the historical evidence that it has been achieved: *"Why is not Jerusalem the capital of two states, without a Berlin wall? A united, open city, given to coexistence and coexistence"*. (Whitbeck, 2007). This shows that he agreed on the joint work for the administration of both nations.

Including Theodor Herzl, who was the nineteenth-century Austro-Hungarian journalist of Jewish visionary origin and leader of modern political Zionism, said: *" We will convert Jerusalem into extraterritorial, so it will belong to no one and belong to all, a common holy place for followers of all creeds, the great condominium of culture and morality"*. (Whitbeck, 2007). Being a sample again that it would not be logical to enter into conflict with other nations by the division and management of the renowned city.

It is noteworthy to see how the main protagonists of each of the political parties to deal with such as the Palestine Liberation Organization and Zionism, Never lost the perception that this city could be a place of absolute tolerance, in addition to being able to agree on the potential contained in the solution of the condominium.

Jerusalem, as the current capital

In 1995, the US Congress endorsed the distinguished "Embassies Law" which recognized Jerusalem as the capital of Israel, and it was requested in this law that the embassy in the coastal city of Tel Aviv should go to Jerusalem. However, for the Palestinian fortune no president decided to obey it, for fear that it violated the authority of the executive in foreign policy. (Noticia Cristiana, 2016)

On September 25, 2016, current US President Donald Trump met with Israeli Prime Minister Benjamin Netanyahu when he was only president-elect, Approximately 1 hour at his home in New York City, the Trump Tower. The meeting aimed to recognize Jerusalem as the "unified" capital of Israel; Because for the State *"Jerusalem was the eternal capital of the Jewish people for over 3,000 years"*, and the United States, under his government will accept the mandate of the Congress of the "Law of Embassies" of 22 years ago and not yet executed, to consider Jerusalem diplomatically as the capital of the Israeli people. (Aurora, 2016)

Independence projects

Recently, the conflict that has been witnessed between Israel and Palestine is an issue that has been under consideration for the last five years (2012-2016). This problem has been the subject of discussion among the great world powers such as the United States and the European Union. The latter decided in 2014 to seek measures and possible solutions to put an end to this historic problem. After an initiative that sought to give recognition to the Palestinian State and which was promoted by the Spanish Socialist Workers Party (PSOE) that was presented to the Congress of Spain, began a series of agreements whose main objective was to end the conflict that has been witnessed in that area of the Middle East.

The text that was presented was approved by Congress with 319 votes in favor, two against and one abstention. During this period, the government expressed the desire to open negotiations that would lead to the fulfillment of the objective. (EFE, 2014)

The move by countries such as France and Sweden advised Israeli writers and intellectuals, including David Grozzman and Yehoshua, to call on Europe to recognize the Palestinian State. In addition, representatives of the Israeli left as the actor Moshe Ivgy, Nobel Prize winner of Economy (2002), Daniel Kahneman or the ex- president of the Parliament Avraham Burg signed a manifesto in the declared: *"We, citizens of Israel, want their security and peace, we are concerned about the political impasse and the continuation of the occupation and the colonies that lead to clashes with the Palestinians and boycott any possibility of an agreement."* (Emergui, 2014)

However, Benjamin Netanyahu (Israeli prime minister), despite supporting an initiative by Palestinian President Abu Mazen, stated that the creation of the Palestinian state would only be possible through direct peace negotiations. He said that the measures taken by European countries only removed peace between Israel and Palestine. (Emergui, 2014)

At the same time, Jordan presented to the UN Security Council a Palestinian project which was a resolution calling for a peace agreement and Israel's withdrawal from East Jerusalem and the West Bank before the end of 2017 and Return to the independent state at the borders agreed in 1967. (Emergui, 2014)

However, these independence projects have been rejected by Israel, and despite appearing before the organization, the Palestinian representative Riad Mansur has confirmed that the proposal was not the definitive one and could have some modifications. He argued that this would be discussed with the United States, Arab countries and Europeans in order to arrive at the best decision and have a lasting peace. (Emergui, 2014)

After two years of analysis of this resolution, the document was finally approved with 14 votes in favor and abstention by the US. Opposition by Israel did not wait, the Israeli leader opposed accepting the conditions of the resolution. (BBC World, 2016)

Donald Trump's empowerment over the United States seeking a "peace agreement" between the two countries. The most recent idea for a possible solution posed by the President of the United States is that only a new Palestinian State is created once Israel has accepted it. However, the differences between the two seem endless for different reasons claiming Jerusalem, terrain, settlements among others.

Israel has restricted the Gaza Strip since 2007 with severe restrictions. Palestine infants who go to UN schools within the limited territory end up in marginality, in a calculation of approximately 65% of them. Gazans (the demonym of those born in Gaza) are constantly struggling to gain access to potable water, food, energy and gas, thereby increasing instability among the population within the region, than by the self-support of the local Hamas government, who are Islamists. *"Children under the age of 12 have already experienced three conflicts (against Israel)," the last one, perpetrated during the summer of 2014.*" says Pierre Krähenbühl. (Dominguez, 2017)

This year marks the 50th anniversary of the Israeli occupation of the former Palestinian territory before World War II and 10 years after the blockade of Gaza.

As a result, 1.2 million people are "trapped" in Gaza, 750,000 in the West Bank, 2 million in Jordan, 420,000 in Syria and 300,000 in Lebanon; Thus giving more than 5 million refugees throughout the Middle East. *"It is almost the population of Norway! ... It is important for the world to realize that it cannot close its eyes to the injustices being perpetrated against the Palestinians, and that a return to a serious political (peace) process is necessary"* insists Pierre Krähenbühl. (Domínguez, 2017)

Human rights group Al-Mezan Center in Gaza called on the international community to act promptly in the face of the situation and the continued military occupation of Israel, demanding compliance with the rules of international law, while stressing the importance of avoiding large-scale military bombardment in order to ensure the protection of civilians residing in the Gaza Strip. (Memo Monitor de Oriente, 2017)

Coinciding with the arrival of Trump to the White House, the Government of Netanyahu has hardened its policies against the creation of a state shared with Palestinian Arabs and is added to the colonization by Israel to its lands, taking land without permission to create housing. Ratifies the above the words given by the ministers of the Jewish nation.

Foreign direct investment in Palestine

The relations of this nation are economically based on the Paris Protocol of 1995, which regulates relations between the Palestinian National Authority (PNA) and Israel, establishing a customs union and setting the Israeli commitment to collect taxes, (VAT, tariffs, workers' contributions to the social benefits system, on behalf of the NAP, and then remit them). The Palestinian Ministry of Economy and the Applied Research Institute located in Jerusalem, published in 2012 a report showing that Israeli occupation in Gaza and the West Bank shows losses averaging USD4.4 billion a year, corresponding to 85% of Palestinian Gross Domestic Product. (Oficina Económica y Comercial de España en Tel Aviv, 2012)

The international community largely suspended large-scale projects targeting populations in Gaza. But international aid throughout Palestine remains important. Also to \$ 12 million for the procurement of fuel and the reactivation of the only Gaza power plant (Agencia EFE, 2017). Another political organization that contributes to its sustainability is the European

Union, which shelters its humanitarian aid with programs of direct assistance to the population (De Andres, 2014)

Despite an improvement in the relationship between the two States over the past two years, the Palestinian economic and social situation remains precarious. But they have as a great benefit in turn the lifting of some barriers and restrictions since 2009 in the West Bank which include mobility, freedom to buy abroad (import) and access to capitalist consumption in the more open western world. (Daraghmeh, 2009). Gaza remains in force, the Israeli government's economic blockade, although in 2010 restrictions were lifted in the area such as the movement of people, formal employment and commercial activity, in addition to the temporary suspension in 2013 of tax and customs payments Palestine (Centro de Noticias ONU, 2013).

At the beginning of this decade, measures were taken to encourage foreign investment as the holding of two congresses that deal with the subject of investment in the territory. Efforts were made to attract Arab investors from Middle Eastern countries, Palestinians living in different parts of the world, as well as to all possible investors. This strategy was successful since the country's investment of US \$ 1 billion was invested in the agri-food, construction, and inputs sectors.

In 1998, the West Bank Investment Promotion Law was created based on:

- Granting of fiscal exemptions ("holidays") for the early stages of projects (instead of establishing a system to boost tax credits or direct investment aids).

- Incentives are decided based on the timing of the decision to make the investment (not based on the assessment of project results and progress over time).
- A Joint Public-Private Commission is given wide discretion when selecting beneficiary projects. (Oficina Económica y Comercial de España en Tel Aviv, 2012)

Tax and benefit tax exemptions apply to investments in excess of 100,000 \$ USA, with nominal rates on net profits depending on the volume of the investment.

The Industrial Zone Creation project hosted by the West Bank is one of the mechanisms that the Palestinian National Authority has selected to encourage investment seduction. This Law of Industrial Zones and Free Trade Areas was accepted in December of 1998 and is the base on which the projects of several parks were developed as they are the one of Jenin, Gaza and Nablus. PIEFZA (*Palestinian Industrial Estates & Free Zones Authority*), who are the authority for the Industrial Areas and Free Trade Zones, is the information point and the official entity that groups everything related to activity permits, business registration, export and import licenses and work authorizations. It has also been suggested that the NAP to provide a proposal for a new industrial zone in the West Bank between East Jerusalem and Azariyeh and Abu Dis.

Since 2008, no graphic statistics have been produced on the flow of investments abroad by countries and sectors of production. However, there are data until 2012 of its balance of payments, summarized in this graph: (Oficina central de estadísticas palestina, 2012)

BALANZA DE PAGOS			
(Datos en MUSD)	2009	2010	2011
CUENTA CORRIENTE	-713	-691	- 1.894
Balanza Comercial (Saldo)	-	-	-4.663
Balanza de Servicios (Saldo)	3.504	3.653	
Balanza de Rentas (Saldo)	-351	-312	-260
Balanza de Rentas (Saldo)	876	1.098	1.149
Del trabajo	831	1.077	1.117
De la inversión	125	135.8	90
Balanza de Transferencias (Saldo)	2.267	2.176	1.287
AAPP	1.484	1.214	728
Resto Sectores (Remesas y otras)	1.017	1.262	825
CUENTA DE CAPITAL	719	846.1	426
Transferencias de capital	719	846.1	426
Enajenación/Adquisición de activos inmateriales no producidos	n.d	n.d	n.d
CUENTA FINANCIERA	152	-46	1.152
Inversiones directas	316	103.0	234
Inversiones de cartera	-367	-	86
Otras inversiones	192	453.4	726
Derivados financieros	192	341.0	726
Variación de Reservas	n.d	n.d	n.d
Errores y Omisiones	11	-36	316
	-158	-	-106
		109.6	

Fuente: Palestinian Central Bureau of Statistics
Ultima actualización: 20 de Julio de 2012

Figure 7: (Oficina central de estadísticas palestina, 2012). Balance of Payments of July 20, 2012. [Figure]

There is no data on the subject of international reserves, since it really refers to a reduced state of consolidated external resources, having to resort to external assistance in considerable volumes. Nor does it have external debt due to historical reasons due to *"Its almost non-existence is a positive feature that gives the Palestinian National Authority a little room for maneuver that other developing countries lack."* This began to be different in the year 1996, but without even greater impact, because it is due to the existence of nations that help with social and economic progress through loans to long maturities of payment, with periods of lack, which is not yet accrued interest. In general it is supported more by donations. (Oficina Económica y Comercial de España en Tel Aviv, 2012)

International Law and the occupation of Israel in Palestinian territories.

After the creation of the State of Israel in May 1948 and until 1967, the year in which the 6-day war ended, the Gaza Strip was administered by the Egyptian government, making it clear that at no point did it have any intention of claiming sovereignty. (Becerra Ramírez, 2005) From 28 June 1967 East Jerusalem was part of the West Bank (name given to the West Bank or Judea and Samaria during the early years of the Israeli occupation) passed to the Israeli government with its authority until July 30, 1980. (Roberts & Guelff, 2000)

Although by the established in the laws about East Jerusalem in its status for the Israeli government, they do not mention it like an “*annexation*”, this place if it was placed under Israeli control and jurisdiction with military and political actions equivalent to annexation. The two areas are currently considered by the international community to be occupied, and their partial status in line with international standards is identical to that of the current West Bank and Gaza Strip. (Derecho básico: Jerusalem la capital de Israel, 1980)

The Israeli government with its cabinet in February 2005 approved its complete withdrawal from Gaza including the military. The Knesset (Israel's parliament in Jerusalem) approved it in the same way on February 16 of the same year. This plan was proposed by Ariel Sharon as a unilateral measure of both political powers of Israel to completely dismantle everything related to Israeli colonies, which gave a delay from July of that same year until December. (BBC Mundo, 2005)

On 23 December 2016, the United Nations reiterated in its resolution 2334 that it regards East Jerusalem as "occupied territory". They reaffirmed that the Jewish settlements in East Jerusalem "*have no legal validity*" and qualify them as a "*flagrant violation*" of international law. (Consejo de Seguridad ONU, 2016)

Israel and the Geneva Conventions.

"Israel cannot be considered as an occupying power in accordance with the meaning given to this term in international law in any part of the mandate over Palestine, including Judea and Samaria"

Yehuda Blum

Since the victory of the Six Day War in 1967, Israel has taken the radical position that the Fourth Geneva Convention is not applicable by legal recognition to its action on the West Bank and Gaza. Even in holding this position, Israel relies on the theory of the "*Absent Successor.*" (Blum, 1968)

This theory is based on two arguments that are independent of each other, but are related. The first is interpreted from Article 2 of the Geneva Convention, which says the provisions must be fulfilled in a period of tranquility. In addition, it argues that: "*This Convention shall apply, in the case of declared war or of any other armed conflict arising between two or more of the High Contracting Parties, even if one of them has not recognized the state of war.*" (Comité Internacional de la Cruz Roja, 1949)

a. “The theory of the "missing successor"”

By asserting then that the purpose of the belligerent (aggressive and / or combative) right of occupation is to protect the rights of a nascent sovereign State, Israel is justified by saying that the territories which were occupied were neither part of Egypt nor of Jordan before Of the Six Day War in 1967, so that it cannot be said that they constitute the "*territory of a High Contracting Party*" under common Article 2, thereby rendering the Fourth Geneva Convention totally inapplicable. (Imseis, 2003)

b. Defensive Conquest

The second argument says that Israel possesses a better title over the occupied territories of Palestine than Egypt and Jordan, based on the notion of "*Defensive Conquest*"; which states that Israel took control of the Palestinian territories in 1967 in a defensive war against Egypt and Jordan itself, which also lacked any legal title to these territories thus taking control of the territory to a valid legal title. (Imseis, 2003)

The Israeli positions mentioned above seek to establish the legal and political framework around the occupied territories. As to the question that the legitimate sovereign should be displaced by the belligerent occupier, there is no evidence that the expression "*Territory of a High Contracting Party*" as used in common Article 2 of the Geneva Conventions, refers only to the total legal title as legitimate sovereign. It is accepted that the term "*territory*" was used by the drafters of the Conventions to indicate, besides the title "*de jure*", a mere

de facto title on the territory. This notion has no basis of sustenance nor in the writing within the same agreement nor in the works made from him later. (Mallison & Mallison, 1986).¹

Another discredit to the theory of the "*Absent Successor*" is that it ignores the influence of international law on the self-determination of peoples. A practical example of this is to see how sovereignty resides in the people of a State and not in its rulers, much less in its ruling elites. Blum in rejecting the possibility that the Palestinian people could become a legitimate successor in the occupied territories invalidates its own theory and weakens Israel's position because of its desire for it, especially when it considers that the right of the Palestinian people has been widely recognized by an overwhelming majority of the international community. (Vacas Fernandez & Guerrero Fernandez, 2011). For this reason it has been openly assumed that the occupied Palestinian territories constitute the territorial unit where the state of Palestine will be definitively established, should it be created in the future.

It should be mentioned that it has been demonstrated by official archives that the title of occupied territory based on the "*defensive conquest*" by Israel, has no more credibility since its actions were not completely defensive. These documents show how Israeli officers and leaders were aware that they did not face a large armed threat to justify their pre-emptive strike against Egypt and Jordan. And even assuming that Israel's actions during the six-day war were defensive, Blum's argument is irrelevant and ignores the principle of international law that advocates that the acquisition of territory through the threat or use of the force is inadmissible. Yehuda Z. Blum exposes that "*This is consistent with the suppression in*

¹ Conjunto de normas establecidas por la comunidad internacional que no pueden ser derogadas.

international law of the right of conquest and with the emergence of the right of belligerent occupation ... and entails the implicit duty to withdraw once hostilities cease.” (Falk & Weston, 1991)

The International Court of Justice in 2004 says that international law concerning the use of force in self-defense does not allow a state to achieve territory through the use of this procedure. In character the concept of "*defensive conquest*" is ineffective in contemporary international law. (Asamblea General ONU, 2004)

Added to all this is the argument based on sovereignty under Article 2, which says that it does not prevent the application of the agreement according to Article 4 of the same, in which protected persons are defined as all those who are in the hands of an occupying power of which they are not nationals. This agreement was thus agreed and therefore should be interpreted as a protective instrument of the population and not of the territory. (Boyd, 1971)

Position of the international community.

The Fourth Geneva Convention is applicable to the conflict since within the occupied Palestinian soil the Israeli authorities must recognize their position as occupying power. This was decided through the 2004 advisory opinion for the UN General Assembly where the International Court of Justice stated that Article 2 of this Convention is subject to the presence of Israel in territories taken since the War of the Six Days in 1967. Article 2 also applies because "*No territorial acquisition derived from the threat or use of force shall be*

recognized as legal" (Bermejo, s.f), And as set out in General Assembly resolution 2625 is equally defined by the *"Declaration on the principles of international law concerning friendly relations and cooperation among States in accordance with the Charter of the United Nations"*. (Asamblea General ONU, 2010)

And it was not only this Security Council; several organizations such as the UN, the Human Rights Commission, the International Commission of Jurists and the International Committee of the Red Cross have also spoken about this controversial case. The Red Cross has spoken firmly about the fourth convention: Is applicable throughout the occupied Palestinian territory, and it is unacceptable that "a duly ratified treaty may be suspended at the whim of one of the parties" That is, Israel. (Comite Internacional Cruz Roja, 1975)

Israel has entered into an international legal mess with regard to the implementation of The Hague and Geneva Conventions, which it has ignored. In both, it is explained that *"The combatant occupation continues as long as the occupant remains in the area and the war continues and ends when the occupant withdraws from the area at the end of the war either with the victory of the occupier or his defeat"*. At the moment it continues in constant confrontations in the zone. (Dinstein, 1978). The Supreme Court of Israel in a judgment of the month of March of 1979 ruled in his convenience determining that the application of this order was conditioned to a state of belligerence; Nevertheless, Since the Egyptian-Israeli peace treaty there has not been a state of belligerence between the two countries, it follows that the Gaza Strip has more reason than ever been *"a territory of an enemy state."* Even so, Israel continues to justify itself in its actions and powers by mentioning the right of belligerent occupation. (Swinnen, 2010)

Dinstein also claims that any principle of contemporary domination of Israel in the area is not a state of conflict but rather agreed under the Peace Treaty and the Framework Agreements of Camp David. This indicates that Israel does not raise any objection in disregarding its own dialectic as fit in the relevant statutes and conventions. (Dinstein, 1988)

Israel's endorsement of international law.

The State of Israel is not recognized by all States on the land, having a rejection by the Arab community, with the exception of Turkey, Albania, Bosnia and Herzegovina, Macedonia and Bangladesh, along with North Korea in East Asia. There are even states like Lebanon that do not accept a passport with a visa or a single Israeli seal. (Telam Internacional, 2014). In the countries of the Middle East tending to be Westerners, as in this case Turkey, their diplomatic ties are of the second level, being then a secretariat, (Al Jazeera, 2011) and the one that owns with Egypt is due to the Treaty of Peace of 1979 in which the Peninsula of Sinai was returned with its respective channel; Since Egypt is a strong point of reference and strategy within the organization of the Arab League, in addition to being one of the few founding states of this. (Ocaña, 2003)

This repudiation is a consequence of the problematic with Palestine, but still counts on advocacy of many sovereign States in the world that recognize it and in general they are allies of the United States. Spanish political journalist Carmelo Jordá has said in the year 2014 that Israel has International Law in its favor more than Palestine, since the latter leaves

its governance to Hamas that is a terrorist group (thus declared by the United States and the European Union); Which, although it has won the elections since 2006, the European Union itself catalogs it as totalitarian, and therefore froze its funds, besides being included in its list of terrorist organizations. (Departamento de Estado de los Estados Unidos, 2005)

Carmelo Jordá also argues that Israel does not really occupy Gaza and that therefore it must always defend itself against the aggressions that come from the strip, since these are incitations to the conflict, totally unrelated to a military response to the occupation, because there really is not Which is known as occupation. There is a border control aimed at Hamas not supplying or acquiring weapons that they would use against Israel later. And it must be so after the eviction of the 8000 Israeli settlers who lived there and the dismantling of their military centers. To this is added the variable that the European Court of Human Rights determined in the year 2016 that Gaza is not an occupied area as well as the West Bank, since according to Article 42 of the Hague Regulations of 1907, according to Law International, a territory is under the authority of an opposing army, and is known as the "*de facto authority*", which occurs when foreign troops are present in circumstances of exercising the control mentioned without the consent of an authority Sovereign. That is why it is considered that there is no occupation, when a State does not exercise its factual authority in the territory or part of the territory of an enemy State. Apart from that in the colonization of land in the West Bank occurred when it was not yet a recognized state as such, so it is not an occupation. The European Court says that President Abbas, who is the head of the Palestinian state has given his consent to the Oslo Accords, of the presence of

the Israeli army there and Abbas *has "effective control"* in the region, so this fact is called *"consent of the authority"*. (Grumberg, 2015)

Therefore, Israel as a Sovereign State can defend itself against illegal aggressions by an external enemy, which in this case is Palestine with Hamas. This defense is a right that every state owns and in turn admits military operations of legitimate protection in response to an initial attack, emphasizing that it is of equal priority to analyze measures necessary to prevent new attacks. Even when, after a raid, there has not been a pertinent restoration of what has been destroyed, the attacked state is allowed to use retaliation, which is a belligerent response for the aggressor to suffer what he has previously caused. (Jordá, 2014)

Israel's military operations in this Palestinian belt fit well within the Right of Self-Defense, as they focus so much on replicating the grievances obtained, as insisting on preventing further attacks by overthrowing Hamas infrastructures and arsenals whose purpose is to be an offensive towards Israel. (Jordá, 2014)

According to the previous paragraph, according to Amnesty International, which is a global movement present in more than 150 countries and working for the Declaration of Human Rights, Israel and its forces have imposed a forced eviction on 1'900,000 Palestinians, Committed unlawful killings on civilians including children who did not fall within the scope of *"self-defense"*, moreover to the ill-treatment given to Palestinian opponents who were detained while opposing continued military occupation. Israeli forces killed 110 Palestinians and 2 foreigners during 2016. Some of these killings were illegitimate because the victims were not a real threat to life when they were killed. And as an overuse of force,

Israel used metal bullets lined with rubber and real lethal ammunition against Palestinian protesters attacking with stones and smaller missiles that posed no danger to the lives of Israeli soldiers. (Amnistía Internacional, 2016)

Barack Obama's Government in the Conflict of Israel and Palestine

The former president of the United States, Barack Obama (2009-2016), said once "*if the missiles were falling where my two daughters sleep, I would do my best to stop this.*" (Chomsky, 2009). The media indicate that it was referring to Palestinian children, since before the United States was supporting the will of the then President George W. Bush to Israel, which was slowed from the moment Obama entered as president.

While exercising his functions, he wished to emphasize his commitment to the peaceful solution of the Middle East and made a statement suggesting that it was the opportunity for the Arab States to intervene and work to achieve the completion of the idea by supporting the Palestinian regency, taking Precepts to regularize the links with Israel and protecting itself from the extremism that threatens all equally in the region. He was firm at the same time insisting that the smuggling of arms into Gaza is a delicate matter, which should be stopped. He backed the agreement between Condolezza Rice and Israeli Foreign Minister Tzipi Livni, that the border between Gaza and Egypt should be closed. Likewise, in 2009, Obama said that he was totally committed to Israeli security, and that he had always been

very clear about it, so much that he supports the right that Israel possesses according to him, to defend against the threats. (Chomsky, 2009)

For this last year (2017), and before leaving his post as president, Barack Obama allocated 221 million USD to Palestine. This decision of the executive was against the verdict given by the opposition republicans inside the US Congress, since this did not mean subjection some. (Lee & Lardner, 2017). Obama has said that the source of this amount comes from funds from the United States Agency for International Development for humanitarian aid to Gaza and full support for political and security reforms in the Middle East. (Pulzo Mundo, 2017)

It is also added that in the month of January of this year 2017, the United States again under the mandate of Obama, refused to veto the UN resolution condemning the ongoing construction of Israeli settlements in the Palestinian territories. (Sputnik Mundo, 2017). The distinguished Russian political scientist Nikolai Pajomov indicates that *“this US step is a historic moment, although, in general, Washington's support for Israel has never been one hundred percent”* (Sputnik Mundo, 2017). This act is considered more symbolic than political, since Obama, a few days after finishing his term, had rejected the veto of the resolution, which in the beginning was different. *“It's the last gesture that Obama wanted to have with the left wing of his own party, whose support was crucial to the election of the Democrat”* Says Pajomov. (Sputnik Mundo, 2017)

This last was not to the liking of the Israeli government, since when, during eight years of Obama's presidency, the United States supported the Israeli policies before the world and

that thanks to the last refusal to use the veto of the American government, In Contrary to what was expected, the resolution that failed to build Israeli settlements in Palestinian territories was passed. John Kerry explained that this return to decision-making was due to the fact that his country saw that conditions were balanced for both Palestine and Israel to move towards a two-state solution. (El Comercio Mundo, 2016)

The failure of the peace negotiations and the role of the United States.

During the last presidential term of Barack Obama, then Secretary of State John Kerry was delegated to hold constant talks between Palestinians and Israelis, as a State Department project to maintain stable peace in the Middle East. But the efforts made by the secretary were not what was expected. (Adams, 2016)

Although agreement was reached at first, negotiations collapsed over the months, as Israeli institutions continued to build settlements even after the peace agreement reached in Oslo in 1993, in addition to the deployment of troops in the Valley of the Jordan, this being taken as a provocation. The Hamas-dominated Gaza-Gaza-Al-Fatah divisions of Palestine were another stone in the dialogue diplomacy shoe because of the United States' refusal to accept Hamas as the legitimate and international representative of the Palestinians, Elections of 2006, and whose differences with Fatah did not allow the entrance of this movement nor his

influence of power to the West Bank. This same division among the Palestinians would not favor the pursuit of peace in dialogue either. (Ayoob, 2014)

Kerry warned in November 2013, while giving a lecture in Jordan, that if the talks failed directly, a confrontation would begin. He argued that the Arab Peace Initiative had to be enforced in 2002 and that it would address the issue of the Palestinian conflict. It was received at the same time by the King of Jordan, Abdullah II, and at his meeting stated that Israeli measures such as the construction of settlements in the occupied Palestinian territories were illegal, illegitimate and hampered efforts to achieve peace. (El Pais Colprensa, 2013).

The Palestinians then and now see that if one binational state were created, two mutually exclusive principles would be equal rights for their inhabitants, or a new form of “*apartheid*”, with a Jewish control and Palestinian subordination. Being a big problem for the Palestinians the great level of influence of the Jewish population to direct the hypothetical new unified state. The arguments are based on the Jewish nature excluding his religion itself, which would give new goals and achievements that are not properly Zionist and would affect its principles the consequence of this ideological discrimination would be a void of political and civil rights equally to all the population existing in the new nation affecting Palestinian civilians. So the new unified state would be grounded within the old frontiers of the British Mandate of Palestine of 1922, including the whole of all of Israel in force and the occupied territories. (Ayoob, 2014)

In June 2014, all kinds of truce failed due to the disappearance of 3 young Israelis, who were found murdered and with signs of torture in the West Bank city of Halhul, near their residences which were in Israeli settlements in Palestinian territory. (BBC Mundo, 2014)

Benjamin Netanyahu had begun the military operation called "*Protective Margin*" with which different aerial attacks were carried out on the Gaza Strip and where the main objective was Hamas, due to the suspicions of the Israeli government against the murder of the three young people. The Israeli army quickly fired its biggest offensive, which left thousands of Palestinians affected. (BBC Mundo, 2014). It is nothing compared to the end of the conflict of that year (2014), killed 2310 Palestinians and 11500 were injured. (Ma'an, 2015). This military operation being identified by Amnesty International as a "*repeated violation of international human rights law using excessive force to suppress dissent*" (Amnistía Internacional, 2017), until the point where the Israeli army was described as an author of war crimes for having made disproportionate and indiscriminate attacks on civilians in densely populated civilian areas such as hospitals and schools where Palestinians sought refuge. (Molina, 2014)

The great failure of the dialogues was not a breach of Palestine since the signing of the Oslo Agreement; As the Palestine Liberation Organization (PLO) took 3 key steps towards the implementation of the Oslo Accords that gave virtue of their will to peace more than 20 years ago, the first being the acceptance of UN resolutions, followed by the recognition of Israel as a State, and finally, to seek political ends through dialogue and diplomatic channels.

On the other hand, at that time began the popular Palestinian rebellion begun by young Palestinians who were Israeli citizens in the same Israeli territories, called "the second intifada", that convinced to the Israeli state with the passage of time that had to be taken measures To achieve a peaceful nation. It was persuaded in such a way that at the same time that the same happened in the same Israel, in populations of Gaza and West Bank the protests continued and Palestine in general was in "foot of war", thus circling the world. (Garcia Gascon, 2013)

When the Soviet Union collapsed politically in 1991, over 1 million Jews emigrated to Israel, so US President George HW Bush and Secretary of State James Baker conditioned the Israeli government that they should engage in talks With Palestinian leaders and 11 more Arab states in search of peace in the region, so that the United States would have the opportunity to make a \$ 10 billion loan, as reported by the Washington Post in 1992, as an aid to sustainability Of the new citizens that would be invested in housing in order that Israel would not enter into an economic recession. All this without counting that even so the administration of the White House benefited at that time with 3,000 million dollars a year to the Israeli government, being the greater aid per capita that the North American nation gave to a state. But the most eminent thing for the Jewish country in the administration of James Baker like Secretary of State of the United States, is that they managed that the United Nations invalidated the resolution of 1975 nicknamed "*Zionism is Racism*", that discredited Israel; And the vital cooperation for the negotiations that the White House gave with the communist regime of Ethiopia of that time in order to be able to transfer thousands of Ethiopian Jews, also known as *Beta Israel* to the State of Israel (Kisilevski , 2005) and of

the thousands of Sephardic Jews living in Syria, thus assisting the Israeli project of the Law of Return of 1950. (Pipes, 1992)

For Isaac Rabin, the pact made in Norway and signed in Washington was a facade to the true intentions of the then Israeli minister who did not intend to cede territory for the Arab population, being yet another external pressure on the part of the United States and of western organisms so that Sit at the table to negotiate. (Feldman, 1992). Israel's former prime minister, Yitzhak Shamir, even went so far as to refer to the agreements as rude to a subject so crucial to the search for tolerance and mutual peace. Nabil Shaaz says that, Shamir came to mention about the peace agreement: *"I will negotiate for ten years without getting anywhere and will flood the (occupied) colonist territories."* (Garcia Gascon, 2013)

Since the year 2000, the United States has had a passive attitude, as previously mentioned, and has ceased to exert pressure on the Israeli occupation policy. For the Palestinian state, there will never be a chance for peace if Benjamin Netanyahu's government is preserved. (Garcia Gascon, 2013)

In 2017, two of the most influential countries in the world (the United States and Russia), tried to create a new pact between Palestine and Israel, advocating dialogue. The Russian Foreign Minister. Sergei Lavrov, pronounced on January 6, noting that, from the Kremlin, all the necessary resources for the rapprochement of the parties would be put in place. (Telesur, 2017)

The United States ambassador to the United Nations, Nikki Haley, says her country hopes to be able to rethink the negotiations, after approaching Riyad Mansur, who is the Palestinian

representative to the United Nations. Both reiterate that direct negotiations must be carefully scheduled between the two parties, without waiting for the UN results. Haley, denied that the new government of Donald Trump had completely abandoned the idea of a two-state solution to the Israeli-Palestinian conflict. (Infobae Mundo, 2017)

Russian Foreign Minister Sergei Lavrov stresses that the importance for world stability is the fact that if both nations do not dialogue and maintain a peace assiduously, which for more than a year have not been resumed "*... the only ones who win in the absence of substantial and direct discussions are the extremists*", says Lavrov. French President François Hollande also acknowledged, before the new international conference on the Middle East was held on 8 January in Paris; that stability in this known conflict can only occur with bilateral negotiations in correct gestures. (Telesur, 2017)

US President Donald Trump held his first contact with West Bank President Mahmun Abbas on March 10 of this year and told him he would like to resume talks for peace, where Israel is currently unwilling to give up territory and is increasingly eager for space. (El Tiempo EFE, 2017).

On May 3 of this year, Presidents Trump and Abbas met in the White House. On that day, Trump declared that: "*I am valuing a two state and a state solution, I will like the one that both parties like. I can live with either of the two exits*". Instead, its counterpart Netanyahu, doubts that peace in the region should be for the creation of a Palestinian state, through the so-called "*two-state solution*". (Noticieros Televisa, 2017)

In turn, Palestinian President Mahmoud Abbas reported that he was willing to meet with Donald Trump and Benjamin Netanyahu. Moreover, he says he is willing to collaborate with the cause and will be willing to resume talks, since there has been no meeting between Netanyahu and Abbas since 2010, and the United States failed in the diplomatic initiative of 2014, this year the definitive blockade of a pact between States. (El Economista, 2017)

At present tolerance within the Israeli government towards Palestinian freedom of expression, including its culture, has been reduced by radical nationalist ideologies by Prime Minister Benjamin Netanyahu, who brought a bill to the parliament of that country, which seeks to eliminate The Arabic language as one of the official languages of the country. This law defines that Israel is only "*the national home of the Jewish people*". This would discard Arabic, which is the language spoken by the Palestinians, who even have Israeli citizenship and defend this State from the means and official institutions. Negotiations with the Palestinians by Netanyahu's command have been frozen for 3 years and the leader of the Joint List of Arab countries in the Israeli parliament (Knesset), named Ayman Odeh, who is Arab, calls this bill "a declaration of war" that will not help the future solution of a conflict, thus also seeing Netanyahu's political attitude to fortify the hegemonic identity of Israel for the Jews something that is clearly discriminatory for Not only the Arabs of neighboring countries, but for the 20 percent of the Israeli population who speak this language as their mother tongue, damaging their civil rights, through this racial and social segregation. This view is shared by President Abbas of the West Bank, who is open to dialogue who noted that the imposition represents an "*obstacle to the road to peace*". (Perez S. , 2017)

Political situation of Kurdistan

Kurdistan is now considered a nation without a State, which is distributed between Turkey, Syria, Iran and Iraq. It is for this reason that their political situation varies between the different States.



Figure 8: (Fayanas Escuer, 2015). Map of Kurdistan. [Figure]

In Turkey, the Kurdish political context began to be witnessed by the creation of some political parties in 1908, which did not make much difference due to the then problems between the Kurdish ruling families; however, the independence projects carried out did not bear fruit because of the outbreak of World War I in 1914. Four years later, after defeating the Ottoman Empire, British forces and their allies established a new political order. (Salinas Mendoza, 2005).

It was in 1945, after the division of territory and control exercised by the Republic of Turkey over the Kurdish people for years; that the first Democratic Party of Kurdistan was created. From that fact, began to witness a state with multiparty, with Kurdish and Turkish parties. The emergence of the parties increased the Kurds' desire for sovereignty and contributed to thousands of Kurds mobilizing for their social and civic rights throughout Turkey between 1967 and 1969. Two years later, the emergence of leftist groups began to appear, sparking fights between the Kurdish parties and more repression of them by the Turkish state. To give control to this, the State decided to arrest the leaders of some leftist parties, a fact that increased the decision to fight against the Republic. (Salinas Mendoza, 2005).

One of the Kurdish leaders, Abdullah Ocalan founded the Workers' Party of Kurdistan in 1978 with the aim of freeing the people from colonialism and establishing a sovereignty. However, this party decided to take independence by force and made different terrorist attacks towards the Turkish state, since it has been called as the PKK guerrilla by Turkey, the United States and the European Union. Despite the military strategies adopted by the group and the struggle that has triggered episodes of violence between the two sides, it has been the only Kurdish political party capable of confronting the Turkish army and which

continues to the present day To the international community the existence of a problem and, at the same time, the lack of a solution. (Ruiz Gonzalez, 2011).

In Syria, the political situation is different. In this, the Kurdish people are known as *Rojava*, and is currently administered by the Democratic Union Party (PYD). As in other states, the Kurdish people have several political parties that represent it within the territory, however the most important is the PYD, which is supported by the Turkish PKK. (Rojava Azadi, 2017).

Its political context began to be evident with the creation of the Democratic Party of Kurdistan of Syria (PDKS) in 1957 and of which over time different groups of left and right. From 1990, the different parties sought to regroup with those of Iraq and Iran, creating differences due to the positions they took. However, the PYD together with the militias created by this, is one of the parties coming from the PKK reason why its roots do not come from any of the Kurdish parties. During the tenure of Hafez al-Assad, the PKK had been supported by the government, so it was settled within Syrian territory but, after his death, and with the arrival of Bashar to the Assad (Current Syrian President) in 2000, this alliance was finished. Since then control over Syrian Kurdistan has increased considerably and has given way to the creation of the PYD in 2003 to fight for its sovereignty. (Meseguer D. , 2013).

At present, the Barzani government has repeatedly tried to unite all Syrian political parties in order to achieve independence as a whole, however, the PYD has been against this and

has prevented it from being achieved because they assume that if Kurdistan Iraqi independence will be on the side of Turkey. (Meseguer D. , 2013).

The Kurds in Iran have witnessed a different situation because other ethnic groups live in the territory, which is why there has not been much control over them. Although the Iranian Kurds have greater cultural freedom, the desire to become independent and support the political movement in Turkey is still latent.

After the end of World War II, the Kurdish people claimed a Kurdish Republic of Mahabad (located in the north-west of Iran), in addition to independence. But this attempt at sovereignty was in vain and did not last long, because in 1946 the Iranian government regained control over this. After the fall of the Mahabad Republic, the Democratic Party of Kurdistan in Iran (PDKI) in 1960, created a militia that sought allies in Iraqi territory, a fact that ended in a problem between the Iraqi and Iraqi Kurds because Iran offered Weapons to the PDK in Iraq, to repress the Iranian Kurdish political group. For almost two decades, several political movements supported by the PDKI that were dedicated to promote the separation of the government. Until 1979, they decided to open negotiations to reach a solution on their ethnicity. However, the government rejected the idea of creating a sovereignty as this could represent a division of the State by the fact that other ethnic minorities would like to obtain the same benefits. (Salinas Mendoza, 2005).

The conflict between the Iranian government and the Kurdish people was gradually increasing by the control by the State on some Kurdish cities; so the concessions between the two parties were completely lost.

At present, the conflicts between the Kurdish party and the Iranian government are still present. In March 2016, the PDKI along with other political groups declared the intention to revive the attacks against the government. During April and May different attacks on both sides were evident, increasing discrepancies between them. (Quinteros, 2016).

For its part, in Iraq, the Kurdish population is administered by the Kurdistan Regional Government (KRG), which has a democratic parliament called the Iraqi Kurdistan National Assembly, and where the cabinet is composed of different Kurdish political parties which do not have Greater differences, since they have a common purpose which is independence. The parties that are there are the Patriotic Union of Kurdistan (UPK), which at the beginning of its movement was of Marxist left ideology and now are of social-democratic tendency and the Democratic Party of Kurdistan (PDK), who are Kurdish nationalists and tend to be a much more liberal movement than the UPK. (Mcdowall, 2007).

In 1991, at the end of the Gulf War, there was an "*uprising*" in Iraqi Kurdistan against the then President of Iraq, Saddam Hussein; who was in a fragile situation for having lost the war, in order to achieve the desired independence. This made the two Kurdish parties of different faiths unite and succeed in working together to strengthen the economy and development of the region, each party also having a similar structure of authority. In 1992, Kurdish parties despite rivalries and hostilities constituted a government led by Abraham Saleh. (Miro, s.f.)

The United States intervened so that the Kurds of Iraq made a definitive truce between them in the year 2002, creating a coalition with the Peshmerga (Kurdish militia) so that the

American country demolished the centralist regime of Hussein in the city of Baghdad. Hussein was considered by the people as one of his greatest enemies and accused him of multiple abuses to the Kurdish nation, as in the case of the Halabja Massacre, where with chemical weapons the central Iraqi army killed 5000 Kurds and destroyed several Localities of this region. Hussein's arguments were based on the fact that Iraqi Kurdistan supported the Iranian government for 8 years (1980 to 1988), allowing Iranian forces to penetrate ever more deeply into Iraq. Also, in the city of Halabja, during the same period, the Kurdish population was constantly protesting against the war, which, because of their proximity to Iran, were in constant threat. In the war against Iran, in total there were more than 182,000 civilians who lost their lives. During the military campaign that Hussein undertook in this region between 1987 and 1989, and after ending the war and having lost Iraq, the Kurds rebelled, nevertheless they were repressed in such a way that it caused an exodus of more than two million Kurds Iraqis towards the Kurdish side of Turkey and Iran; For that reason the support of the Kurdish militias to the American army during the invasion to Iraq in 2003 was immediate. (Claudio, 2015).

In 1991, the UN Security Council adopted resolution 688, which implemented a security zone in northern Iraq, thus giving Iraqi Kurdistan the opportunity to be the only current attempt at autonomy, similar to that of a Constitutive nation as it happens in the United Kingdom and its fragmentation in 4 countries, and making it semiautonomous with the inclusion even of a president. (Miro, s.f.).

At the moment the leader of this federal entity is the president Masud Barzani, chosen by the Parliament, and who was born in the Kurdish Republic of Mahabad, that now is extinct,

and its father, Mustafa Barzani, was the founder of the PDKI in Iran and of the PDK in Iraq. Meant that there was a state, but it was indispensable to know the position of the Kurdish people against independence, and saw an opportunity to strengthen the military defense against the Islamic State. (HispanTV, 2016). That argument was something that Prime Minister Haidar al-Abadi denounced as a "*plan and rule*" that seeks to weaken unity and violate the country's sovereignty by seeing how the United States House of Representatives Armed Services Commission, Presented in April 2015 a project to support Kurdish armed forces and interact with more regions in the Middle East to act as sovereign states. (HispanTV, 2016).

The capacity for self-government of the city of Erbil, as the capital of Kurdistan, is such that they are free to establish diplomatic relations on their own, without having to depend on decisions taken in Baghdad. Iraqi Kurds have consulates in the countries of Turkey, Czech Republic, Hungary, India, Israel, United Kingdom, United States, Iran, Russia, Germany, France, Jordan, Egypt, the West Bank, the Arab Emirates, China, the Netherlands, Kuwait, Sudan, Italy, Saudi Arabia, Korea and Romania. In addition to Embassies in Sweden, Poland, Canada and Japan; Honorary Consulates in Spain, Denmark, Belarus, Slovakia and Brazil; And finally Commercial Offices in Bulgaria, Austria and Greece. (Departamento de Relaciones Internacionales, s.f.). All of them with positive bilateral relations, this being understood as something that the countries of Iran, Syria and even Turkey see as a threat to the national integrity of each State. (Invest in Group, 2013).

The PPK has previously stated in May of this year a fight against Iraqi Kurdistan, as they feel that this state by having close relations with the Turkish government is betraying the

true Kurdish cause throughout the region, regardless of Is about to hold a referendum on independence. Reza Alton, leader of the PKK, gives these statements and sees this act as a Turkish tactic to gain more hegemony in the region, due to the fear that Ankara has to consolidate a Kurdish union, as that is the reason why they exist Turkish troops also in northern Iraq and Syria, not only being the war against the Islamic State the main motive, but preventing the union of Kurdish militias. Alton has also threatened to turn Iraqi Kurdistan into a "*war zone*" due to the high presence of Turkish forces in that territory. (HispanTV, 2017)

Kurdistan that they live in each region?

In Turkey, they have a fertile area of Anatolia, so they plant grains such as wheat and sesame being transported and sold to the interior and west of the country. In addition, they export raisins, almonds and apricots to Europe; However the Kurdish local economy in general is dominated by cattle ranching and vegetable farming. (Krieger, 2001).

At the border is the phenomenon of oil smuggling, which is a great source of income for the modest population of low resources; while in the city of Diyarbakir, which is the most populated of this Kurdistan and its main city, is industrial and has production of iron, gypsum, coal, chalk, lime, jet and quartz, but mainly for local use. (Prothero, 1920).

On the other hand, in Iran, the main activities of the Kurdish inhabitants of the country are agriculture and modern livestock. Wheat, barley, grains and fruits are the main agricultural

products. The chemical, metal, textile, leather and food industries are the main industrial activities in this Iranian province. (Azcarate Luxan, 2002).

For its part, in Syria due to the civil crisis and of order that faces the nation, the Rojava that is divided in 3 cantons (territorial unit in which a country can be subdivided) that are Afrin, Kobane and Cizire, evidence an economy Predominantly agricultural that has important natural resources, the most outstanding being the oil. The richest canton is Cizire (known as Jazira), which has fertile soil, grown in wheat and barley, but above all has the main oil reserves of Syria, bordering Iraq. Afrin (or Efrin), isolated to the northwest of Syria, bases its economy on the wheat and the olive tree, in addition to having reduced factories of all type like soap, oil, construction material, shoes, among others similar. (Duque Romero, 2016).

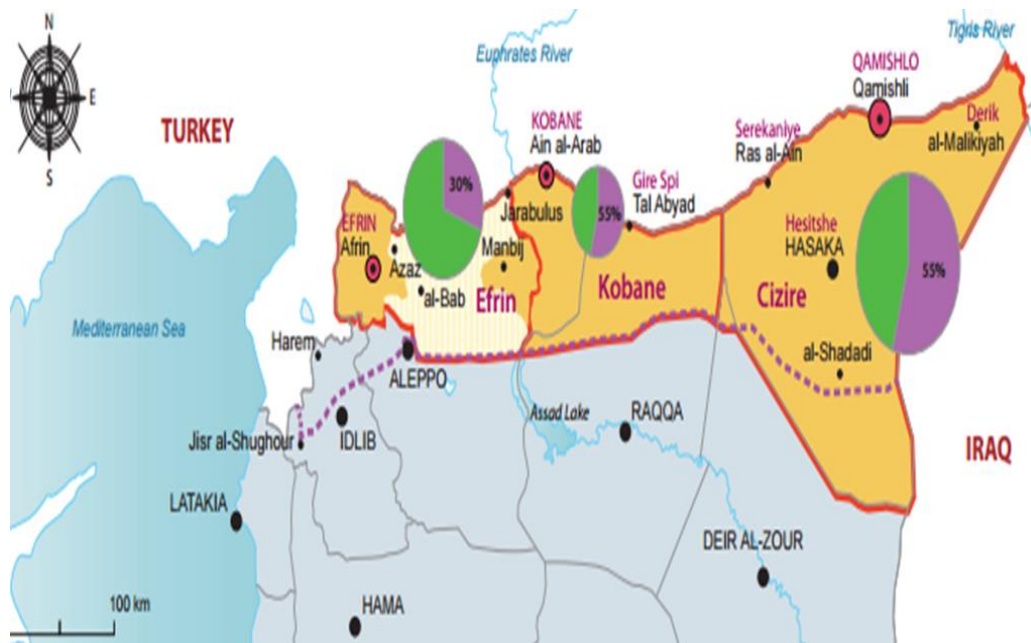


Figure 9: (Instituto Washigton, 2016). Division of Rojava. [Figure]

Finally, in Iraq, the largest Kurdish production force is focused on the oil industry especially since it contributes 70% of the country's crude oil production. Also in the dedication of agriculture and tourism. The parties controlled by the KRG of Iraqi Kurdistan contain 4 billion barrels of proven oil reserves. Other mineral resources that exist in significant quantities in the region include coal, copper, gold, iron, limestone, marble and zinc. The world's largest reservoir of sulfur rock is located just southwest of Erbil. Due to the peace of the region has a more increased and stable economy compared to other parts of this Arab-majority republic. (El Economista, 2012). Iraqi Kurdistan has one of the highest growth rates in the world, since even 4 years ago it was 8%, with 2013 a year of great momentum apart from gas oil. Its GDP per capita is 50% more than the rest of Iraq. (Prensa Latina, 2016)

The Kurds of Turkey and Rojava do not want complete independence

“Many Kurds do not want a separation from Turkey; Both Kurds and Turks would have to pay in that case a high price”

Mesut Yegen

Today, the Kurds claim autonomy through a demand given by a 14-point statement issued by the People's Democratic Congress (HDK), which is an NGO in Turkey, left-wing ideas. Among the points to be discussed in the document is talk of founding autonomous regions in the south-east of Turkey, which is precisely where the Kurdish population is established,

based on a new constitution in this Ottoman country that makes it a democratic state. On this occasion they do not talk about or refer to a separation of Turkey as such, but a struggle within the Turkish borders without ignoring the parameters of truce offered in the "*Negotiations of Peace*" established in 2013 by the leader of the PKK, Abdullah Öcalan, since they are always aware that in this conflict, which has been going on for more than 30 years between the Turkish government in Ankara and the PKK, there has been a drop of approximately 40,000 civilians killed. Kurdish peace talks with the Turkish government have been frozen since July 2015, as the Turkish army destroyed that year against PKK militias in Kurdish territory, sparking protests from civilians and thousands of demonstrators. Who do not agree with the government to continue calling the Kurdish politicians "terrorists", who by the central government are also considered as the provocateurs of this new confrontation. (Dipublico, 2015).

In March 2016, delegates from the 3 Kurdish cantons of Rojava and several parts of northern Syria, also Kurds, who were recently released from the Islamic State, considered organizing as a federal state rather than fighting for independence. Total of the government of Damascus. Such a measure, they see it as a democratic, tolerant and pertinent act to the cultural melting pot of the civil population that lives there manifests. This democratic experience, called by the same PKK leader, Abdullah Öcalan, as a Democratic Confederalism has been under way for 5 years and recognizes to himself his progress and political achievements, despite not having for the moment, while is present the Syrian Civil War, detailed information of their livelihood. So the *Rojava* is not for the moment nor does it pretend to be an independent State - Nation, but an autonomous area with recognition of

the international community, in the north of Syria in which for centuries they have lived different religious creeds and amalgam of ethnic groups. So they want a status similar to that of Iraqi Kurdistan. (Duque Romero, 2016)

However, in Iraq, although it is about to hold a referendum for the Kurdish region and its independence, there are sectors in Herémî K (as it is also known in the Kurdish language), which oppose this because of the number of refugees Syrians who have arrived in the region and has also been in the wake of more than 2.5 million Arabs who fled the city of Mosul since 2014 and have produced an abundant number of social demands directed at the central government of Baghdad where Ask for help in dealing with this crisis. This reduced the ideal of independence for much of the Kurdish population than even in September of the last year 2016. Teachers pressed through marches the request to improve the salary as graduates in education. According to statements by KRG party militants, this region produces 1 million barrels a day of high-quality crude oil without any government control from Baghdad, but the KRG is still insufficient to pay the wages of its own employees, While public employees in the rest of Iraq are having trouble with it. The population and especially the Kurdish youth have assimilated this and there are those who learn the Arabic language within their territory as a way to progress in trade and tourism with the Arab community of Iraq and the Middle East in general; being this a great economic alternative of income. Sarwa Abdul Wahid, a KRG opposition parliamentarian called Gorran (movement for change), stated that *"Kurdish and Arab communities have nothing against each other. Existing problems are being caused by politicians."* and emphasizes that if a

state's Kurdish dream results in misery, no Kurdish will support separatist intent. (Taher, 2016)

Tension by Turkey with the Kurds of Syria and Iraq

In April of this year, the Turkish air forces carried out attacks on Kurdish combatants in Syria and Iraq, killing at least 70 Kurds who were allied with the Turkish and US government to confront the Islamic State (ISIS). The Kurdish positions that perished in Syria were from the Popular Protection Units (YPG), the PYD militia and the PKK's armed wing. The YPG suffered a direct attack on a base which housed a communication center for the press and military installations, and Turkey stated that this attack was given by the fact that they consider the YPG as a terrorist group that are allied with the PKK, Of those who are their greatest internal enemy and see them as close allies, that in case the conflict ends in Syria, they will strengthen the Kurdish movements and revolts for separatist purposes. From the government of Ankara, Turkey will do its best to recover the city of Raqqa in Syria from the jihadist hands, in cooperation of the United States and the official Syrian army but completely removing the militias from the YPG, since the annihilation of this also was part of its objectives. (DW, 2017).

With respect to Iraq, the Turkish army bombed in April this year armed groups in the north of the country, estimated to belong to the ranks of the PKK, but dropped six Kurdish-Iraqi members of the Armed Forces Of Peshmerga and non-Turks. This action brought with it the

displeasure of the Kurdish self-rule of northern Iraq, which he called unacceptable, and the central government from Baghdad also condemned the attacks by the Ottoman country's aviation, saying that these acts affect Iraq's efforts as Country in its war against terrorism. The United States' concern was notorious for the same statements made by State Department spokesman Mark Toner, who described Turkey's action as being executed without proper coordination, as this government works together with President Erdoğan as a fighting coalition Of the Islamic State, as with the YPG. (Infobae Mundo, 2017).

Turkey insisted in May of this year, and failed in its attempt to convince the Bush administration to withdraw its full support of the Kurds, and to cooperate with a group of Arab forces. The United States on the other hand tried to appease the government of Ankara, which is its partner in NATO and where in Turkey it shelters one of its main military bases in the collective fight against jihadists, assuring that they will take care that the arms That they have never been used against Turkey by some Kurdish militia, given the relationship they have with the YPG Fighters. (Hurtado, 2017)

Importance of Turkey for NATO that disadvantages the Kurds

“Turkey's Kurds, however, are furious with Turkish troops that prevent them from crossing the border to fight alongside Kurdish militias in Syria, the YPG”

Mark Lowen

Turkey is one of the most mediated countries in world attention, not only because of its geostrategic position, because it is the melting pot of the Middle East with Eastern Europe being a strong juncture, but also because it is one of the main NATO members. In addition, the Turkish command on certain routes of high commercial importance for Russia and the United States, such as the Sea of Marmara and the Dardanelles that in their interior join their waters with the black sea, corroborate their global meaning. (Villarejo, 2016).

In 1952, Turkey entered that organization, however the income of this nation was given to restore its economy as well as its foreign policy strategies. Six decades after accession, NATO analyzes the changes and how they have evolved in their economic stability, standing out in foreign policy in the Mediterranean and the Middle East. (Revista de la OTAN, 2012).

In 2016 it was the second largest associate member of NATO's military (400,000 active soldiers and 185,000 reservists) followed by the US, occupying even a better position and showing greater commitment in the organization than key nations such as Germany, France or the United Kingdom. One important reason is that in Turkey there are significant military ground command facilities of the NATO countries, being the second most important facility for the organization. These facilities are located in the city of Kurecik. Moreover to the geostrategic positioning and proximity to the oil producing countries in the Middle East. (El HuffPost, 2016).

In the future Turkey could make progress in its politics and economy of great magnitude. At the same time, at the global level, Turkey has been characterized as a diplomatic territory, which has battled wars that try to end terrorism, and has been prominent in the oil and energy

trade. Turkish President Recep Tayyip Erdoğan has emerged as an icon with respect to the management of Turkish territory in his leadership. (Cediel, 2016).

Already exposing these remarkable factors, it is possible to deduce that although there are many independent movements in several countries in favor of the Kurdish freedom, in the case of the Kurds who are Turks and that they are the 20% of the population of that State, it will not be them. It is possible to get real support either from the White House government or even from the European Union for having both of Turkey not only as an economically but as having political similarities and lines, assuming that the pretensions Kurds could be unstable for total stability not only in the Middle East but for European countries that are geographically close to Turkey or have other approaches. And it is more conclusive if you add the variable that the PKK, which for the government of Ankara is a terrorist organization and its allies, has a communist orientation. Something that would inevitably not sympathize with the United States or its allies around the world. So the support for the Kurds is given to the originals of the *Rojava*, which are those of northern Syria and Heremî K, who are from Iraqi Kurdistan. (La Nacion, 2014)

The Peshmerga as a weapon of the United States and other members of NATO

“The world admires their heroism and considers them the only real land force capable of dealing with the fearsome Islamic State and other terrorist organizations”

Ahmed Jadallah

Since February 2016, the North American country trained two Peshmerga brigades, with a total of 4,000 Kurds, who were equipped with armament, Humvee armored cars and trained in logistic organization. The US Consul General who resides in Erbil, Matthias Mitman, confirmed it and in turn reported that they also have military advises of German and Italian intelligence. Such is the respect that has been given to this armed group that Russia, who normally has differences with the public opinion and ideology with the United States, considered that the Kurdish-Iraqis are a key piece to fight against the Islamic State, to the point of giving declarations In the same American chancery in Turkey, assuring that for them and their politics the Peshmerga Kurds were efficient combatants, without any relation with the terrorism. (RT, 2016).

Formerly in the Iraq War, the Peshmerga was one of the fundamental armies to overthrow and then capture Saddam Hussein, thus achieving a nexus of trust between the United States and the State, placing in the Middle East that has lasted until the present. (Prensa Latina, 2016). At present the Kurdish militia of the Peshmerga has women and volunteers of Turkish Kurdistan - Iranian that defended with the help of the United States to the greater city of its autonomy of Iraq, that is Erbil in combats against the Islamic State by that territory, like Approached and recovered much of northern Syria with the same American support, since the *Rojava* is a province rich in oil, which was controlled by terrorists since 2014, and managed to reach the city of Mosul and take it back. Thus they liberated equal to the Syrian city of Kobani, which is of strategic importance for the growth of jihadism. Not only are

they equipped and equipped with military arsenal, but the Kurds enjoy intelligence services, which even provide information to the Russian airspace in the province of Latakia, as well as to the American coalition alike. (RT, 2016).

And it was not only the United States government that helped with the growth of military material from Syrian Kurdistan, but also France with supply of weapons, since they are afraid that the Caliphate that promotes the Islamic State in the region continue giving a huge Number of displaced persons who end up fleeing to European countries and the humanitarian crisis is further aggravated. Francois Hollande, the current president clarified that this aid has been agreed with the authorization of the Iraqi central government of Baghdad, due to the large territorial extensions that this illegal group and jihadist has managed to conquer in northern Iraq. There are 190,000 Peshmerga now, who in turn do not discriminate against the female gender among their ranks, and since the agreement made in 1988, called the Washington Agreement, which consisted of the unification of Kurdish political movements in the region without Rivals in differences, the US Central Intelligence Agency (CIA) special forces conducted joint training and operations in this area. So when Massoud Barzani was elected president of Iraqi Kurdistan, the Kurdish optimism of sovereignty was born. (BBC Mundo, 2014).

Besides, Italians are present in Iraqi Kurdistan because of the "*Prima Parthica*" operation, in which Italy and its armed forces contribute more than 50% of the training and contribution to the Kurdish-Iraqi soldiers, who not only have the mission to prepare the Kurdish forces in battle, but also to ensure the safety of public places such as embassies, airports and control areas in general that may be targets of Islamic State Jihadist terrorism. In only 2016, an

average of 12,000 Kurdish troops were trained in one year by personnel supplied and intelligence assistance from countries such as the United Kingdom, Hungary, Norway, Finland and the Netherlands, in addition to the aforementioned. The European Union shows such support that has contributed 236 million euros to support all this. (Manisera, 2016).

International Law and the recognition of Kurdistan

"The creation of a single independent Kurdistan is a remote possibility, but nowadays the Kurds claim that their rights should be protected in all the countries in which they live, whether in the form of autonomy, federation or confederation"

Merab Shamóyev

The independence of Kurdistan has been a theme that has unleashed thousands of arguments and positions throughout the international community, although some countries are in favor of an independent Kurdistan, as is the State of Israel, many are against and some of these are of great importance to global geopolitics and prevent the possible creation of a Kurdish state. (Martí, 2014). However, this situation involves different aspects within international law, which are important to analyze.

The Charter of the United Nations and the two International Covenants on Human Rights of 1966 mentions the right of self-determination, which is the right of peoples to be free to decide on their economic, social, cultural and economic development. Its forms of government, among others. In turn, UN Resolution 1514 (XV) of 1960 supports this right and it can be shown that the different Member States recognize that all peoples could claim

this right and it was stated that the attachment of peoples to Subjugation, subjugation, and abuse of foreign actors towards them, erect a challenge to basic human rights by opposing the UN Charter and jeopardizing the foundation of peace and global collaboration. (Özden & Golay, 2010).

On the basis of this simple fact, it is demonstrated that there is a pertinence to recognize the Kurdish people and that all the Member States of the UN should support that situation with respect to the letter. However, one of the circumstances in which the community, especially Turkey, is protected is the fact that with this possible independence international security would be threatened, and which is part of Article 1 of the Charter. (Martí, 2014).

This view, from international law, is one of the issues that makes it difficult to recognize and at the same time the independence of the Kurdish people, so that until now a solution has not been found, because the maintenance of the Security and international peace. However, this right and situation can be solved by the possibility of autonomy, as it is today the case of the Kurdish people in Iraq. (Chornet, 1988).

Assignment projects in Syria, and the involvement of Kurdistan.

After five years of civil war in the Syrian territory, proposals have been launched that will allow the creation of a lasting peace. One of the proposals that has been planted most is the possible division of Syrian territory. James Dobbins, the US ambassador to the European Union between 1991 and 1993, said maintaining a united Syria was not going to end the

war. However, he argued that, in order to reach a peace agreement, Syria should become a decentralized State and that for this purpose two different solutions were found; The first is that it is a geographically divided country with a power sharing in the center, the other consists of a country model that is not geographically divided but has agreements on power sharing. (Esparza, 2016). This proposal was supported by the leader of the Kurdistan region, Masoud Barzani. But, maintaining a federal system without proceeding to a complete division of territory. But the first step is to fight against one of the main issues that must be addressed is the ceasefire by the rebel groups.

Although many of Syria's allies were initially opposed to decentralization, in January of this year Russia decided to organize a meeting with the representatives of the Kurdish parties, with the aim of ending the discrepancies with these. These negotiations mentioned the possible federalization of the territories that are populated by the Kurds and that has been considered during the realization of several rounds of negotiations between Russia, the Syrian government and Kurdistan. (Sputnik, Damasco y los kurdos sirios discuten la federalización con Rusia de mediador, 2017)

In general, the Russian interest in this problem lies mainly in the fact that the Russian state seeks to have an additional ally in order to combat militia groups in the Syrian war and thus secure a relationship with the Syrian state in order to gain access to the Mediterranean, which is a highly strategic area for your country. (Jimenez, 2015)

On the other hand, the president-elect of the United States affirmed that he has considered granting an autonomous state to the Kurds, seeking that the latter sign a peace agreement

with Turkey and support against the fight against the rebel groups. (Resistencia Popular , 2017)

However, with the current disagreements that have been evidenced by recent actions by the US State, these projects have been stalled by the position that each state has taken in this problem and in which Russia has been in Against these because it declares that this is a strong method to fight the war and that did it without having confirmed it in the first measure with the Syrian government. (Pardo & Colás, 2017). This could eventually become a distinct and possibly out of the scope of forming an autonomous state for the Kurdish people.

Independence of Kurdistan

Massoud Barzani, the president of the Kurdistan Regional Government, is the one who has seen the possibility of Kurdistan becoming independent as a logical right compared to the reality, the great support and toleration of the people for the decisions that are taken according to a vote.

Barzani constantly makes statements about independence, however, the facts make unlikely future independence because independence could be perceived negatively for Iraq as a threat, with Iraq being probably faster to achieve independence.

In addition, the number of oil reserves, ranking in one of the main places in the world generating greater monetary inflows to the Iraqis according to the OPEC. (BBC Mundo, 2014)

One factor that could be triggering a war would be the presence of the Islamic State (ISIS) over the Sunni areas, Kurdistan in the middle of the war protecting their territories, and the lack of weapons they have to fight the terrorists.

The Kurdish people are aware that many people may die at the start of the war, and it would be a difficult battle, however, they would rather face it before continuing with the presence of the Islamic state invading their territories. (BBC News, 2014)

The announcement of Mazoud Barzani (Iraqi President Kurdistan since 2005), to fight for independence on the first day of July, 2014. A promise made by a leader after a long period of confrontations, wars and other disputes. Notice that was unsuccessful due to the advance of the Islamic State and the aggravation of the crisis in Iraq and Syria. (Chulov, 2016)

Countries such as Iran, Turkey, Syria and Iran have not agreed with Kurdistan's independence due to conflicts over the country's infrastructure. (Le Monde, 2016)

One of the events that bring the people closer to their possible independence is the holding of a referendum. On 2 April, leaders of the Kurdistan Patriotic Union (PUK) and the Kurdistan Democratic Party (PDK) met to adopt the referendum. (Sputnik, 2017)

At that meeting it was stated that the Kurdish nation was entitled to vote to clarify its future, so they decided to hold the referendum this year. In turn, it was presided over by President Masoud Barzani. However, the Kurdish people stated their intention to open negotiations to create an agreement with the Iraqi government on the issue of Independence (EuropaPress, 2017)

Colombia's position on the conflict in Palestine and Kurdistan.

Apparently the position of Colombia has been impartial in relation to the countries of Israel and Palestine.

In November 1947, the UN General Assembly adopted resolution 181 which subsequently determined Israel as an independent state. Colombia presented one of the 10 abstentions in its vote, as did countries like Argentina, Chile, China, El Salvador, Ethiopia, Honduras, Mexico, United Kingdom and Yugoslavia; the justification of the Colombian country was that among the countries there was never a talk that would give possible solutions to the dispute.

In 2011, before the assembly on the proposal of Palestine as a state, at the UN Security Council, foreign trade analysts made hypotheses about the decision of the Colombian country and the influence that could cause the United States on this, due to the the country's close relations with the US and Israel. However, an expert on international relations, from the Javeriana University said that the decision of Colombia would be rooted in its national interests. (Paredes, 2011)

In turn, in October 2011, PNA President Mahmoud Abbas paid a visit to the Colombian territory, where he had a meeting with President Juan Manuel Santos, in order to persuade him because Colombia was a non-permanent member of the Security Council of the UN, to look for a possible supporter for the creation of Palestinian State. (Colprensa, 2011)

At the UN General Assembly, Palestine emerged victorious as an observer state; the role that Colombia played in the decision was again abstaining as did 40 other countries. This time, his justification was given by Néstor Osorio, Colombian Ambassador to the UN, who said that abstention was the best way to provide support, without causing negative reactions in the United States and Israel. (Caracol Radio, 2012)

Later, in September of 2015 Colombia witnessed the visit of the Palestinian Ambassador Inad Nabil Jada, in which he declared the friendly relations he has with the Colombian country, regardless of abstention from the vote, mentioning that Colombia is an independent country to take its own Decisions. (Caracol Radio, 2015)

As for the position taken by Colombia against the current situation with the Kurdish people, there are not many arguments or studies that analyze or mention the position of the Colombians or the government in face of this circumstance. However, the Communist Libertarian Nucleus (NCL), a Colombian group created in June 2015 to promote anarchism in Colombia, is apparently the only Colombian organization to make public its statement of support for Kurdistan. This organization analyzes the situation from its perspective and at the end it makes a call to the revolutionary organisms that fight for the autonomy of the towns that consider that they are outside the State. In addition, they emphasize the commercial complicity of the Colombian government in the terror regime in Turkey. (Rojava Azadî, 2015)

However, within the international community it has been shown that powers such as the United States and the European Union are side of Turkey against the Kurdish question. But

in Iran there is a totally different environment to the previous one, because the Kurdish people have given him the opportunity to be part of the Constitution and of possible projects in which an autonomous state is declared. (Stanganelli, 2015)

These situations demonstrate some of the positions that different states have in the face of the Kurdish conflict and that on the side of Colombia will be understood as an abstention to intervene within the debate on the subject, a position that has also been evidenced with the situation in Israel and Palestine. This is understood as a way in which the country decides to avoid creating more setbacks that stop the search for solutions for the two peoples (Palestine and Kurdistan) and in turn against its American ally.

3. Findings

The purpose of this research was to identify the possibility for Palestine and Kurdistan to create independent states for each. Above all, it was tried to examine the different aspects that they have to have a state within a legal framework. The main findings of this study will be presented below.

Firstly, we analyzed the most relevant antecedents where the history of the two areas was investigated; beginning with the first appearance of each town by its current name, in order to determine the origin of the conflicts. Of the main determinants for these was the Agreement Sykes Picot and the Treaty of Sèvres which distributed some territories of the Middle East between the then world powers. This territorial division was the trigger of the conflicts that remain today and between those who are involved the two peoples under study.

In both situations, the powers made promises of autonomous states for both Palestine and Kurdistan, once the Ottoman Empire had been defeated and thus the end of the First World War. However, in both promises were breached and even the fulfillment of them is expected until today.

Following that, the decision of the United Nations in 1948 to declare and create the State of Israel was analyzed. This was one of the events that triggered the conflict between Israel and Palestine. This decision has been considered as one of the most relevant facts to understand the situation that has been evident since then up to now between these two parties.

Also during the Second Arab Israeli War, the involvement of other Arab countries such as Egypt and Jordan, which led to the further separation of the international community, has continued to this day.

On the other hand, the Conference of Laussane in 1923, led to Kurdistan being spread over several territories of the Middle East, invalidating the Treaty of Sèvres and leaving the Kurdish people without a territory.

The events mentioned, beginning with the repartition agreements during the First World War until the invasion of Israel into Palestine and the distribution of the Kurdish people, show that the powers and even world organizations are determined to approve the agreements between different states and the latter to enforce them.

The divisions of the area that have taken place through the agreements has led to the creation of new rivalries and struggles for power that add to the different cultural and religious aspects, which have not allowed the development of the parties involved and in turn Of the region, despite being an area with high expectations of economic development.

On the other hand, it was evident throughout the investigation that these facts have contributed to the creation of terrorist organizations or militias that seek to achieve control and in both cases create states through the use of force. This being so, another of the acts that have delayed the search for a solution.

However, several countries have sought to restrain these situations through mediation between each of the parties involved, including the United States and the European Union. However, behind this it was evident that these countries have a personal interest in the

solution of these conflicts, since Palestine has the geographical advantage of being in a place of the famous Middle Eastern Crescent that allows access to Africa to Through Egypt, the Red Sea and Western Asia, with the opening of Europe to the south from Turkey and Cyprus. Palestine is considered as a geo-strategic zone for world trade and logistics, which can be exploited by powers such as the Suez Canal to the United Kingdom. It may be necessary to deduce that the political expedients conceiving military uprisings, rebellions and supply by countries with greater economic arm to local rebellions, have the purpose of appropriating some benefit of these states in sprouting and in haste to receive recognition as an autonomy. It was possible to compare the diplomatic behaviors of nations with claims to be independent states, who resist repression by adjacent countries or with which they have historical ties and do not admit their freedom, having their own capacities to form a homeland including population, Territory, local production, commerce and idiosyncrasy making possible the primordial factor of any country that is the own identity as organization.

This is a reflection of what can happen in Turkey with its area corresponding to being Kurdish, since they do not recognize them as Turks and although before a constitution they give the same civil rights the liberation of their territories would not be tolerated like people considered Independent since it is the only area within the large Turkish map with sufficient hydrocarbons that if it were to give a fragmentation of the present nation, would arrive at a possible deficit and imbalance of the Turkish economy. Not to mention the importance of northern Iraq in oil, which is practically Kurdish and this stateless nation has a region of Asia with few natural resources, places with the greatest wealth in its soil. For this reason, they are now a federal autonomous entity of neoliberal economics within a state that is

considered a republic with tendencies to be economically hermetic, which was not overwhelmed by the incessant fighting of the Iraq War of the last decade, which in turn affected the rest of the country, giving the paradox to Iraq of being a peaceful homeland and flagrant at the same time. So much is their autonomy that they have an own army denominated Peshmerga with 350,000 troops, of which unlike other countries of the Middle East that are Arab and of Muslim dominion is not exempt of the feminine military service. This is a model of how even under duress it is possible to engage in open transactions in stages of repression.

Thus, also the West Bank in 2012 could be a state recognized by the UN and the Palestinian National Authority, which controls it already had the longed for international recognition as an autonomous government, without the need for manipulation and constant observation of Israel.

It was possible to show how religion in political contexts, of which the pattern of comparison is Israel, can become a key to the backwardness and intolerance of populations that have differences rather than being ethnic (due to the proximity of genotype between Arabs and Jews) is religious. Obstructing the evolution of the UN in spreading and with equal human rights, establishing exclusive inclinations to consider those who are indicated to possess a territory given by God and to be at the same time the preferred and more beloved people of this. Similar to the Holocaust suffered in World War II, against the current Palestinian civilian population.

4. Conclusions and recommendations

4.1 Conclusions

Following an analysis to respond to the object of study, which sought to know the feasibility of Palestine and Kurdistan as new independent and independent states in the Middle East, the following conclusions were reached. Both sides, raised from the historical background with unstable political, economic and, at the same time, social bases, made it difficult to find a solution to their problems and even more the declaration of new states in the area. Not to mention, the cultural and religious differences and the different positions that each party has in these conflicts, as well as the mediators or the international community in general.

However, these two peoples have basic aspects to be able to become states and that bring them closer to the goal, and that as demonstrated above, is why they have been fighting and the reason that currently and throughout history there are the Conflicts.

In the first place, in order to be able to respond to the objective, it is necessary to clarify what aspects are needed in order to have a state within international law. Thus, in order to be recognized as an independent state, it is necessary in the first instance for a sovereign territory recognized to the international community and with its borders delimited correctly, to have the will to create a political organization for the benefit and utility of a people or nation that it wishes to be governed in order to create an idiosyncratic welfare, identity and progress for their fellow citizens and compatriots. In addition, having a capacity for coercion to give control, a nation defined or understood as a people and have determined the end of

the state, where they have the development goals of the community at large through institutions.

It can be regularized by social foundations of Law between which Dominance and Legitimacy is intruded, with the presence of a power that can influence the behavior of citizens even against their will and desires, capable of imposing sanctions and coercions that ensure behaviors according to the must be fulfilled by the established laws and their pertinent duties. The state must be a society with martial capacity for the defense of its sovereignty and autonomy, as well as that of the custody of its citizens; and in which the activity that comes to exercise for reasons of enrichment and profitability is to achieve the common and collective good, under the power of a wise governance.

From this, it was possible to conclude that Palestine has some of the basic aspects to be able to become a state. At present, and starting from the antecedents, this town always has counted on a territory for its nation. Although it was mostly snatched, it is internationally recognized. Following this, it was evident in the course of the study that Palestine had the will, from the moment of being repressed to the present, to create a state and in turn created an organization which represents part of its population. In addition, it has a definite president, Mahmoud Abbas, who has been on the fringes of his country and has sought to reach an agreement to end the conflict with Israel.

At present, most countries in the international community have recognized Palestine as a state, which could be understood as a goal already achieved by it. However, this "State" has not been recognized by all and the most essential is that it has not been able to return to its

territories defined by the United Nations in 1967, which is understood and entails one of the aspects with which it does not count The nation to be able to become in its majority an Independent State and with autonomy. For this, Palestine needs to have the capacity of coercion to control its country, but, it was demonstrated that it has not had the power to restrain the constant attacks against its community. Initially with Israel to colonize their territories and on the other hand internally, due to the problems that have caused the militias and that in turn restraining the intention to reach an agreement with the Israeli State. Despite being considered as a state, this is not entirely due to the lack of internal control; so it takes on the role of a Failed State.

One of the most important requirements for a non-failed state is that it must have a permanent population and that in the Palestinian territories is difficult, seeing the exodus in which Palestinians persist constantly. In addition, as mentioned, the country has a military deficit, which is indispensable to maintain its sovereignty. These and other reasons make Palestine a Failed State, initially the authorities should grant citizenship, but this would be somewhat confusing because of the number of refugees living in other Arab countries. Following that, when the State of Israel was created in 1948, a treaty was signed that left the Palestinians on the outside, including the situation of the borders, which are lines of armistice signed in 1949 that are established in the pacification of the conflict Egyptian-Israeli and that are not considered as true political or territorial boundaries. Finally, Israel has entered into peace agreements with Egypt and Jordan, which have been implemented; But when they have tried to do them with Palestine, and even giving up part of the territory occupied by Palestine, they have not been able to finish, delivering territories unilaterally

without these governments having effective control, thus demonstrating a vertiginous power vacuum.

On the other hand, as regards the case of Kurdistan, it was evidenced that this counts on territory delimited and accepted sovereignly in some of the States in which the Kurdish people is distributed, as either federal entity in Iraq, like province in Iran and In current Syrian territory as autonomous with the Kurdish movement of Rojava, with the exception of Turkey in which they are divided between the administration of Eastern Anatolia and Southeastern Anatolia. Syria, has granted the Kurds the northern part of their country in three cantons that are Cizire, Kobane and Afrin; Because of the civil war and the unstable armed conflict between so many armed groups in the territory, each with a particular conflict of interest, such as Islamic State, Al Qaeda, Syrian rebels and the National Army in favor of the government Of Al Assad, was of difficult administration and left desolate to this place giving birth to the absolute anarchy. Faced with the problems that have arisen with Turkey, it has not been able to be recognized as a State, nor a territory. However, in Iraqi Kurdistan they have a territory for their people and are recognized as an autonomy within the country itself and, in turn, have well-defined limits within Iraq.

Thus, Kurdistan counts, not only in Iraq but throughout the region in which it is distributed, with a definite nation that recognizes itself internationally as the Kurds; And with the intention of creating a political organization for its community and representation. Unlike Palestine, the Kurdish people have shown that they have a strong capacity for coercion because they know how to exercise control over their own nation and yet it was shown that it is capable of repressing those who oppose it or wish to do away with them, Since they

have been the shield, so that together with the forces of the Peshmerga of Iraq and the militias of Rojava in Syria, they stop the advanced terrorist and rebellious towards their territories.

Although relations in Iraq have been strained by differences with the Baghdad administration over the country, the city of Erbil has been allowed to manage its own foreign relations and the commercialization of oil. Initiates the referendum for its independence, the most possible is that it can be given since the Kurds not only of Iraq, but of the rest of the world have a very ingrained idiosyncrasy; And in this country has the advantage of possessing a territory delimited geographically and admitted, and to possess, as already mentioned, an army that provides security to its citizens, its political territorial district. Most likely, the political freedom of Iraqi Kurdistan is possible; However on the side of the Rojava and Turkey it can be concluded that these do not end up being States due to their present position, nevertheless these could have a political and geographically delimited autonomy and recognized by the central government of both nations within each one of its territories.

In conclusion, and in response to the research question, both peoples have the possibility of having independent states. However, it is now possible to denote that for Kurdistan it is much more possible because they fulfill all aspects to create a state, and they have the support of the international community, but, on the side of Palestine, despite having already been declared as a state, it has not been able to organize itself as a viable one for its internal conflicts, apart from its differences with Israel that seem to have no end; Showing that he would be the most likely to disappear.

4.2. Recommendations.

Having concluded this thesis, it is examined that it is important to investigate other aspects related to the political viability for the formation of a state in Palestine or a possible Kurdistan, and in general of the Middle East by which it is proposed to study the fragmentation of Syria as much Politics as social after his civil war, and how this helps the Rojava for its consolidation as a state.

In addition, to analyze whether refugee migration by Syrians who have preferred to exile into Iraqi Kurdistan has affected the stability of this region in their per capita or whether it has been of great help for economic development in Free trade that aims to achieve this state.

On the other hand, if possible, work with embassies from countries such as Turkey, Israel and Iran in the Capital District of Bogotá and the Syrian Chancellery located in Barranquilla (Department of the Atlantic), to be able to acquire information from primary sources and extend the vision of These conflicts from his point of view, obviously trying to be impartial when it comes to narrating a possible degree project, and see how Colombia is somehow involved in it.

Also, observe and record how the Israeli government's behavior is at the hand of President Netanyahu, who has conservative positions with the Arabs and Palestinians, towards the settlement vacancies and the recognition of this and his political cabinet towards Palestine, Before the eyes of the United Nations.

Last but not least, it is recommended to investigate President Abbas of the Palestinian West Bank and its mandate in order to determine whether it has been efficient in its management of the full recognition of this region and the diplomatic growth between this state Observed towards the step of being a member state in its totality of the UN and of other world-wide organisms and to study the possibilities of an economic unblock of the Gaza Strip.

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