

**Background Paper for
The Shared Homeland Paradigm Project:**

Institutional Models for Supranational Partnership

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The views expressed in this publication are those of the author(s) and do not necessarily reflect the position of the Shared Homeland Paradigm project.

Abstract

What lessons can we learn for a future Israel Palestine confederation from three distinct models of supranational partnership – the EU, ASEAN (Association of Southeast Asian Nations) and the (Irish) NSMC (North-South Ministerial Council) – adopted by sovereign states to address matters of common concern? With a particular focus on institutions and arrangements in the fields of **security**, **economy**, and **environmental protection**, our intention is to provide an overview of a spectrum of approaches involving degrees of joint decision-making and differing approaches to dispute resolution. The aim is to offer a critical evaluation of available options for Israel/Palestine, as well as a common vocabulary for describing them. Rather than focus on ‘internal’ territorial confederal/federal arrangements, the paper will analyse how contentious policy areas are managed within supranational bodies; how conflicts are defused, power shared, and authority delineated relating to security and the economy, and concerning the management of the environment and natural resources. We have selected these three examples for their relevance for a future model in Israel Palestine. Whilst the EU provides an example of deep integration with shared institutions, ASEAN offers a more flexible, consensus-based approach to regional cooperation. Both models suggest ways that shared sovereignty can address practical governance needs while respecting distinct national aspirations – potentially offering alternatives to traditional two-state or one-state frameworks through innovative institutional arrangements. The relevance of the NSMC lies in the fact that it was established after the conflict in Northern Ireland was resolved by the Good Friday Agreement in 1998.

1. Introduction

The Westphalian model's emphasis on state sovereignty and non-interference creates profound challenges for achieving sustainable peace, security, and post-conflict stabilization. When conflicts end, the principle of non-interference can collide with the reality that lasting peace often requires deep international engagement in a state's internal affairs.¹ The challenge is even greater when the conflict has involved neighbouring territories and the peace agreement has resulted in two adjacent states that must confront contested borders, resources, and political irredentism, as well as the economic, environmental and social impact of war. Where there is ethnic conflict, territorial disputes, and movements for self-determination, the Westphalian model of state sovereignty has proved particularly contentious, caught between respecting existing borders and addressing the nationalist claims that drive instability. Indeed, the very peace settlements designed to end conflicts often require violating the principles they ostensibly uphold. As Krasner reminds us, “every major peace treaty since 1648 – Westphalia, Utrecht, Vienna, Versailles, Helsinki, and Dayton – has violated the sovereign state model in one way or another” (2001: 18), revealing a fundamental tension at the heart of international order: the conditions necessary for building peace

frequently require compromising the sovereignty that supposedly structures relations between states.

Whilst some post-war peace processes have adopted federated power or shared sovereignty models (e.g. Bosnia-Herzegovina, Northern Ireland), proposals for resolving the Israel/Palestine conflict have, since the 1993 Oslo Accords, largely embraced separate sovereign nation-states, what Iris Marion Young terms 'self-determination as self-government' whereby 'people dwell together in a relatively large territory in which only members of their group reside, and this homogenous territory is contiguous and bounded' (2005:140). However, indigenous minorities would inevitably reside within each state, suggesting that bi-nationalism across Israel/Palestine requires some form of federated or joint institutional mechanism beyond mere separation.

The two-state solution literature notably avoids discussing shared sovereignty, likely because advocates view separation as more conducive to stability than models like Bosnia's 'consociational and confederal paradigm' (Bose 2005), perceived as producing stagnation and institutionalized ethnic division. Yet even before the current violence, the reality of illegal West Bank settlements and systematic Palestinian expulsion undermined prospects for a viable, sovereign Palestinian state (Avishai, 2018), with Prime Minister Netanyahu repeatedly boasting about preventing Palestinian statehood (Benn, 2016: 22).

The events of October 7th and the ensuing Gaza war severely tested remaining support for the two-state solution. For many Israelis, Hamas breaching border defences refuted the very notion of peaceful co-existence that underpins the conventional two-state model; for many Palestinians, the violence reflected frustration at failed progress toward statehood and equal rights. Drawing on Young (2005), this paper starts from the premise that a more nuanced understanding of self-determination enables remaking the case for a confederal model as the basis for future peace settlement.

Given the need for some form of shared sovereignty between Israel and a future Palestinian state, we examine below various models of power-sharing in which states have pooled aspects of their sovereignty in pursuit of peace, security, and greater prosperity. Rather than federated or confederated 'internal' state structures (such as the arrangements in place within Switzerland, Belgium, or Bosnia-Herzegovina), we instead examine supra-state arrangements that have emerged to manage fractious interactions between neighbouring countries. We focus on three quite different models or iterations of power sharing: the European Union, ASEAN (Association of Southeast Asian Nations), and the Irish NSMC (North South Ministerial Council). We place particular emphasis on three domains of shared power: the economy, security, and environmental protection.

The paper is divided into two parts. **Part One** offers a taxonomy of forms of shared sovereignty, with the aim of providing a means of classification and a language for navigating the various iterations of power sharing to be discussed. It also includes an overview of the particular challenges for power-sharing across Israel / Palestine with reference to the economy, security and environmental regulation (energy, water and managing the effects of climate change). **Part Two** is divided into 3 sections: the first focuses on the distribution of power in the European Union, with reference to Security, Environment and Natural Resources. This is followed by sections on the North South Ministerial Council (NSMC), and ASEAN.

2. Shared Sovereignty and Federal features¹ – a taxonomy

Federations vary considerably in the number and character of their constituent units. Substantial disparities in population, area, and wealth between units are common, and have sometimes prompted efforts to achieve greater balance – for example, the redrawing of internal boundaries in Nigeria following the civil war (Horowitz, 1985: Ch. 15; for a more critical assessment, see Suberu, 2023). Federal solutions can also be pursued when certain groups are territorially concentrated, while consociational models are set up for more non-territorial aspects. Watts (2001, p. 29) cites the case of Belgium as an “interesting experiment” which combined territorial “regions” alongside non-territorial provisions for its “communities”. A key area of variation among federal institutional solutions is whether areas of responsibility are clearly demarcated (Canada, Belgium) or whether there are examples of “concurrent jurisdiction” between different levels of government (USA, Germany). Although the distribution of powers among most federal constituent units is symmetrical, there can be temporary or permanent asymmetry (for example, Catalonia in Spain).

Looking closer at the governance arrangements, Watts (2001) notes that “the character of representation and power-sharing within the federal institutions is also an important aspect in the ability of federations to manage and reconcile diversity” (p. 30). For example, in more presidential federative contexts, there is a separation of powers between the executive and legislature, while this is fused in parliamentary systems.

Relevant to our case, as mentioned above, federative solutions are easiest to implement when groups are territorially concentrated, but if they are not, Watts (2001, p. 31) lists three possible remedies. First, polities may try to redraw boundaries so that they better coincide with the geographic distribution of different groups. Second, the central government can be responsible for the protection as the guardian of regional minorities. Third, there are robust constitutional protections in place.

¹ Watts, Ronald (2001). [Models of federal power sharing](#). *International Social Science Journal*, 53(167).

Table 1: Federative configurations from Watts (2001)

Type	Description
<i>Union</i>	“constituent units preserve their integrity primarily or exclusively through the common organs of the general government rather than through dual government structures” (p. 24)
<i>Decentralised union</i>	“ultimate constitutional authority rests with the central government, but such unions provide constitutionally protected subunits of government with some functional autonomy” (p. 24)
<i>Federation</i>	“compound polities, combining strong constituent units of government and a strong general government each possessing powers delegated to it by the people through a constitution, each empowered to deal directly with the citizens in the exercise of its legislative, administrative, and taxing powers, and each directly elected and accountable to its citizens” (pp. 24-26)
<i>Confederation</i>	“polities are joined together to form a common government for certain limited purposes such as a defence or economic policy, but the common government is dependent upon the constituent governments” (p. 26)
<i>Federacy</i>	“a large unit is linked to a smaller unit or units, but the smaller unit retains substantial autonomy and has a minimum role in the government of the larger one and where the relationship can be dissolved only by mutual agreement” (pp. 26-27)
<i>Associated statehood</i>	“similar to federacies, but can be dissolved by either of the units acting alone on prearranged terms” (p. 27)
<i>Condominium</i>	“a political unit functions under the joint rule of two or more external states in such a way that the inhabitants have substantial internal self-rule” (p. 27)
<i>League</i>	“linkages of politically independent polities for specific purposes that function through a common secretariat” (p. 27)

<i>Joint functional authorities</i>	“agencies established by two or more polities for joint implementation of a particular task or tasks” (p. 27)
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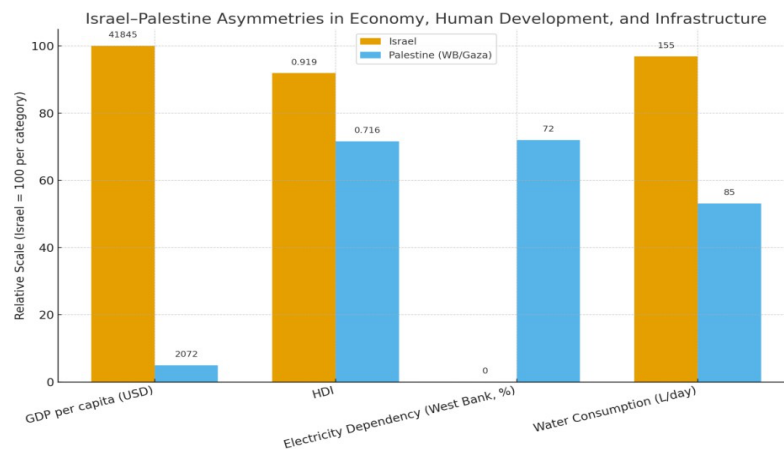
Most federal and confederal configurations assume a single polity with a central government and sub-national units and are therefore not directly applicable to the Israel/Palestine case. This analysis focuses instead on two models compatible with a two-state framework: **leagues** and **joint functional authorities**. In a league model, Israel and Palestine would remain sovereign and largely autonomous, but cooperate on specific policy areas, whether environmental, security, or economic, through a common secretariat, along the lines of ASEAN's Community structures discussed below. Joint functional authorities would establish permanent cross-border coordination bodies for particular sectors, comparable to the North-South implementation bodies created under Ireland's Belfast Agreement (1998), also discussed below.

3. The challenge from within: what a model of shared sovereignty in Israel/Palestine must address (the economy, security, and environmental protection)

In this section, we offer a high-level overview of the specific challenges that a model of shared sovereignty must address in Israel / Palestine. We focus specifically on the three identified domains – the economy, security and environmental protection.

3.1. Economy

Economic cooperation between Israel and the Palestinian Authority faces deep structural asymmetries, further exacerbated by the war in Gaza. The most visible gap lies in economic capacity: Israel's GDP per capita reached approximately US\$54,190 in 2024 (IMF, cited in Statista, 2025), whilst the Palestinian figure stood at just US\$2,072 (Trading Economics, 2024). Human development shows a similar gap, with Israel scoring 0.919 on the HDI versus Palestine's 0.674 (UNDP, 2023) – a figure that has declined sharply since 2022 as a result of the conflict in Gaza. Infrastructure dependence reinforces these inequalities: in the West Bank, electricity demand is about 1,300 MW, of which Israel supplies approximately 940 MW (around 72%) (West Bank and Gaza – Energy), while Gaza meets less than half its needs through imports and limited local generation. Water access is equally unequal: Israelis consume 150–160 litres per capita per day (Jerusalem Institute), while Palestinians average 80–90 litres in the West Bank (PCBS), and Israel controls more than 80% of shared aquifer resources.



Governance and dependency compound these asymmetries. The Palestinian Authority struggles with corruption and weak transparency (AMAN, 2024), and in 2024 relied heavily on donor support whilst facing a fiscal deficit of approximately \$2.1 billion (US State Department, 2025). The additional deductions from clearance revenues – referred to as Gaza deductions – totaled approximately \$845 million in 2024 and severely strained the PA's fiscal situation. U.S. Department of State The situation has since worsened considerably: since May 2025, Israel has fully suspended the transfer of all clearance revenues, with withheld funds estimated to stand at \$4.5 billion by the end of 2025. Arab Center DC The revocation of over 170,000 work permits has further weakened the Palestinian economy. Scholars warn that without correcting such imbalances, integration risks 'economic colonisation', subordinating Palestinian markets to Israeli interests rather than building independent capacity (Zagha and Zomlot 2012).

3.2. Security

For Israel, security has historically been understood in existential terms. The state was established in the shadow of the Holocaust and successive wars with Arab neighbours, which embedded the perception that its survival is constantly under threat (Freilich 2018). This produced a security doctrine centred on deterrence, military superiority, and pre-emptive action. Israeli leaders and society largely view security as the ability to prevent another catastrophic attack, whether from conventional armies, terrorist groups, or hostile states (Kasher & Yadlin 2005). In recent decades, the rise of Hamas and other militant groups has reinforced a focus on counterterrorism and missile defence systems such as Iron Dome, while the memory of October 7, 2023, deepened the conviction that military vigilance is a matter of national survival.

Palestinians, by contrast, tend to define security in terms of freedom from occupation, control, and displacement. In the West Bank, insecurity is experienced daily through checkpoints, restrictions on movement, arrests, and the expansion of settlements (Berda, 2017; Thrall, 2023). Furthermore, security is also associated with the fear of settler violence and the dependency on Israeli approval for many aspects of daily life (Zureik, Lyon and Abu-Laban, 2010). Thus, where Israeli security is framed as protection from external and

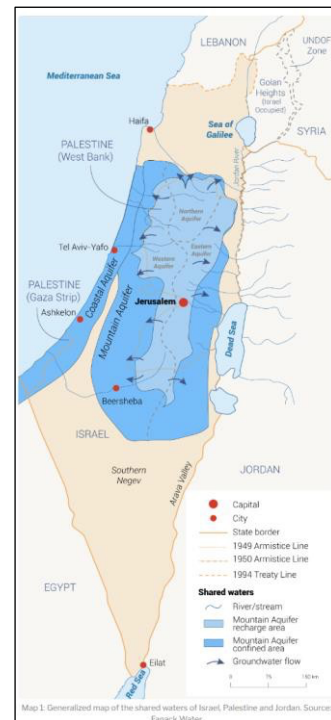
internal enemies, Palestinian security is framed as liberation from external domination and the ability of society to function freely (Khalidi, 2020). This asymmetry creates a powerful security dilemma. Israelis often perceive Palestinian political movements and armed groups as an existential danger to the state, while Palestinians see Israel's overwhelming military capacity, occupation policies, and settlement expansion as the central threat to their very survival as a people (Kelman, 1999; Khalidi, 2020). Each side's efforts to achieve security therefore often translate into actions that heighten the other's sense of insecurity: Israeli military operations intended to deter violence are widely perceived by Palestinians not only as collective punishment, but also as a broader system of control that limits autonomy and self-determination (Thrall, 2017; Thrall, 2023). Restrictions on movement and recurring military incursions are seen as mechanisms that prevent genuine political sovereignty. Conversely, many Israelis perceive Palestinian resistance – whether armed or unarmed – as a direct threat to national survival, rooted in the trauma of repeated attacks. This asymmetry of fear and power fuels a self-reinforcing cycle in which both communities experience profound insecurity, interpret each other's actions through existential lenses, and find it increasingly difficult to imagine trust or coexistence (Bar-Tal, 2007; Thrall, 2017).

Notwithstanding these profound asymmetries, security cooperation between Israel and the Palestinian Authority (PA) has nonetheless persisted, representing one of the few areas of functional engagement between the two sides. Since the Oslo Accords, the PA has maintained continuous security coordination with Israel, focusing on policing in West Bank cities, intelligence sharing, and preventing attacks on Israelis. For example, PA security forces routinely arrest Hamas activists or armed groups in the West Bank, dismantle weapons caches, and coordinate movement with the Israeli army to prevent clashes in urban centres ([MERIP](#)). Crucially, coordination has persisted even during periods of intense conflict, including the ongoing Gaza war after October 7, 2023, when the PA continued to share intelligence with Israel despite strong domestic criticism ([Haaretz](#)). International actors such as the USA and the EU have supported this arrangement through training and funding of PA forces. While fragile and often unpopular among Palestinians, these initiatives demonstrate that security is not always a zero-sum concept: when framed around pragmatic needs – such as maintaining order, reducing chaos, and enabling daily life – Israelis and Palestinians can find common ground, even in the shadow of war.

3.3. Environmental regulation (water, energy and climate)

Water has been politically symbolic for both peoples. For Israel, since the early Zionist movement, guaranteed access was essential for survival and state-building, making water security a national priority. For Palestinians, scarcity is seen as politically induced, linked to occupation and unequal allocations. Israel has reduced reliance on natural sources through desalination and wastewater reuse, with more than 50% of

drinking water from desalination (Scientific American; Fanack Water) and nearly 90% of wastewater recycled (EPA). Palestinians, however, remain dependent on the Mountain and Coastal aquifers, where access is restricted. Under Oslo II, Israel retained around 80% of the Mountain Aquifer’s output (Dai). In practice, Palestinians cannot drill new wells or upgrade networks without Israeli approval, while Israeli settlements enjoy unrestricted supply from Mekorot, Israel’s national water company (Amnesty International). This imbalance directly affects daily life: Israelis – including settlers – consume on average 247 litres per person per day, while Palestinians in the West Bank average just 82 liters (B’Tselem). In Gaza, over 90% of water is unfit for human consumption (OCHA, 2019; UNICEF, 2018).



Resource / Indicator	Israel (including settlers)	Palestine (West Bank / Gaza)
Main sources today	Desalination, Mountain & Coastal Aquifers, Jordan River	Mountain Aquifer, Coastal Aquifer (Gaza), purchased from Israel
Share of Mountain Aquifer use	~80% (<u>UN</u> ⚡; <u>Dai</u> ⚡)	~20% (<u>UN</u> ⚡; <u>Dai</u> ⚡)
Daily per capita consumption	~247 liters (<u>B'Tselem</u> ⚡)	~82 liters (West Bank, <u>B'Tselem</u> ⚡)
Gaza water quality	>90% unfit for drinking (<u>Farajallah</u> ⚡)	Reliance on polluted Coastal Aquifer
Wastewater reuse	~90% treated & reused (<u>EPA</u> ⚡)	Minimal reuse due to lack of facilities

Energy reflects similar disparities. Israel has become a regional exporter of gas following the discovery of major offshore fields. The Tamar (2009) and Leviathan (2010) fields, together with Karish and Tanin, hold several hundred bcm of recoverable gas (Chamber of Commerce). Israel produces around 21 bcm annually, exporting approximately 9-10 bcm to Egypt and Jordan while the rest meets domestic demand (Energy; IEA). These exports underpin bilateral agreements, enable LNG re-exports via Egypt, and strengthen Israel's role in the East Mediterranean Gas Forum (EMGF). By contrast, Palestine relies almost entirely on imported energy (Pentra). Its only significant resource, the Gaza Marine field (approximately 30 bcm), has remained undeveloped for over two decades due to political and security barriers (Encyclopedia Britannica). In June 2023, Israel gave preliminary approval for its development under

a framework with the Palestinian Authority, raising hopes of a 'win-win' project that could supply Gaza and generate revenues (United States Institute of Peace). However, the legal status of the field remains unclear, and the 2023 Israel-Hamas war has further complicated and effectively stalled its development (Rettig and Spanier, 2024). Plans for new gas-fired plants in Jenin and Hebron (Trade.gov) and possible regional pipeline integration (Arab Center) have also been discussed, though progress on these remains uncertain.

Despite these sharp inequalities, opportunities remain. Energy and water interdependence means cooperation is unavoidable: Israel continues to supply electricity and desalinated water, while future gas development could benefit both sides. Though fragile, such initiatives may help build trust and lay foundations for longer-term stability.

Climate change is a looming and intensifying threat for both Israel and Palestine, compounding existing environmental stresses. In Israel, average temperatures are projected to rise by up to 4 °C by the end of the century under high-emission scenarios, accelerating heatwaves, drought, and evaporation of surface water reservoirs ([Israel Meteorological Service](#)). In Palestine, climate projections warn of more severe and frequent droughts: between 2031–2060, many droughts will be classified as “extreme” rather than moderate, with groundwater recharge declining and spring flows reduced ([UN SDG](#)). In Gaza, sea-level rise and saltwater intrusion threaten coastal aquifers, and projections suggest temperatures may rise faster than regional averages, intensifying water stress ([Berkeley climate displacement analysis](#)).

In the Palestinian territories, limited control over land and infrastructure worsens solid waste management, wastewater treatment, and air quality. Armed conflict adds a destructive ecological layer. In Gaza, the 2023–2024 war damaged water desalination facilities, sewage systems, and power plants, creating risks of groundwater contamination, untreated waste discharge, and long-term soil degradation ([UNEP](#)). The destruction of residential and commercial buildings has generated millions of tons of debris and rubble, much of it mixed with asbestos, heavy metals, and unexploded ordnance, complicating cleanup and posing risks to both public health and the environment ([UNEP](#)). Bombardment has also damaged solid waste facilities, leaving large quantities of debris and hazardous materials uncollected, while uncontrolled dumping and burning add to air and soil pollution. The collapse of infrastructure means that untreated sewage often flows directly into the Mediterranean, threatening marine ecosystems and regional coastal waters. Beyond immediate hazards, the combination of toxic rubble, soil contamination, and disrupted waste management could impede Gaza’s ecological recovery for decades. In northern Israel, Hezbollah rocket and drone attacks sparked large wildfires in 2023–2024, destroying forested areas and releasing pollutants, highlighting how cross-border violence translates into ecological harm ([Times of Israel](#)).

Despite these pressures, there have been attempts at joint environmental initiatives. The Good Water Neighbors project run by EcoPeace Middle East has, since 2001, brought together Israeli, Palestinian, and Jordanian municipalities to foster trust and cooperation through shared water management, environmental education, and community-level advocacy ([EcoPeace](#)). Other cross-border initiatives have included wastewater treatment projects: for example, the Al-Bireh treatment plant in the West Bank was developed with international support to reduce sewage flow into shared streams, and further facilities have been discussed to treat sewage from Palestinian towns before it crosses into Israel.

At the regional level, forums such as the East Mediterranean Gas Forum (EMGF) bring together Israel, Palestine, Egypt, Cyprus, and EU observers, creating indirect opportunities for environmental and energy cooperation ([EMGF](#)). In addition, trilateral cooperation agreements between Israel, Jordan, and the Palestinian Authority have been promoted around renewable energy and water exchange schemes – such as “Project Prosperity,” where Jordan would export solar power to Israel in exchange for desalinated water supplies ([IEA](#)).

Still, the main obstacles to deeper cooperation remain entrenched. Political mistrust and sovereignty disputes mean Palestinians often regard cooperation as normalization under occupation, while Israelis tend to view such initiatives through a security lens. Asymmetric control over land, water, and infrastructure makes partnerships unequal, reducing incentives for Palestinian stakeholders. In addition, the recurring cycles of violence undermine donor-backed projects and erode trust between communities. Yet despite these barriers, shared ecological risks – from climate change to cross-border water and air pollution – make environmental issues one of the few domains where dialogue and practical cooperation remain possible.

PART TWO: Models of shared power and sovereignty

4. Distribution of Power in the European Union: Security, Environment, and Natural Resources

The European Union's experience with shared sovereignty and power distribution offers important insights for understanding how a confederal arrangement might function in an Israel-Palestine context. The EU operates through a complex system of shared governance between supranational institutions and member states, with power distributed across the European Commission, the Council of the European Union, and the European Parliament. The balance of power varies significantly depending on the policy area, with security, environment, and natural resources each following distinct patterns that reflect the ongoing tension between national sovereignty and collective action (Hooghe and Marks 2001). Examining how the EU manages these tensions reveals both the potential and the limitations of confederal models for contexts where deep political divisions and sovereignty concerns are paramount.

The EU operates under the principle of “conferral,” meaning it only has powers explicitly granted by member states through treaties (Schütze, 2015). These powers fall into three categories: exclusive competences (where only the EU can legislate), shared competences (where both the EU and member states can act), and supporting competences (where the EU can only support member state action). This differentiated approach allows member states to pool authority in specific domains whilst retaining control over others, a model potentially relevant for an Israel-Palestine confederation where both parties would likely insist on maintaining sovereignty over certain core functions while accepting shared governance in areas of mutual benefit (Keating and Hooghe 2006). Most EU legislation is adopted through the “ordinary legislative procedure,” where the Commission proposes legislation and both the Council and Parliament must agree. The Council typically votes by qualified majority (55% of member states representing 65% of the population), though unanimity is required in particularly sensitive areas such as foreign policy, taxation, social security, and amendment of the EU treaties (Hix and Høyland 2011). This variable geometry demonstrates how confederal arrangements can accommodate different levels of integration across policy domains (Schimmelfennig and Winzen, 2020).

Security and defence remain primarily the preserve of member states in the EU, operating on an intergovernmental basis where the Council holds decisive power (Howorth 2014). The Common Foreign and Security Policy and Common Security and Defence Policy require unanimous agreement in the Council, giving each member state an effective veto. For an Israel-Palestine confederation, this EU model suggests that security arrangements would necessarily remain under national control with at most coordination mechanisms requiring mutual consent, a structure that acknowledges the reality that neither party would cede sovereignty over matters considered existential. The Commission has a minimal role in security policy, and the European Parliament is largely sidelined. Recent crises have exposed these tensions acutely: divergent national responses to conflicts, energy security threats, and migration challenges reveal how jealously member states guard sovereignty in areas they consider existential (Bickerton 2012). For Israel-Palestine, this suggests that a confederation could not be expected to resolve core security disputes but might provide frameworks for managing less contentious security-adjacent issues.

In contrast, environmental policy represents a shared competence where the EU has developed extensive legislative power in areas including pollution control, waste management, and nature conservation, while member states retain jurisdiction over decisions such as energy source selection and territorial planning; on balance, this domain offers more promising parallels for Israeli-Palestinian cooperation (Jordan and Adelle 2012). The Commission proposes environmental legislation, which is adopted through the ordinary legislative procedure by both Council (qualified majority) and Parliament. This has produced comprehensive EU-wide standards on air quality, water

protection, waste management, and nature conservation, all areas where Israel and Palestine share ecosystems and where unilateral action by either party produces negative externalities for the other (Knill and Liefferink 2007).

For an Israel-Palestine confederation, environmental governance represents a natural domain for shared institutions: water resources, air quality, waste management, and biodiversity conservation are inherently transboundary issues where cooperation produces mutual benefits (Conca 2006). The EU model demonstrates that even states with significant political tensions can develop functional cooperation in environmental domains, though enforcement challenges remain (Börzel 2002).

The Commission enforcement mechanisms are often slow and ineffective, creating a gap between ambitious EU-level commitments and variable national implementation. This enforcement deficit would be particularly problematic in an Israel-Palestine confederation lacking the EU's developed institutional infrastructure and where political will for compliance might be limited.²

Natural resources straddle multiple policy areas with varying competence structures in the EU, creating a particularly complex division of powers that offers both opportunities and cautionary lessons for Israel-Palestine (Goldthau and Sitter, 2015). Energy policy is a shared competence, though member states retain the right to determine their energy mix, creating inherent tension between EU-level climate ambitions and national energy sovereignty (Buchan 2009). For Israel and Palestine, energy resources are politically charged but also represent potential areas for cooperation: shared electricity grids, renewable energy development, and natural gas resources could benefit from coordinated management, though the EU experience suggests member states will fiercely resist any perceived loss of energy sovereignty (Schmidt-Felzmann, 2011). As highlighted in section 3.3 above, water resources – present an even more critical issue for Israel-Palestine, where water scarcity and competing claims over aquifers create zero-sum perceptions. The EU's experience with transboundary water management through its Water Framework Directive offers a potential model, establishing shared water basin management while respecting national sovereignty, though implementing such frameworks requires political will

² The Commission's main enforcement tools are:

Infringement proceedings (Articles 258–260 TFEU) – the Commission can bring a member state before the Court of Justice of the EU for failing to implement or comply with EU law. If the state fails to comply with the Court's ruling, it can be fined. In practice this process is slow, politically sensitive, and used selectively. The Commission has significant discretion over whether to pursue a case at all.

Financial conditionality – the Commission can suspend or withhold EU funding (including cohesion and structural funds) where member states fail to meet conditions attached to that funding. This has become a more prominent tool recently, particularly in relation to rule of law concerns with Hungary and Poland.

Monitoring and reporting – the Commission publishes implementation reports, country-specific recommendations, and assessments (e.g. under the European Semester), which create reputational pressure but carry no direct legal force.

State aid control – the Commission has exclusive competence to approve or block state aid, giving it leverage over national economic decisions, though this is a market regulation tool rather than an environmental one.

often absent in deeply divided contexts (Kaika 2003). Agricultural resources fall under the Common Agricultural Policy in the EU, representing one of the EU's most integrated policy areas, yet CAP negotiations expose deep tensions between net contributor and recipient states, intensive and extensive farming models, and environmental protection versus agricultural productivity (Daugbjerg and Swinbank 2009). For Israel-Palestine, agriculture intersects with land rights, water access, and economic development in ways that make it highly politically sensitive, suggesting that whilst technical cooperation might be feasible, deeper integration would face significant resistance and is therefore an area not to be prioritised for federated co-operation, at least not initially.

The EU's [Just Transition Fund](#)³ demonstrates how power can be effectively shared across multiple levels of governance. The Commission proposes allocations and sets conditions, member states negotiate agreements in Council with Parliament exercising co-decision rights, while implementation remains under national control through territorial plans subject to approval. This layered approach could work well for international funding in an Israel-Palestine confederation, allowing external actors to provide resources and set broad parameters while preserving national autonomy over implementation, a balance likely essential for building trust and ensuring buy-in from both parties.

The EU's Hybrid governance system, where the Union sets ambitious targets while member states control implementation with Commission monitoring, demonstrates how confederal arrangements can drive progress even when enforcement mechanisms are modest. For technical domains like environmental standards, renewable energy development, or water quality targets, this model shows how confederal institutions can establish meaningful benchmarks without requiring either party to surrender fundamental sovereignty (Jordan and Adelle 2012; Kaika 2003; Szulecki et al. 2016)).

The EU experience reveals that effective confederal governance depends on matching institutional design to political realities. An Israel-Palestine confederation would likely need unanimity for most significant decisions initially, but the EU demonstrates this need not prevent functional cooperation. As trust develops, carefully delimited technical domains could potentially transition to qualified majority voting, as seen in environmental legislation. The Commission's role in agenda-setting and monitoring compliance, despite limited direct enforcement capacity, shows how confederal institutions can influence outcomes through facilitation and transparency rather than coercion – an approach potentially well-suited to the Israeli-Palestinian context where heavy-handed enforcement would likely prove counterproductive. The EU's bicameral system offers a template for ensuring both parties feel adequately

³ *Just Transition Fund*. Available at: https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/just-transition-fund_en

represented and protected, with institutional checks preventing either from dominating decision-making.

The EU experience suggests that confederal arrangements can function when several conditions are met: shared values (rule of law, democracy, human rights – as set out in Article 2 of the Treaty of the European Union), economic interdependence creating mutual benefits, institutional mechanisms for managing disputes, and external security guarantees allowing states to accept limitations on sovereignty. The EU developed under NATO protection and American hegemony; factors largely absent in the Israel-Palestine context. However, the interconnected nature of contemporary challenges – where environmental protection affects economic competitiveness, water scarcity shapes development possibilities, and climate policy intersects with energy security – makes purely unilateral approaches increasingly ineffective. Environmental degradation, water scarcity, and economic development cannot be addressed effectively through isolated policies, creating functional pressures for cooperation even absent political will. The EU model thus offers both hope and caution: hope that even deeply divided societies can find areas for functional cooperation that improve lives and build trust incrementally; caution that confederal institutions require genuine political commitment and that without it, confederal structures may become arenas for continued conflict rather than frameworks for cooperation.

5. North-South Ministerial Council (NSMC)

The violent conflict in Northern Ireland (NI) commonly known as The Troubles lasted for three decades and ended with the signing of the 1998 Belfast (“Good Friday”) Agreement (GFA) (Bew et al., 2002; Dixon, 2001; McGarry and O’Leary, 1995). The Northern Ireland dispute is between predominantly Protestant *Unionists* wishing to remain within the United Kingdom (UK) and predominantly Catholic *Nationalists* wanting to create a united Irish Republic on the whole of Ireland. The roots of the modern conflict began with the Government of Ireland Act (1920) creating two devolved administrations, one of which eventually became the independent Republic of Ireland in the South, and six counties in Ulster which became Northern Ireland.

We will examine the cross-border (North-South) elements of the GFA that dealt with the relationships between the Irish Government and the newly created Assembly in Belfast. The institutions in the Agreement are organised into three strands: devolved democratically elected Assembly (Strand One); North-South Ministerial Council [NSMC] (Strand Two); and British-Irish and British Intergovernmental Conference for East-West relationships between Britain and Ireland (Strand Three). Crucially, the strands of the GFA were designed as “interlocking and interdependent”, with the Assembly and NSMC particularly “inter-twined” (GFA, Declaration of Support).

The cross-border (North-South) elements of the GFA dealt with the relationships between the Irish Government and the newly created Assembly in Belfast. The

institutions in the Agreement are organised into three strands: a devolved democratically elected Assembly (Strand One); a North-South Ministerial Council [NSMC] (Strand Two); and a British-Irish and British Intergovernmental Conference for East-West relationships between Britain and Ireland (Strand Three). Crucially, the strands of the GFA were designed as 'interlocking and interdependent', with the Assembly and NSMC particularly 'inter-twined' (GFA, Declaration of Support).

The GFA envisioned two types of cross-border relationships: selected policy sectors; and 'implementation bodies on a cross-border or all-island level' (GFA, Strand 2, 19, para. 9). The coordination on selected policy sectors is akin to a league in the Watts (2001) framework, while the implementation bodies are joint functional authorities. The final designation of sectors for cooperation and implementation bodies was deferred in the GFA. Ultimately, the sectors for cooperation were agriculture, education, environment, tourism, and health (Tannam, 2024, p. 115). The implementation bodies were established for: EU funding programmes; aquaculture and marine matters; trade and business development; food safety; and Irish and Ulster Scots (Ibid.). In addition, more informal cooperation arrangements have developed in: energy; telecommunications and broadcasting; justice and security; higher and further education; arts, culture and sport; and inland fisheries (EC, 2019, p. 5).

As per the GFA, NMSC plenary meetings occur twice a year to discuss North-South cooperation at a general level and are co-chaired by the Irish Taoiseach (Head of Government) and the First and Deputy First Ministers of the NI Executive (one of whom is Nationalist, the other Unionist). Sectoral meetings occur on a regular basis, with the relevant Irish Minister, NI Minister, and another Minister from NI "from the opposite tradition" (O'Connor, 2019, p. 167). Sectoral meeting decisions need to be unanimous, so this ensures that both communities in NI are involved.

In the economic sector, InterTradeIreland was created as a cross-border body focusing on trade, business development, and related matters. Its remit is to enhance North-South business co-operation in areas of mutual interest agreed by the government in Dublin and devolved administration in Belfast. The body has done so by initially building informal "networks of trust" between business communities on either side of the border, gradually relying on more formalised networks "as a key source of knowledge diffusion, competitive advantage and increased trade. InterTrade Ireland is an implementation body based in Newry to promote trade and business co-operation by building enterprise capability, competitiveness and developing networks across Ireland, supported by the relevant Ministries in Dublin and Belfast.

By contrast, *environment* is one of the agreed areas of sectoral cooperation, which has pursued through regular meetings a North-South programme in: Climate Action, Biodiversity and Sustainable Development; Environmental Research, Reporting and Funding; Air Quality; and Circular Economy. The area of justice and security is not

one of the sectors mentioned in GFA or following agreements, but there had been informal cooperation mainly around EU measures, for example, cooperation on police and judicial matters, and mutual legal assistance (EC, pp. 12-13).

The structure of Strand Two reflects the delicate balancing act of interests of those who negotiated the GFA. In response to the initial outline of the parameters of an agreement published by Dublin and London, Unionists feared the North-South body with executive powers could be the forerunner of an all-Ireland government, while some Nationalists felt that the body was lacking executive authority (Hennessey, 2009, pp. 39-40). The Irish Government negotiated with the leading Unionist party, with the latter proposing areas for cooperation and implementation bodies (Powell, 2008; Hennessey, 2009). Crucially, compared with previous failed agreements, unionists felt that they had a voice in the decision rather than cross-border bodies being imposed (Hennessey, 2017; Trimble, 1998). The architecture of the North-South bodies was agreed for the GFA, with the details to be decided by the Assembly during the transitional period, which was agreeable to both Dublin and the Unionists (Trimble, 1998). In particular, Nationalists and the Irish Government had negotiated all-Ireland institutions and cooperation, while the Unionists were able to secure a narrower set of cross-border sectors and ensure checks and balances (O'Connor, 2019, p. 167).

The biggest dividend of the GFA and the resulting structures has been the consolidation and normalisation of nearly 30 years of sustained peace (O'Connor, 2019, p. 170). Beyond the aforementioned policy coordination, North-South cooperation has also necessitated better harmonisation of the civil service across Ireland (Tannam, 2007). On the other hand, the compromise ensuring institutional inter-dependence amongst GFA strands has meant that Assembly suspension also stops the NSMC. The UK Government frequently suspended the NI Assembly – in 2000, 2001 (twice), 2002, 2017, and 2022 – because under the GFA, resignation of either Unionist or Nationalist parties in the Executive means that the whole Executive resigns. To avoid frequent elections, the UK Government suspends the Assembly until an agreement among NI parties can be reached. This has resulted in the NSMC not developing, deepening North-South cooperation, or fostering all-island reconciliation (Tannam, 2024, p. 122).

The UK Government intervened in this way to avoid a governance void when power-sharing institutions collapsed or could not be formed, suspending the institutions and moving to direct rule from London until the devolved institutions could be reinstated.

The decision of the UK Government to leave the Single Market after the Brexit referendum in 2016 has had a “catastrophic impact” on North-South cooperation and led to deep uncertainty for the future of communities on the Irish border (Tannam, 2024). Unionists are also unhappy with the post-Brexit trade arrangements between

NI, the rest of the UK and the EU – resulting in the most recent Assembly suspension triggered by the resignation of the Unionist First Minister (Edgar and Flanagan, 2022), with the NI Executive restoration in February 2024 after the UK Government made a deal with the largest Unionist party (McCormack, 2024).

In sum, the North-South GFA structures have fostered substantial policy cooperation and provided an important peace dividend. However, its institutional interdependence with the frequently disrupted Assembly and Brexit have greatly diminished its positive impacts.⁴

6. Applicability to Israel-Palestine: Opportunities and Obstacles

The Northern Ireland case offers a number of potentially instructive parallels for Israel-Palestine, not least because the NSMC was explicitly designed to manage cross-border relationships between two sovereign or quasi-sovereign entities with deeply antagonistic national identities, competing territorial claims, and a long history of political violence. Like the Israeli-Palestinian conflict, the Northern Irish dispute involved communities with incompatible visions of sovereignty and belonging, embedded within an asymmetric relationship between a dominant state and a minority population whose political aspirations had been systematically frustrated. The GFA's core innovation, to create institutions that were simultaneously intergovernmental and interdependent, requiring the participation of both communities to function, offers perhaps the most instructive template for thinking about how Israeli-Palestinian cooperation might be structured without either side feeling that cooperation implies recognition of the other's political claims.

The NSMC's sectoral architecture is particularly relevant. Its distinction between areas of cooperation, where governments coordinate policy without delegating authority, and implementation bodies, where joint agencies exercise executive functions, maps directly onto the leagues and joint functional authorities framework outlined in Section 2. For Israel-Palestine, this distinction offers a practical pathway: cooperation on less politically sensitive sectors such as environmental management, public health, tourism, and agriculture could begin through regular ministerial coordination akin to the NSMC's sectoral meetings, whilst more technically complex areas such as water management, energy infrastructure, and trade facilitation might eventually support joint implementation bodies with their own administrative capacity.

⁴ There are no detailed accounts regarding the proceedings of NSMC meetings and whether particular parties played more obstructive or constructive roles. However, a recent interview-based study with those involved in the establishment of cross-border bodies concluded that these structures were “smothered at birth” by the suspensions triggered by broader conflicts in Northern Irish politics (Feeney, 2024). By the time the institutions were reinstated in 2007, party politics in Northern Ireland had become more polarised, with Irish republican Sinn Féin and the more hardline unionist DUP as the predominant parties. Sinn Féin was less enthusiastic about cross-border cooperation than SDLP, and DUP was far more hostile towards North-South cooperation compared with UUP. These dynamics have prevented robust cross-border cooperation from becoming normalised over time (Feeney, 2024).

The InterTradeIreland model is instructive here: by initially building informal networks of trust between business communities before formalising institutional arrangements, it demonstrates that functional cooperation can create its own momentum and constituency, gradually deepening engagement in ways that purely top-down institutional design cannot achieve.

The Northern Irish experience also illustrates the importance of institutional design that gives both parties a genuine stake in the process. The requirement for unanimous decisions in NSMC sectoral meetings, combined with the involvement of ministers from both traditions, ensured that neither community could be outvoted on matters of concern. This principle of mutual veto is likely to be indispensable in any Israeli-Palestinian arrangement, where both sides would require credible assurances that cooperation cannot be used to impose outcomes on unwilling partners. The GFA architecture further demonstrates that cross-border bodies need not threaten sovereignty: by tying the NSMC's functioning explicitly to the Assembly, itself an internally power-shared institution, the Agreement reassured Unionists that North-South cooperation was not a stepping stone to Irish unification. A comparable reassurance mechanism would be essential for Israel, where any joint institutional arrangements would need to be clearly bounded and accompanied by guarantees that cooperation in technical domains does not imply progress toward political outcomes Israel opposes.

However, the Northern Irish experience also exposes the profound limitations of institutionally dependent confederal arrangements, and these carry direct warnings for Israel-Palestine. The structural inter-twining of the NSMC with the Assembly meant that every political crisis in Belfast automatically suspended cross-border cooperation, preventing the gradual deepening and normalisation that the GFA's architects had envisaged. The frequency of Assembly suspensions – in 2000, 2001, 2002, 2017, and 2022 – illustrates how the most recalcitrant party can effectively hold the entire institutional architecture hostage. In the Israeli-Palestinian context, where the political incentives for obstruction are considerably greater and the parties lack even the minimal shared framework that Unionists and Nationalists operated within as co-citizens of the United Kingdom, this vulnerability would be acute. Any joint institutions would need to be designed with greater insulation from political crises, perhaps through autonomous administrative structures, international guarantors with the capacity to maintain functioning, or carefully delimited mandates that cannot easily be suspended without triggering material consequences for both sides.

The Brexit experience adds a further cautionary dimension. North-South cooperation under the GFA presumed a shared European framework within which both Ireland and the United Kingdom operated, providing common legal standards, funding streams, and a broader context of integration that reduced the political salience of the border. The partial unravelling of that framework after 2016 exposed how dependent

the NSMC's functioning had been on conditions external to the Agreement itself. For Israel-Palestine, this underscores that joint institutions cannot be conceived in isolation: their viability would depend heavily on the broader regional and international environment, including the posture of the United States, the European Union, Arab states, and international financial institutions. Without sustained external support and an enabling geopolitical context, even carefully designed institutions are likely to atrophy.

Finally, and perhaps most fundamentally, the Northern Irish case demonstrates that institutional design alone cannot substitute for political will. The NSMC has never fully realised its potential, not because the architecture was poorly conceived, but because the political conditions necessary to animate it - cross-community trust, a shared interest in deepening cooperation, and party leaderships willing to invest political capital in North-South relationships - have been intermittently absent. Recent research suggests that cross-border bodies were effectively "smothered at birth" by early suspensions, and that by the time institutions were reinstated, the political landscape had shifted toward parties less committed to cross-border cooperation (Feeney, 2024). In the Israeli-Palestinian context, where the gulf of mistrust is far deeper, the lessons of violence more recent, and domestic political pressures against accommodation considerably more intense on both sides, the Northern Irish experience counsels realism. Institutional frameworks can create possibilities and reduce transaction costs for cooperation, but they cannot generate the political will that makes cooperation sustainable. That will depend, as it did in Northern Ireland, on exhaustion with conflict, credible external guarantors, and leadership on both sides willing to absorb the domestic political costs of engagement.

7. Power-Sharing in ASEAN: Lessons for an Israel-Palestine Confederation

The Association of Southeast Asian Nations (ASEAN), established in 1967 and now comprising ten member states with vastly different political systems and economic capacities (Indonesia's economy is roughly 140 times larger than Laos'), operates through the "ASEAN Way" – sovereign equality, non-interference, and consensus decision-making whereby no member can be outvoted (Acharya, 2001, 2014). The ASEAN Charter (2008) formalised an intergovernmental structure with minimal supranationalism: the ASEAN Summit (heads of state/government) serves as the supreme body with an annually rotating Chair ensuring small states periodically set the agenda; the ASEAN Secretariat employs fewer than 300 staff with no enforcement authority; and sectoral ministerial bodies (economic ministers, defence ministers, senior economic officials, working groups on environment, trade, investment, customs) coordinate policy through distributed governance rather than centralized management (Jetschke and Murray, 2012; Ba, 2009). Security governance relies on dialogue through the ASEAN Regional Forum and Defence Ministers' Meeting rather than

collective defence, with the Treaty of Amity and Cooperation (1976) establishing non-aggression norms but no binding enforcement – when serious disputes arise (South China Sea, Rohingya crisis, Thailand-Cambodia tensions), ASEAN defaults to informal diplomacy, and its Enhanced Dispute Settlement Mechanism, requiring mutual consent to invoke, has been used only twice (Ravenhill 2008; Acharya 2014). The ASEAN Economic Community (launched 2015) pursues market integration through the ASEAN Free Trade Area while preserving political sovereignty, incorporating variable geometry whereby newer members receive extended implementation timelines, and engaging external powers collectively through “ASEAN+1” agreements (Menon, 2013; Beeson, 2009). Environmental governance on transboundary haze illustrates ASEAN's pattern: the Haze Pollution Agreement (2002) and Coordinating Centre establish frameworks for cooperation but lack binding targets or enforcement, leaving implementation to national discretion when domestic political economy conflicts with regional goals, ASEAN cannot compel compliance (Elliott, 2003; Varkkey, 2016). This architecture enables diverse states to cooperate through flexibility and consensus while maintaining full sovereignty, contrasting sharply with the EU's supranational authority and enforceable legal framework.

8. Applicability to Israel-Palestine: Opportunities and Obstacles

The asymmetries between Israel and Palestine far exceed those within ASEAN. Israel's GDP per capita (\$41,845) is roughly twenty times Palestine's (\$2,072), wider than between Singapore and Myanmar. Infrastructure dependencies – Israel supplying 72% of West Bank electricity, controlling 80% of shared water, and withholding clearance revenues – have no ASEAN parallel.

A confederal arrangement inspired by ASEAN might address asymmetries through graduated implementation. This could establish different timelines for Palestinian capacity-building before full economic integration, including transition periods for infrastructure development and revenue independence. ASEAN's rotating leadership could translate into alternating chairmanship of confederal bodies and Palestinian leadership on specific portfolios (cultural heritage, refugee affairs, religious sites). External actors might play roles analogous to ASEAN's dialogue partnerships, monitoring arrangements, mediating disputes, and providing technical assistance (Narine 2002).

ASEAN's experience suggests economic cooperation need not entail a curtailment of sovereignty if properly structured. ASEAN allows “sensitive lists” protecting vulnerable industries during transition (Sally 2010); a confederation could similarly shield emerging Palestinian sectors from immediate Israeli competition. ASEAN's Initiative for ASEAN Integration channels resources from wealthier to poorer members (Severino 2006); a confederal budget might address infrastructure gaps and build Palestinian economic autonomy. Rather than Palestinian reliance on Israeli

clearance revenue collection, joint customs authorities could ensure guaranteed Palestinian representation and transparent revenue-sharing. ASEAN members retain resource control despite economic integration; a confederation must similarly guarantee Palestinian sovereignty over West Bank aquifers and Gaza's potential offshore gas.

However, several ASEAN realities complicate direct application. Unanimity requirements have repeatedly paralyzed collective action, notably the 2012 failure to issue a communiqué on the South China Sea (Goh 2013; Jones 2012). In an Israeli Palestinian context, consensus could enable obstruction. Critical decisions concerning security, resources, or refugees might require qualified majority voting or arbitration rather than unanimity. ASEAN lacks compliance mechanisms, with members regularly violating agreements without consequence (Davies 2013; Katsumata 2011). A confederation cannot afford such weakness and might require binding arbitration, international monitoring, and graduated sanctions.

The dependency dilemma poses particular challenges. ASEAN members maintain separate infrastructure, currencies, and fiscal systems despite disparities. The Israeli Palestinian relationship involves profound dependency; Palestinian electricity, water, telecommunications, and trade flow through Israeli systems. Declaring formal equality while leaving dependencies intact risks reproducing subordination within confederal structures. Breaking dependencies would require massive investment, extended transitions, and potentially reduced integration during capacity-building.

Furthermore, ASEAN operates where members, despite historical tensions, do not face existential security threats from each other or contest legitimacy (Haacke 2003). Israeli-Palestinian relations lack this fundamental acceptance. Any potential benefits from ASEAN-inspired arrangements would therefore be contingent upon first establishing foundational confederation structures ASEAN has never required: explicit mutual recognition, mechanisms providing Israeli security whilst preventing Palestinian subordination – perhaps through international security guarantees, demilitarization with third-party monitoring, or graduated sovereignty arrangements. Unlike ASEAN's authoritarian members where popular opposition can be ignored, both Israeli and Palestinian publics would need democratic consent, requiring transparency and accountability ASEAN does not demand (Collins 2008).

In sum, ASEAN demonstrates that states with vast disparities can cooperate while preserving sovereignty. Its principles offer templates for managing asymmetry: rotating leadership, sectoral distribution of authority, protected economic sectors during transition, third-party guarantees, and respect for distinct political identities. Yet ASEAN's weaknesses offer warnings: consensus can paralyse action; weak enforcement allows erosion; and formal equality without addressing material dependency risks reproducing subordination (Jones and Smith 2007; Davies 2013).

A viable confederation would need to exceed ASEAN's minimalist approach, requiring mechanisms to build Palestinian economic independence before integration, binding arbitration rather than mere consensus, international guarantees and monitoring, transparent jointly controlled resource management, and the mutual recognition ASEAN takes for granted. Whilst ASEAN shows confederated power amongst unequals is possible, realizing any benefits depends entirely on successfully resolving the core political and security challenges through broader confederation structures - challenges far more fundamental than those ASEAN has confronted.

9. Drawing Lessons

The peace process in Northern Ireland underlines the importance of strong guarantors involved in bringing together the parties of a long-standing conflict. The example of the NSMC shows the balancing act of institutional design when the conflict parties have diverging preferences, which has led to inter-twined institutions allowing for the less supportive unionists acting as a veto player and repeatedly disrupting the consolidation of effective North-South policy coordination. This has been exacerbated by uncertainty after Brexit, since North-South coordination presumed both the UK and Ireland within the EU. The Northern Irish experience demonstrates that even carefully designed confederal institutions require sustained political commitment from all parties, and that without it, institutional mechanisms can become arenas for continued obstruction rather than frameworks for genuine cooperation.

The European Union's confederal model reinforces these lessons whilst offering additional insights into how deeply divided polities might share sovereignty across different policy domains. The EU operates through variable geometry – exclusive, shared, and supporting competences – allowing member states to pool authority in specific areas whilst retaining control over existential matters. Security and defense remain under national sovereignty with only coordination mechanisms, as unanimity requirements demonstrate that states will not cede control over matters considered vital to survival. However, environmental governance, water management, and natural resources present domains where shared ecosystems and negative externalities create functional pressures for cooperation. The EU's layered governance – where supranational bodies set standards and monitor compliance whilst member states control implementation – suggests confederal arrangements can establish meaningful cooperation in technical domains without requiring surrender of fundamental sovereignty, using facilitation and transparency rather than coercion.

ASEAN's experience offers a contrasting model for managing asymmetry within confederal arrangements, particularly relevant given the vast economic disparities between Israel and Palestine that exceed even those within ASEAN. The “ASEAN Way” maintains formal sovereign equality through rotating leadership, sectoral distribution of authority, and collective engagement with external powers, whilst variable geometry

permits graduated implementation timelines for less developed members. For Israel-Palestine, this suggests mechanisms such as “sensitive lists” protecting emerging Palestinian sectors from immediate Israeli competition, resource transfers from wealthier to poorer members building Palestinian economic autonomy, and alternating chairmanship of confederal bodies with Palestinian leadership over specific portfolios. However, ASEAN's weaknesses offer crucial warnings: unanimity requirements have repeatedly paralyzed collective action, weak enforcement allows members to violate agreements without consequence, and formal equality without addressing material dependencies risks reproducing subordination within confederal structures. The profound Israeli-Palestinian infrastructure dependencies – Israel supplying electricity, controlling water, and withholding clearance revenues – have no ASEAN parallel, suggesting that any confederation would require binding arbitration rather than mere consensus, international monitoring and guarantees, transparent jointly controlled resource management, and substantial investment in Palestinian capacity-building before full economic integration. Unlike ASEAN members who maintain separate infrastructure despite disparities, breaking Palestinian dependencies would necessitate extended transitions that ASEAN's minimalist approach has not required.

For Israel-Palestine, these comparative cases offer both cautious hope and stark warnings. Like Northern Ireland, any confederation would require strong external guarantors and carefully balanced institutions that prevent either party from dominating decision-making, though such protections may also enable obstruction. Like the EU, functional cooperation might begin in less politically charged technical areas - environmental standards, renewable energy, water quality – building trust incrementally whilst security remains under national control. Like ASEAN, rotating leadership and graduated implementation could manage power asymmetries whilst preserving formal equality, though only if accompanied by substantive measures to build Palestinian economic independence rather than entrenching dependency. However, all three cases reveal that confederal arrangements depend on genuine political commitment, economic interdependence creating mutual benefits, and external security guarantees allowing states to accept limitations on sovereignty. The EU developed under NATO protection and American hegemony; Northern Ireland's institutions emerged from war-weariness and British-Irish cooperation within a broader European framework; ASEAN operates among states that, despite tensions, do not face existential security threats from each other or contest each other's legitimacy. Without comparable conditions – political will, functional interdependence, credible external support, and mutual recognition – confederal structures risk becoming new battlegrounds rather than pathways to peace, with institutional paralysis replacing violent conflict but failing to deliver the cooperation necessary for genuine reconciliation.

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