Summary of the Dissertation "International legal regime of Palestine"

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The dissertation examines in chronological order the development of international relations in the Middle East from the beginning of the First World War to the present day and the strategy of the Palestinian people for the gradual transition from armed struggle to peaceful means of resolving the conflict. The significance of the final conclusions is contributed by the analysis of the relevant normative acts and the positions of various organizations, states, institutions and scholars in conjunction with the application of a different analytical approach. This is necessary for the development of science and judicial practice, since the approaches imposed so far to clarify the status of Palestine are political and do not correspond to the current objective law.

The main objective of this study is to defend the thesis that, despite Israel's military domination, the state of Palestine has already emerged in accordance with the norms of international law, it is recognized by over 150 countries around the world, and the de facto occupation of its territories does not affect the legal arguments for its existence. In pursuit of this goal, in-depth legal arguments related to current international relations are presented in the framework of this dissertation work in chronological order. The thesis is accepted that sovereignty over the Palestinian territories passed to the local population after the end of the British mandate. Statehood was officially declared with a special declaration, and the UN General Assembly, in response to this unilateral act, accepted Palestine as a "non-member state in the organization". At the present time, there are no competing claims to the territory of the Gaza Strip and the West Bank, therefore its recognition or non-recognition is a sovereign political decision.

The subject of the dissertation are numerous UN resolutions, international treaties, customary norms, as well as the practice of the ICJ and the ICC. The main focus of the study is the emergence of the Palestinian state by virtue of UN

General Assembly Resolution 181/47, which over time has become customary law and has become mandatory for all subjects. The de facto occupation of the Arab territories by the Israeli army does not affect this final conclusion, therefore it should be assumed that the Palestinian state has emerged, and Israel should fulfill its obligations as an occupying power under the Geneva and Hague Conventions. The present study will contribute to the correct clarification of the status of the State of Palestine and will assist students, scholars and practitioners in the field of international law. The relevance of the topic is also determined by the fundamental importance of political realism in international law and international relations, which takes precedence over norms of behavior. This work is the only one in the country that examines the international legal status of Palestine, with the facts presented objectively, and the analysis presented being correlated with the norms of international law.

The study of the status of Palestine will also contribute to the study of the particular law in the region and its comparison with similar legal systems in developed countries. The significance of the final conclusions in this work also contributes to the attempt to analyze different positions regarding the same circumstances by applying an analytical approach that differs from traditional views.