



UNDERSTANDING **THE TRUMP PLAN**

A Comparative Analysis of the Trump administration's
Peace to Prosperity Plan and the Two-State Option

A Policy Report by Dr. Col. (ret.) Shaul Arieli

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Summary

United States President Donald Trump published his “Vision for Peace, Prosperity, and a Brighter Future for Israel and the Palestinian People” (Peace to Prosperity) in January 2020. The plan was prepared over the preceding three years by the US Middle East peace team, led by Jared Kushner.

The Vision for Peace presents a declaration of intentions and a basic plan for resolving the Israeli-Palestinian conflict, in cooperation with some of the Arab states and under the leadership of the US. The plan essentially calls for a two-state solution for Israel and Palestine based on the adoption of the Israeli narrative; the prioritization of Israeli positions regarding security, Jerusalem, West Bank settlements, and Palestinian and Jewish refugees; a distinct interpretation of UN Security Council Resolution 242 that contradicts other resolutions adopted by the Security Council and the UN General Assembly; and complete disregard for the achievements and conclusions reached in previous rounds of negotiations.

The following are the key points of Trump’s vision on the main issues:

Borders

- Palestine will not have any borders with neighboring countries (Egypt to the west and Jordan to the east) other than Israel, save a small stretch on the Egypt-Gaza frontier. Its territory will otherwise be surrounded entirely by Israel; the total length of the border between the two entities will be 1,700 km.
- Within the territory of Palestine there will be 17 Israeli enclaves with a population of 16,500 Israelis, who will enjoy exclusive access to 130 km of roads connecting the enclaves to other annexed areas.
- Within the territory of Israel there will be 43 Palestinian enclaves with a population of 106,000.

- Land swaps will be based on a ratio of 1:2.13 in Israel's favor, and the plan initially included the transfer of some 250,000 Arab citizens of Israel, together with the communities in which they live, to Palestinian sovereignty, though this has been verbally walked back.
- The West Bank and the Gaza Strip will be connected via a land corridor.

Security

- Israel will enjoy superior security powers, while Palestine will not have a military and will not be permitted to possess heavy weapons.
- Israel will maintain security control in the Israeli enclaves in Palestine and in the Palestinian enclaves in Israel, as well as along the access roads leading to these enclaves.
- Israel will control the borders of Palestine, including all of its border crossings. Israel will also control Palestine's airspace, maritime area, and electromagnetic space.
- The Separation Barrier will be dismantled and a new barrier, four times longer than the original, will be built along the new border lines.

Jerusalem

- The unified city of Jerusalem inside the Security Barrier will remain entirely under Israeli sovereignty, including the Old City and the Temple Mount (93 percent of the current area of the city), but will exclude the neighborhoods beyond the Separation Barrier.
- Freedom of worship and access to the holy places will be maintained under Israeli security control.

- The Palestinian capital will comprise Kufr Aqab, Shuafat Refugee Camp, and Abu Dis, three geographically separate areas, all of which lie outside the area considered “al Quds” by Arabs and Muslims (the historical city of Jerusalem).

Refugees

- Palestinian refugees will not return to Israel.
- Israel will have a veto over the identity of refugees who will be permitted to settle in Palestine.
- An international mechanism will deal with the issues of housing and compensation.
- A separate international mechanism will deal with the issue of compensation for Jewish refugees from the Arab countries.

Reactions

- Under Benjamin Netanyahu, whose views seemed to guide much of the plan’s basic framework and assumptions, Israel welcomed the Trump administration’s initiative. Moreover, the determined minority of supporters of unilateral annexation saw the plan as proof of their assumption that the Trump presidency offers an historic and possibly unique opportunity to realize their vision.
- The Palestinians under Mahmoud Abbas, who were excluded from the process from the outset and refrained from cooperating with the US administration team when invited to do so, completely rejected the plan.
- The reaction in the Arab world ranged from noncommittal reactions (“we’ll read and study the plan”) to subtle rejection (reaffirmed support for the Arab Peace Initiative) to complete rejection and support for the Palestinian position.
- The bottom line is that the initiative failed to recruit any Palestinian and/or other Arab partner.

This study concludes that:

The Vision for Peace uses key terms that were common during the preceding diplomatic process – two states, a Palestinian capital in Jerusalem, land swaps, territorial contiguity, demilitarization, and so on. However, it interprets these terms in a way that contradicts everything that was discussed and agreed to by the parties and the international community (led by the US) prior to its publication.

The guiding parameters – which were changed beyond recognition with the launching of the Trump Plan – behind the international consensus included:

- Borders: based on the 1967 lines, with land swaps at a ratio of 1:1;
- Security: a demilitarized Palestinian state and extensive security arrangements;
- Jerusalem: establishment of two capitals based on the demographic division, with special arrangements at the holy places;
- Refugees: the return of refugees to Palestine; compensation and additional arrangements.

The Vision for Peace is not a viable proposal in territorial, practical, or economic terms. It impairs the contiguity of the Palestinian state and does not allow the Palestinians to maintain a stable life in terms of law and order, the economy, and society. It requires the IDF and other Israeli state agencies to devote themselves to routine security needs throughout the Palestinian area. It violates international treaties concerning the property, freedom of movement, and other rights.

The Palestinian response following the publication of the Vision for Peace makes it clear that there is not – and for the foreseeable future will not be – any Palestinian partner who will be willing to negotiate with Israel and sign a permanent agreement on any basis other than the accepted interpretation of the UN resolutions and previous negotiations.

Alternative

This study presents an alternative to the Vision for Peace based on the more broadly accepted interpretations of past UN resolutions and on the parameters that guided the parties during previous rounds of negotiations.

Key Points of the Alternative Plan

- Land swaps totaling around 4%, at a 1:1 ratio. This will enable 80% of Israelis currently living over the Green Line to live under Israeli sovereignty without impairing the contiguity of the Palestinian state or the fabric of life on both sides.
- A demilitarized Palestinian state with extensive and detailed bilateral and trilateral security arrangements balancing Israel's security needs with respect for Palestinian sovereignty.
- A Palestinian capital in East Jerusalem, according to two basic alternatives: partition or an "open city" model.
- The resolution of the refugee issue according to the parameters proposed by President Clinton in 2000.

Some circles regard the Trump Plan as an initial basis for negotiation. The failure to produce a Palestinian partner for the plan is regarded by others as proof that it effectively provides US approval for the status quo and for moves by Israel to annex parts of the West Bank. This position is further confirmed by the formation of a joint Israeli-American team to map the borders for annexation. The team began to work just before the third in the recent series of elections in Israel. Moreover, Netanyahu included the demand to annex parts of the West Bank as a key condition during the negotiations to form a government.

This study presents the expected developments in the process of unilateral annexation, beginning with the annexation of parts of Area C, and potentially leading to the imposition of Israeli law on the entire West Bank. The study analyzes the factors that could lead to this outcome; Israel's exit points from the annexation process; and

end scenarios for the process, including the ramifications for Israel's security, economy, image, identity, values, and system of government.

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Introduction

US President Donald Trump published his Vision for Peace in January 2020. The plan was prepared over the preceding three years by the US Middle East peace team, led by Jared Kushner.

The Vision for Peace constitutes a declaration of intentions and a skeleton plan – albeit one that is relatively detailed in some spheres – for resolving the Israeli-Palestinian conflict, with the participation of Arab states and under the leadership of the US. Under Benjamin Netanyahu, Israeli input helped in formulating the plan, through Ambassadors David Friedman (US ambassador to Israel) and Ron Dermer (the Israeli ambassador to the US). The Israeli government welcomed the plan, which was utterly rejected by the Palestinians under Mahmoud Abbas, who did not cooperate with the US administration team. The reactions around the Arab world and in the international community were muted, and dominated by a negative response¹ and rejection of the plan, including by some in the US itself.²

Some circles regard the initiative as an initial basis for negotiations, but on the whole it has been interpreted, at most, as American approval for the status quo and even for the annexation by Israel of parts of the West Bank³ as widely advocated in political and activist circles in Israel. Prior to the third round of elections in Israel, a joint Israeli-US mapping committee began mapping work for the unilateral steps.⁴

¹ “Arab League Rejects Trump’s Peace Plan: ‘We Will Not Cooperate,’” Channel 13, Hezi Simantov, 1 Feb. 2020.

² “107 Democratic Congresspersons Send Letter to Trump Opposing the Deal of the Century,” Channel 13, Uri Gershoni, 2 Feb. 2020.

³ “Senior US Sources: We Will Approve Annexation within 2 Months if the Palestinians Do Not Return to Negotiations,” Channel 13, Barak Ravid, 5 Mar. 2020; “Shaked: Netanyahu Promised Us that New Government Will Impose Sovereignty on the Settlements in Judea and Samaria and on Jordan Valley,” Haaretz, Shira Kadari-Ovadia, 6 Apr. 2020.

⁴ “Netanyahu: ‘We Will Win US Backing for Annexation; Mapping Process Underway,’” Channel 13, Sefi Ovadia, 8 Feb. 2020.

Goals of the Study

1. To present the development of the basic approach to the conflict on both sides and the final points reached in their positions in the rounds of negotiation held prior to the beginning of Netanyahu's second period of office in 2009;
2. To summarize the main features of the Vision for Peace;
3. To evaluate the feasibility of the Vision for Peace and present a comparison between the plan and the preceding negotiations;
4. To present the Palestinian vision for peace and the official Palestinian positions regarding the final status issues;⁵
5. To present alternatives for a narrative to resolve the conflict and promote an agreed solution on the four core issues: borders, security, Jerusalem, and refugees;
6. To present the development of Israel's unilateral annexation process and to describe its expected ramifications.

⁵ Following the publication of the Vision for Peace, the PLO issued a document describing its positions: Communication Briefs, 3 February 2020, State of Palestine, Palestinian Liberation Organization, Negotiations Department. Throughout this study, we have chosen to present the Palestinian position as formulated in this publication, without additions or interpretation.

Part One: Historical Background

This section summarizes the national narratives and basic positions of the Israelis and the Palestinians regarding a conflict that has now raged for more than a century. A recognition and understanding of this background is extremely important in the context of efforts to create a shared conceptual foundation allowing for the resumption of negotiations toward a permanent agreement.

Each of the sides maintains its own distinct interpretation of reality, shaped by its set of values and beliefs. The interpretive framework explains the events that comprise reality, determines attitudes, and creates identification with those who represent these attitudes.

The interpretative frameworks of Israeli Jews and Palestinian Arabs offer different explanations on a range of issues: The rights of the Jewish people and the Palestinian Arab people to self-determination in the Land of Israel/Palestine; the status of international law and of the decisions of the representative bodies of the international community; the classification of actions as aggression or self-defense; the definition of nationhood; land rights; the identity of the “chosen people,” and so on.⁶ The adoption of either one of these interpretative frameworks inevitably leads to a lack of historical understanding and prevents the emergence of the psychological conditions needed in order to resolve the conflict. Accordingly, an understanding of the perception of reality held by both sides will clarify their positions on the resolution of the conflict in general, and on the Vision for Peace in particular; it will also delineate the boundaries and possible parameters for the resumption of negotiations and for a permanent agreement.

⁶ For further discussion see Hillel Cohen, *Year Zero of the Arab-Israeli Conflict: 1929*, Brandeis University Press, 2015.

The Palestinian Narrative

Until the end of the First World War, international relations were dominated by the “imperial principle.” According to this principle, states were entitled to launch wars as they saw fit, based on their own interests; to use military victories to secure control of the territory and assets of rival states; to annex occupied territories; and even to secure legal recognition for their actions. This principle permitted the founding of empires over the course of history.

This principle remained dominant until the early years of the twentieth century. Even during the First World War, which began in 1914, declarations, undertakings, and agreements were made that embodied the imperial principle. In 1915, for example, Great Britain made a promise to Hussein Bin Ali, the Emir of Mecca, to establish an Arab kingdom in the Arab areas of the Ottoman Empire; in 1916, the Sykes-Picot Agreement was signed, outlining the division of the Middle East between the imperial powers; and in 1917 the British government issued the Balfour Declaration, in which it promised to support the establishment of a national home for the Jewish people in Palestine. However, as the war came to an end after four years, radical changes occurred in the structure of international relations.

On January 18, 1918, US President Woodrow Wilson made his Fourteen Points speech, in which he outlined a new diplomatic framework for Europe and the world in anticipation of the post-war period. The points he presented embodied such new principles as the right to self-determination, the restoration of sovereignty to the inhabitants of occupied lands, and the formation of a League of Nations, which was ultimately established on January 10, 1920.

The principle of self-determination, which formed the basis for the Treaty of Versailles signed at the end of the war, provided for the creation of new nation-states throughout the former territory of the Austro-Hungarian and German empires. The treaty led to the creation of several new nation-states in Europe and to the redrawing or ratification of

the borders of various other states. Essentially, following Wilson's speech, the rejection of occupation and the guiding principle of self-determination came to serve as the organizing logic behind international law and the system of international relations (although states of occupation continued to exist in practice).

The right of self-determination was granted to a "nation" – a group sharing a common language and culture, and living in a defined territory. The practical significance of this right was the possibility for a people or indigenous population to decide freely, without external intervention, on the type of government it desired and the manner in which this would be realized. In other words – a land belongs to its inhabitants, and not to its occupiers.

With this background in mind, what was the spatial, demographic, and historical reality in Palestine at the end of the First World War?

According to statistics prepared by the British military administration, in 1918 – as the Palestinian national movement was just beginning to emerge – the population of Palestine comprised 512,000 Muslims, 61,000 Christians, and 66,000 Jews. These figures represent an overwhelming Arab majority of 90 percent. In 1922, when the Mandate was confirmed, a British census found that the total population, in some 800 different locales, comprised 675,000 Arabs (589,177 Muslims and 71,464 Christians), accounting again for some 90 percent of the population. The Jewish population was 83,790, and the cumulative value of property held by Jews was less than one percent of the total in the country.

By the twentieth century, it was universally accepted that territorial affinity requires the actual physical presence of a population in the relevant territory. Accordingly, the Arabs enjoyed a natural territorial affinity to Palestine, as well as a claim based on the historical contiguity of their presence in the country. An Arab population had been present in Palestine for some 1,300 years, since the Arab conquest in 638, and its

language and culture had become dominant in the country – a further factor in determining an affinity to a territory.

From the perspective of the Palestinian Arabs, these two claims – historical contiguity and a demographic majority enjoying both spatial and cultural dominance – were sufficient to grant them the right to self-determination in the country, within the boundaries defined by the British and French and as affirmed by the League of Nations.

The Palestinians argue that this firm right was denied them by the Balfour Declaration, in an extremely unusual manner and without any satisfactory grounds. Palestinian-American scholar Edward Said presents this argument in detail:

“What is important about the Declaration is, first, that it has long formed the juridical basis of Zionist claims to Palestine, and second, more crucial for our purposes here, that it was a statement whose positional force can only be appreciated when the demographic or human realities of Palestine are clearly understood. For the Declaration was made (a) by a European power, (b) about a non-European territory, (c) in flat disregard of both the presence and the wishes of the native majority resident in the territory, and (d) it took the form of a promise about this same territory to another foreign group, so that this foreign group might, quite literally, make this territory a national home for the Jewish people.”⁷

The Balfour Declaration and the 1922 Mandate, which called for the establishment of a Jewish home in the Land of Israel/Palestine, led to the emergence of Palestinian policy intended to correct what the Palestinians regarded as a historical injustice. They bring as evidence the remark in the report of the United Nations Partition Committee in 1947 that “the principle of self-determination [...] was not applied to Palestine,

⁷ Edward Said, *The Question of Palestine*, Vintage Books, 1980.

obviously because of the intention to make possible the creation of the Jewish national Home there.”

Over a period of 71 years, the Palestinians rejected any international resolution that recognized the right of the Jewish people to establish its own state in Palestine, or later that recognized the State of Israel. This position was maintained from the Peel Commission of 1937, which proposed the formation of a small Jewish state and the annexation of most of Palestine to Transjordan; through the White Paper of 1939, which provided for the establishment of an Arab state within 10 years; the 1947 Partition Resolution (181), which advocated the creation of a Jewish state (with 55% of the territory) and an Arab one (45%); Resolution 194 of 1948 (article 11 of which addressed the refugee issue); and on to Resolutions 242 (1967) and 338 (1974), which referred to “land for peace.” This policy, which was accompanied by wars and acts of terror against the Jewish community and later the State of Israel, proved to be disastrous from the Palestinian perspective, leading to the Nakba (Arabic for “catastrophe”) and statelessness.

The peace treaty between Israel and Egypt, the fall of the Soviet Union, the First Intifada, the emergence of an alternative Palestinian leadership, and the growth of Hamas as a national-religious opposition all led to change in this position. In 1988, the Palestine Liberation Organization recognized Resolution 181, which provides for the partition of Palestine and the establishment of a Jewish state, and Resolution 242, which implies that the Palestinian state “includes no more than 22% of historical Palestine,” as Mahmoud Abbas remarked in 2008. In other words, the Palestinians agreed that their state would comprise the West Bank and Gaza Strip; their capital would be in East Jerusalem; and an agreed solution would be found for the refugee problem in the spirit of the remarks by Arafat’s deputy, Salah Khalaf (“Abu Iyad”), to

the Americans in 1988: "The right of return cannot be realized by damaging Israel's interests... It must not be an impassable obstacle."⁸

It is important to emphasize that the dramatic change in the Palestinian position and the recognition of the UN resolutions did not change the Palestinian narrative, which remained a firm feature of Palestinian consciousness and attitudes. In the preamble to its 1988 declaration, the Palestinian National Council (PNC) noted its agreement to the partition of Palestine into two states "despite the historical injustice imposed on the Palestinian-Arab people." Four years later, Faisal Hussein commented: "When the Palestine Liberation Organization outlined its plan in general terms, we were completely aware that this plan would not offer our people true and absolute justice. For pure justice would imply... that the historical rights mean return to the land of Palestine."

Faisal Hussein, Arab Youth Club at Ramat Ammon Jordan, Al Rai, Jordan, 12.11.92

Thus the Palestinian leadership reluctantly accepted the compromise proposed by the international community in UN Security Council Resolution 242. The Palestinians essentially recognized that their refusal to accept the position of the international community for 71 years had left them isolated. Attempts to impose their dream on reality by force, whether on their own or together with Arab states, had failed, and the State of Israel was strong and enjoyed international legitimacy and support. Accordingly, in order to secure some of their rights they agreed to fall into line with the position of the international community. Their assumption was that, in return, they would be granted an independent state in the 1967 borders, with East Jerusalem as its capital, and a just solution to the refugee problem. The recognition of Israel in 1993 and the Oslo Accords were supposed to lead to the realization of these rights.

⁸ Pinchas Inbari, *With Broken Swords*, Maarachot, 1994.

The Israeli Narrative

The international community repeatedly recognized the right of the Jewish people to self-determination in the Land of Israel, beginning with the Balfour Declaration of 1917, through the San Remo Conference in 1920, the approval of the Mandate by the League of Nations in 1922, and the Partition Resolution of 1947. This explains why Israel's Declaration of Independence emphasizes that the state was established "on the strength of the resolution of the United Nations General Assembly." The recognition of this right reflected acknowledgment of the status of the Jews as a people with an inherent right to self-determination and a continuous historical bond to the Land of Israel that should properly be manifested in the form of an independent state.

The Zionist movement first accepted the idea of the partition of the Land of Israel in its response to the report of the Peel Commission in 1937. As with the much later decision by the Palestinians, this decision reflected an understanding that Zionism could not simultaneously achieve all its three national and strategic goals in full:⁹ a democratic state, with a Jewish majority, in the entire territory of Mandate Palestine. The reason for this was the existence of an Arab majority in this territory, alongside growing recognition of the right of the Arab population in the country to self-determination in the same area. Accordingly, the Zionist leadership preferred to relinquish part of the Land of Israel in order to establish a democratic state with a Jewish majority.

From the Israeli perspective, subsequent events were interpreted as proof of the Arabs' persistent refusal to accept Israel and their determination to destroy the country when conditions permitted this. These events included the Arab rejection of the Partition Plan; the war launched by the Arab countries to eliminate the outcomes

⁹ Menachem Begin (1972): "These are... the foundations of Zionism in the Land of Israel, to which we have an inalienable right: that there will be a Jewish majority, an Arab minority, and equal rights for all. We have not and will not deviate from this principle, which embodies the justness of our cause."

of this plan in 1948-49; the border incursions of the 1950s; the Six Day War; the decisions of the Khartoum Conference; Palestinian terror; the 1973 Yom Kippur War; the PLO's "Phased Plan;" the First Lebanon War; and the First Intifada.

Following the Six Day War of 1967, Israel under the leadership of the Labor Party saw the conquest of the West Bank and Gaza Strip as a second chance to secure all three national goals. It annexed East Jerusalem and launched a settlement drive with the goal of establishing irreversible facts on the ground in those areas it considered vital to Israel's interests. A change occurred in this approach in 1993, when Israel recognized the PLO. As with the Palestinians, the belief that there was no alternative but to reach a compromise was the result of several factors:

1. The desire to maintain the Jewish identity of Israel as a democratic state. Prior to the wave of Jewish immigration from the former Soviet Union, Israel's leaders were presented in the late 1980s and early 1990s with stark demographic predictions. If there were no separation between the two peoples on the basis of the borders of June 4, 1967, Jews would account for just 52% of the total population west of the Jordan River by 2010, 47% by 2020, and 37% by 2050.¹⁰
2. The First Intifada, which erupted in 1987, provided clear and unequivocal proof for the first time that control over another people does not guarantee security and leads to a heavy price in terms of human life, social disruption, and economic damage.
3. Unless the conflict with the Palestinians was resolved, Egypt might go down in history not only as the first Arab country to make peace with Israel, but also as the last. The peace agreement with Egypt itself might also gradually expire.
4. The Palestinians under the leadership of the PLO had accepted UN Resolutions 242 and 338, implying recognition of the State of Israel within the 1967 borders.

¹⁰ Figures calculated by Professor Sergio DellaPergola.

5. The growing strength of Iran as a fundamentalist Shiite state was a threat to Israel. Israel should seek to create a security buffer through alliances with its Sunni neighbors. A precondition for this would be the resolution of the Palestinian issue.

Israel entered into the Oslo process in 1993 with a different perception to that of the Palestinians concerning the resolution of the conflict. Israel's approach was based on its own interpretation of Resolution 242, according to which Israel was called on to withdraw from "territories" rather than " [the] territories" occupied in 1967. It took this approach despite the fact that Israel de facto accepted the latter interpretation in its peace treaties with Egypt and Jordan. On October 5, 1995, when the Knesset debated the Interim Agreement with the PLO, Yitzhak Rabin explained his vision: "We view the permanent solution in the framework of State of Israel which will include most of the area of the Land of Israel [...] and alongside it a Palestinian entity which will be a home to most of the Palestinian residents living in the Gaza Strip and the West Bank. We would like this to be an entity which is less than a state [...] The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six Day War [...] And these are the main changes, not all of them, which we envision and want in the permanent solution: First and foremost, a united Jerusalem, which will include both Ma'ale Adumim and Givat Ze'ev – as the capital of Israel [...] The security border of the State of Israel will be located in the Jordan Valley, in the broadest meaning of that term."

Thus the Palestinians, on the one hand, demanded the implementation of the international resolutions: "We have relinquished 100 percent of our homeland Palestine in return for a State of Palestine on 22 percent of this homeland." Accordingly, they demanded an Israeli withdrawal to the 1967 borders. On the other hand, Israel had three clear interests beyond the 1967 borders:

1. Security, particularly from regional instability and the growing threat from Iran. The security threat is accentuated by Israel's lack of strategic depth and by the

topographical superiority of the West Bank over the densely populated coastal strip, which is also home to most of Israel's industrial capacity and its main airport;

2. Jerusalem – the holy places, particularly the Western Wall and Temple Mount;
3. Hundreds of thousands of Israelis who live beyond the Green Line.¹¹

The Challenge of Negotiations

Israel and the PLO entered into negotiations toward a permanent agreement in 1999. The main challenge was how to overcome the inherent tension between the opposing positions: the Palestinian insistence on the 1967 borders and Israel's three key interests beyond these borders. This challenge demanded creative solutions that could meet the needs of both sides. While the PLO sought to establish various functional arrangements to resolve this tension, Israel aimed to do so by territorial means, through the annexation of parts of the West Bank, without offering anything in return.

Ehud Barak, the first Israeli leader to enter into negotiations toward a permanent agreement, took a similar approach to that of Yitzhak Rabin. At Camp David in 2000, he proposed that “an area of not less than 11% that is home to 80% of the settlers will be annexed to Israel, without a land swap. Moreover, “for several years, Israel will control approximately one-fourth of the Jordan Valley, in order to ensure control of the crossings between Jordan and Palestine”¹² (see Map 1). Regarding Jerusalem, Barak suggested that “the outer Muslim neighborhoods will be transferred to Palestinian sovereignty [the 22 villages annexed to the city by Israel in 1967], while the inner Muslim neighborhoods [JordanianEast Jerusalem] will remain under Israeli

¹¹ In 1993, 109,000 Israelis lived in Judea and Samaria and a further 115,000 in East Jerusalem. By 2018 the Israeli population in these areas had tripled to a total of approximately 650,000.

¹² Danny Yatom, *Party to the Secret*, Yediot, 2008.

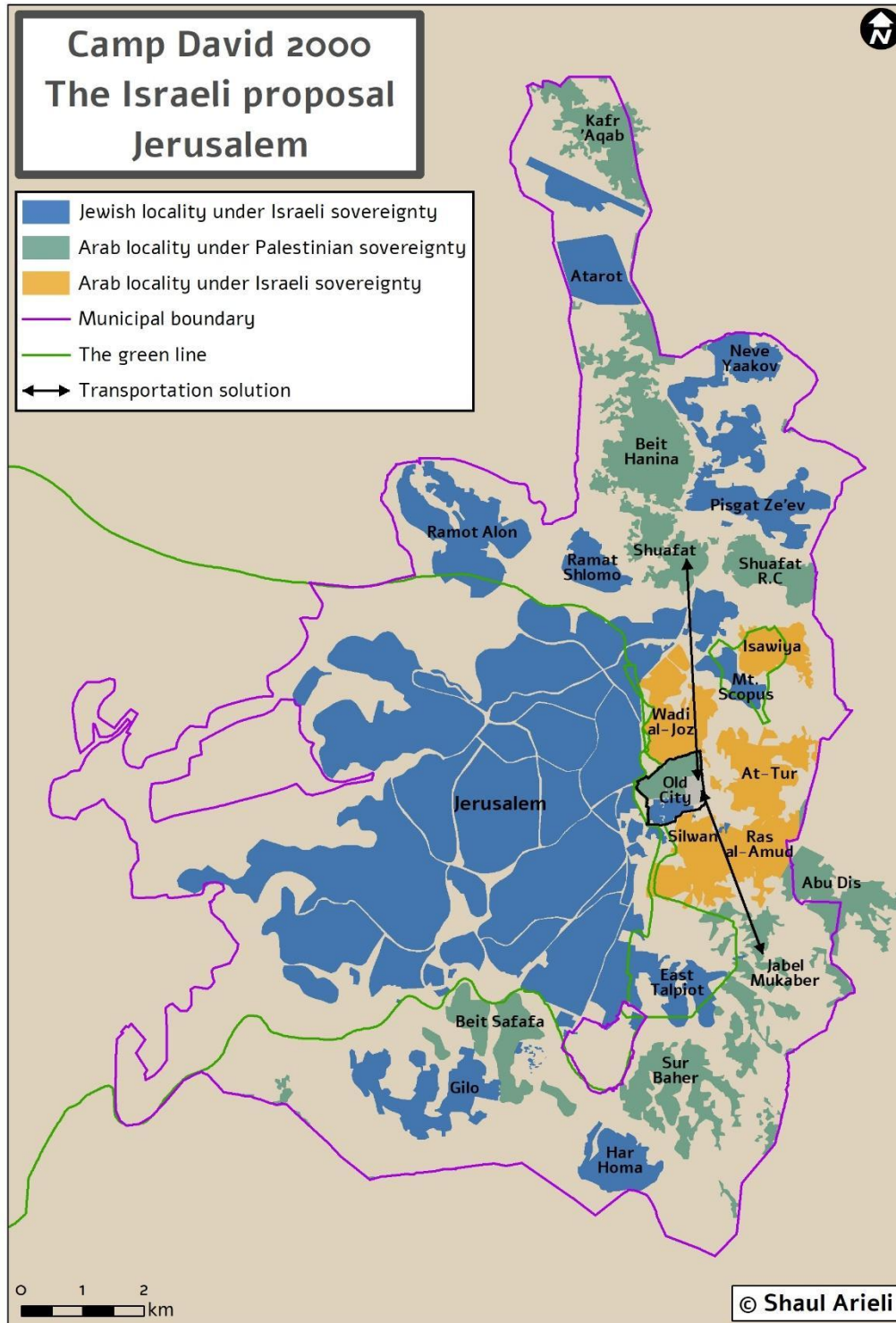
sovereignty”¹³ (see Map 2). On the refugee issue, Israel refused to countenance the return of refugees to its territory. Following the publication of the Clinton Parameters in December 2000, Barak took a step further toward the Palestinian position at the Taba Conference in January 2001, but he still insisted on annexing 6-8% of the West Bank without offering anything in return (see Map 3). In Jerusalem, he expressed willingness to divide East Jerusalem along demographic lines, while on the refugee issue there were suggestions that Israel could allow a symbolic number of refugees to return, while others would receive compensation. The Palestinians presented a map providing for the annexation of 3% of the West Bank by Israel (see Map 4).

¹³ Ibid.

Map 1 – Israeli Proposal, Camp David 2000



Map 2 – Israeli Proposal for Jerusalem, Camp David 2000



Map 3 – Israeli Proposal, Taba 2001



Map 4 – Palestinian Proposal, Taba 2001



The Last Framework for Negotiations – Annapolis 2008

Ehud Olmert was the first Israeli prime minister who understood and accepted the Palestinian approach to the resolution of the conflict. This became apparent during the Annapolis process in 2008, 15 years after mutual recognition between Israel and the PLO. Olmert's position did not reflect a genuine acceptance of the Palestinian rights, but a realistic appraisal of the situation and recognition of the need to decide which of the Zionist goals were the most important.

In an interview for the Israeli newspaper *Maariv* in 2012, Olmert explained: "Naturally, if we could be present in every part of the **Land of Israel** and at the same time live in **peace** with our neighbors, while also maintaining the **Jewish** character of the State of Israel and preserving it as a **democratic state**, while enjoying the support of the **international community** – then I would do so. But that's impossible, and when something is impossible, responsible leadership must accept it [and] reject cheap populist policy and behave in a responsible and serious manner."

With the mediation of US Secretary of State Condoleezza Rice and the George W. Bush administration, Ehud Olmert and Mahmoud Abbas agreed on the following parameters:

1. **Borders** – the 1967 lines as a basis (with land swaps on a 1:1 ratio);
2. **Security** – demilitarization of the Palestinian state and extensive security arrangements;
3. **Jerusalem** – partition of Jerusalem into two capitals, without any change to the status quo at the holy places;
4. **Refugees** – in broad terms, the refugee problem would be resolved through return to the State of Palestine and through compensation.

Based on the above principles, the Palestinian proposal was: Land swaps of 1.9% of the territory of the West Bank and Gaza, enabling 63% of Israelis living beyond the

Green Line to remain under Israeli sovereignty (see Map 5);¹⁴ a demilitarized Palestinian state ("limited armament"); the annexation of the Jewish neighborhoods of East Jerusalem to Israel, with the exception of Har Homa, as well as the annexation of the Western Wall, the Jewish Quarter, half of the Armenian Quarter, and the rest of Mount Zion (see Map 6). On refugees, the Palestinians at Annapolis envisioned return of up to 100,000 refugees (10,000 a year for 10 years)¹⁵ to Israel and compensation for the remainder.

The Israeli proposal was: land swaps totaling 6.5% of the area of the West Bank and Gaza,¹⁶ including 85% of Israelis living beyond the Green Line (see Map 7); a demilitarized Palestinian state; annexation of all the Jewish neighborhoods in Jerusalem and of the Arab neighborhood of Beit Safafa (see Map 8); establishment of a special regime in the "Historic Basin;" and the return of 5,000 Palestinian refugees (1,000 a year for five years) and compensation for the remainder.

In the 2012 interview, Olmert commented on the gaps between the Israeli and Palestinian proposals: ""I was in touching distance of a peace agreement. The Palestinians never rejected my proposals. Even if some people claim for the thousandth time that the Palestinians rejected my proposals, the reality was different. They didn't accept them, and there is a difference. They didn't accept them because the negotiations hadn't ended yet – they were about to be completed. If I had remained as prime minister for another four to six months, I believe it would have been possible to reach a peace agreement."

¹⁴ A further proposal was made, without a map, that would enable some 75% of the Israeli settlers to remain under Israeli control.

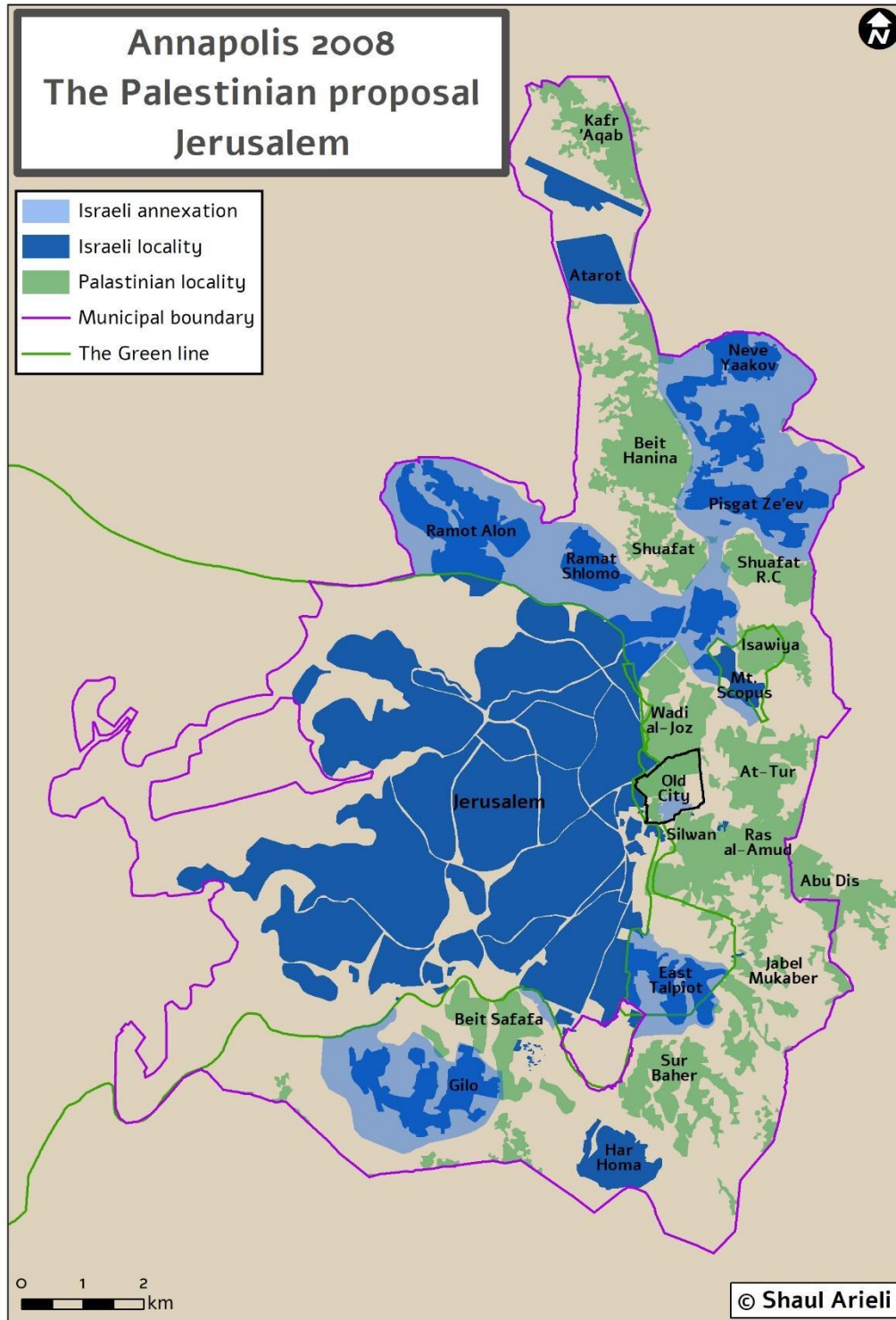
¹⁵ A further proposal was made by word of mouth allowing for the return of 80,000 refugees.

¹⁶ Israel calculated the corridor between the two areas at 0.7%, although its actual size is 0.006%.

Map 5 – Palestinian Proposal, Annapolis 2008



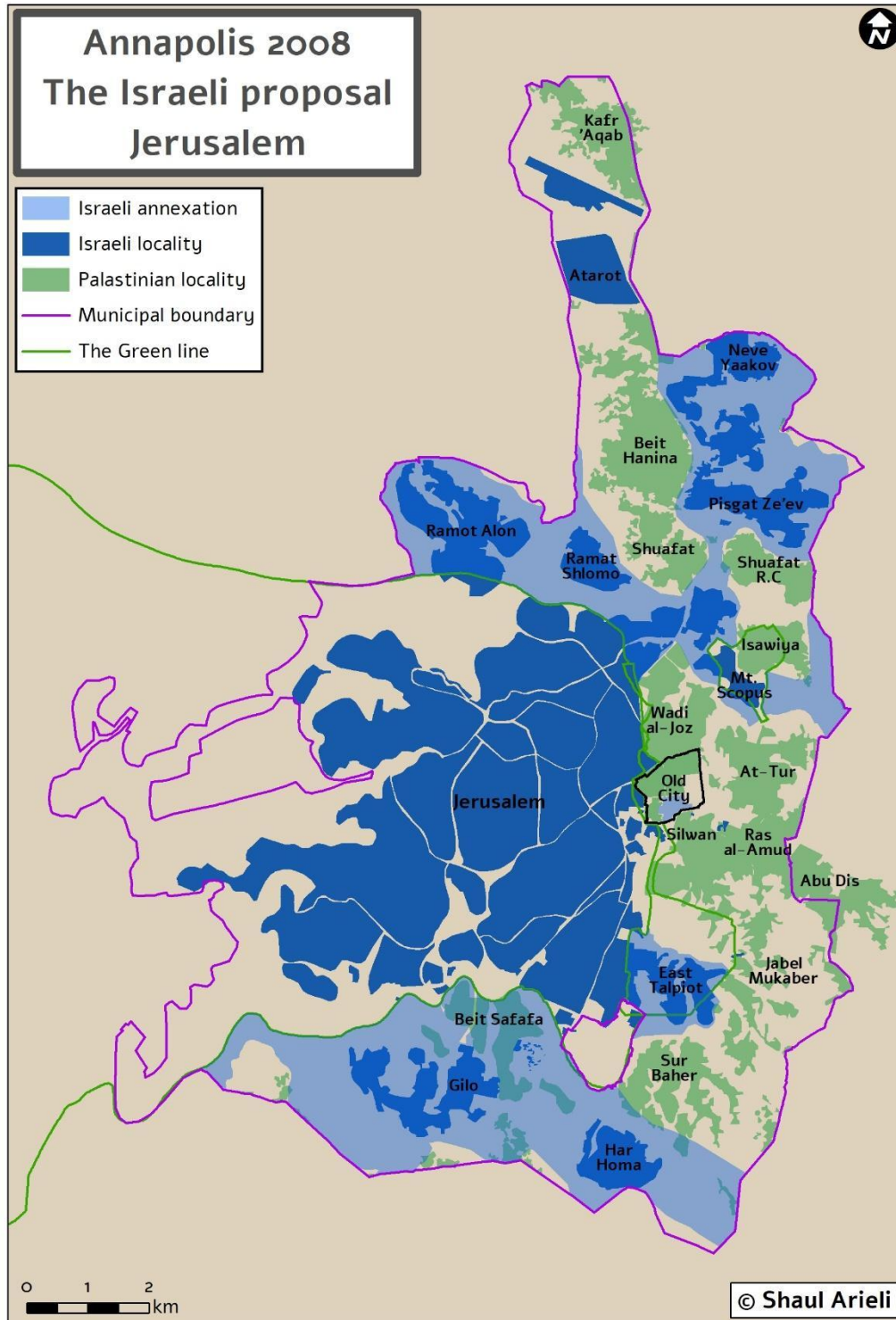
Map 6 – Palestinian Proposal for Jerusalem, Annapolis 2008



Map 7 – Israeli Proposal, Annapolis 2008



Map 8 – Israeli Proposal for Jerusalem, Annapolis 2008



Part Two: President Trump's Vision for Peace

Background

After Netanyahu's victory in the 1996 elections, which for the first time included a direct election for the position of prime minister, the Prime Minister's Office began to adopt a dramatically different approach from that of Yitzhak Rabin. Netanyahu asked the Palestinian side to "lower their expectations." The basic position of his first government was to "oppose the establishment of an independent Palestinian state,"¹⁷ and not to mention the implementation of the outstanding clauses in the Interim Agreement. Nevertheless, circumstances also led Netanyahu to sign agreements with the PLO: first the Hebron Protocol in January 1997,¹⁸ and later the Wye River Memorandum¹⁹ in October 1998. When PLO Chairman Arafat returned from the Wye River Conference, he rightly pointed out to a crowd of thousands of cheering supporters in Nablus: "I signed with Labor, and I signed with the Likud."

However, Netanyahu persisted in his opposition to a Palestinian state. In response to criticism from right-wing circles about the transfer of Hebron to the Palestinian Authority, the prime minister said on September 6, 1997: "There will be no Palestinian state. [...] No foreign sovereignty will be established between the Jordan and the sea.

¹⁷ Twenty-seven Israeli government at the Prime Minister's Office

¹⁸ This agreement provided for the redeployment of the IDF in Hebron, the only Palestinian city where IDF forces remained following the first round of withdrawals following the Second Oslo Agreement. The Hebron Agreement divides the city into two zones: one (H1, around 80% of the city) would be transferred to full Palestinian control, while the other (H2), where most of the Jewish settlement in the city was concentrated (approx. 800 Israelis, along with some 90,000 Palestinians) would remain under the control of the IDF.

¹⁹ This agreement established a timetable and framework for the additional withdrawals to which Israel was committed (FRD), as well as a parallel timetable for security steps by the Palestinians, including the collection of illegal weapons, the struggle against terror, and prevention of incitement. The agreement was an addition to the previous Oslo Accords, which it did not replace. The implementation of the agreement ran into difficulties on both sides and most of its provisions were not applied on the ground.

The Jewish presence and Jewish settlement in Judea and Samaria will live, prosper, and survive forever.”

Following the failure at the Camp David summit to reach a final agreement, the Second Intifada erupted in October 2000, with serious acts of terror throughout Israel and in the Territories that left over a thousand Israelis dead and many thousands injured. The Israeli economy was also severely damaged, including a 3-4% decline in GDP. In June 2002, Israel began construction of a security barrier in the West Bank, 60% of which was completed until construction was suspended in November 2007. In the summer of 2005, Israel under Ariel Sharon implemented the Disengagement Plan from the Gaza Strip and Northern Samaria. The plan included the unilateral evacuation of all 17 settlements in Gush Katif in the southern Gaza Strip, as well as four settlements in northern Samaria (the northern West Bank). The IDF redeployed outside the Gaza Strip, along the Green Line. In 2006 Hamas won the Palestinian parliamentary elections, and in the summer of 2007, the organization seized control of the Gaza Strip by force, creating a division between that area and the West Bank, which remained under the control of the Palestinian Authority. Since 2007, Israel has imposed a closure on the Gaza Strip and has engaged in a violent confrontation with Hamas, including a series of military operations marking periods of intense conflict (Operations Summer Rains, Cast Lead, Pillar of Defense, and Protective Edge). After Netanyahu was reelected in 2009 and formed a government, the peace process between Israel and the Palestinians was frozen, if not buried.

Until the election of Donald Trump as US president in 2016, Israel under Netanyahu maintained the pretense of seeking to secure a permanent agreement. This pretense was made apparent in an interview with Benjamin Netanyahu’s father, historian Ben-Zion Netanyahu. Speaking on Israel’s Channel Two television a month after his son’s Bar-Ilan speech in June 2009, the elder Netanyahu emphasized: “Benjamin does not support a Palestinian state, except on conditions that the Arabs will never accept. I have heard this from him.” At a closed conference in Dubai in 2017, former US

Secretary of State John Kerry summarized his mission on behalf of President Obama: "Israel has no leaders who want to make peace ... you need goodwill to make peace. Olmert, Barak, Rabin, and Peres suggested ways to do this... The Palestinians did a great job and remained committed to non-violence. In fact, when the Intifada occurred, they did not use violence in the West Bank. The public ignored it and didn't even discuss it. Why? Because most members of the current Israeli cabinet have publicly declared that they will never be in favor of a Palestinian state."²⁰

For a short while, moderate Arab leaders were captivated by Netanyahu's plan for "economic peace," and even supported the potential formation of a unity government to see it through, but Netanyahu ultimately showed his true colors. The affair was summarized concisely by journalist Yossi Verter in the *Haaretz* newspaper.²¹ The process began with a four-way summit held at Aqaba in February 2016, attended by Netanyahu, US Secretary of State John Kerry, Jordan's King Abdullah II, and Egyptian President Sisi. The goal was to initiate a regional initiative for peace with the Palestinians, as journalist Barak Ravid reported in *Haaretz*. The same report claimed that the formula for the regional peace initiative would include Arab recognition of Israel as a Jewish state and the resumption of negotiations with the Palestinians, with the support of Arab states.

At the time, Netanyahu updated Isaac Herzog, the leader of the opposition, about the summit and the issues under discussion. Having been burnt by previous negotiations toward a unity government with Netanyahu, Herzog was interested in finding out whether a real and tangible foundation had been created for promoting an agreement with the Palestinians, in order to justify an appeal to his party conference to enter the government. He spoke to various leaders; at parlor meetings he mentioned that he had met Arab leaders who "have never set eyes on an Israeli" (in other words, he did not

²⁰Inir Cousin Maariv Online 07/11/2017 20:37

²¹ "Netanyahu and Herzog Held Secret Meeting with a-Sisi in Cairo Last Year," Yossi Verter, *Haaretz*, 12 June 2017.

only meet with the Egyptian president). These figures told Herzog that they were putting their hopes in him to help Netanyahu overcome the political hurdles that lay in his path.

About a month after the Aqaba summit, Netanyahu, Herzog, several advisers, and their security guards took off late at night on a private plane from an airport in the center of Israel and headed directly to Cairo. There they were taken to the presidential palace and met with President Sisi, who pressured them to take the diplomatic and political steps needed to advance the peace process. The delegation returned to Israel before dawn.

In mid-May, shortly after the three-way meeting, Sisi made an unusual speech at the opening of a power station in Egypt. He urged the Palestinians and Israelis to seize a realistic and serious opportunity and to reach an agreement that would end their conflict. In an extraordinary development, he urged the political parties in Israel to reach a national agreement on the formulation of an agreement with the Palestinians.

These contacts, as well as the regional initiative, failed as a result of Netanyahu's failure to meet his side of the bargain with the Palestinians. This was due, among other factors, to the opposition of the Jewish Home party led by Naftali Bennett. The unity saga with Herzog ended when the Yisrael Beiteinu faction joined the coalition in late May of that year, leading to the appointment of Avigdor Liberman as defense minister.

Netanyahu chose to ignore all the early stages of the peace process and the changes in the Palestinian position as described here. Instead, he adhered to the position he had adopted since 1993 that "the conflict is not about certain areas of the country but the whole country; the conflict is not territorial but existential. The issue at hand is not whether the border will follow one route or another, but about Israel's national existence. They [the Palestinians] do not want a Palestinian state alongside Israel, but

a state instead of Israel.”²² According to his position, “the plan for autonomy under Israeli control is the only alternative to preventing the dangers inherent in the Oslo Accords,” as he wrote in 1995.

Unsurprisingly, Netanyahu never presented his own map or plan to President Barack Obama. His position differed vastly from the parameters agreed at Annapolis. President Trump, Jared Kushner, and David Friedman offered the perfect petri dish for cultivating his approach, formulated in cooperation with the messianic-nationalist right-wing of Naftali Bennett and Ayelet Shaked.

The Key Points of the “Vision”

President Trump’s Vision for Peace spans 181 pages and addresses all of the final status issues as well as several more recent developments.²³ Some of the issues are discussed in greater detail, such as economic aspects and Jerusalem, while elsewhere this level of detail is missing, but there are a number of underlying principles that animate the details in the vision.

Principles

1. Mutual recognition of the State of Israel as the nation-state of the Jewish people, and of the State of Palestine as the nation-state of the Palestinian people, with equal civil rights for all citizens of both states.
2. Israel’s security is given top priority because of the current reality and the history of the conflict.
3. The State of Israel must make a significant territorial compromise and withdraw from territories over which it maintains a valid legal and historical claim.

²² Ari Shavit, *The Partition of the Land*, 2005.

²³ *Peace for Prosperity, A Vision to Improve the Lives of the Palestinian and Israeli People*, January 2020.

However, it must be recognized that the State of Israel has already withdrawn from at least 88% of the territory it occupied in 1967.

4. People – Arabs or Jews – should not be displaced from their homes.
5. The Arab-Israeli conflict created a refugee problem for both Palestinians and Jews.
6. Jerusalem is sacred to many religions and has religious significance for most of humanity. The State of Israel has been a good guardian of Jerusalem. Israel has kept Jerusalem open and safe.
7. International assistance will be necessary in realizing the Vision.

Borders

The Vision asserts that “the State of Israel and the United States do not believe that the State of Israel is required by law to provide the Palestinians with 100 percent of pre-1967 territories (a belief that corresponds to UN Security Council Resolution 242).” The plan goes on to make the following suggestions, most of which were presented in writing, but some of which were expressed only on the conceptual map attached in the Appendices – see Map 9:

1. Palestine will not have external borders, with the exception of 12 km along the Gaza Strip border with Egypt. It will otherwise be surrounded completely by territory under Israeli sovereignty.
2. All Jewish settlements will remain in place. 113 of the settlements will be annexed to Israel, with 413,318 residents,²⁴ in a total area of 1,775 sq.km. of the

²⁴ Israel Central Bureau of Statistics (CBS) figures for December 2018.

West Bank (see Map 10)²⁵ (28.4% of Palestine²⁶). 17 settlements, with 16,441 residents, in a total area of 10,340 dunams²⁷ will remain as enclaves inside Palestine and will be connected to Israel by 127 km of dedicated roads.

3. Israel will transfer to Palestine an area of 833 sq.km., equivalent to 13.4% of the West Bank, with the conceptual map including areas inhabited by Israeli Arab communities. 43 Palestinian enclaves will remain within the area of Israel, with 106,261 inhabitants, in an area of 13,030 dunams,²⁸ with access routes to Palestine.
4. The West Bank and the Gaza Strip will be connected by a tunnel between the Hebron area and the northern Gaza Strip.

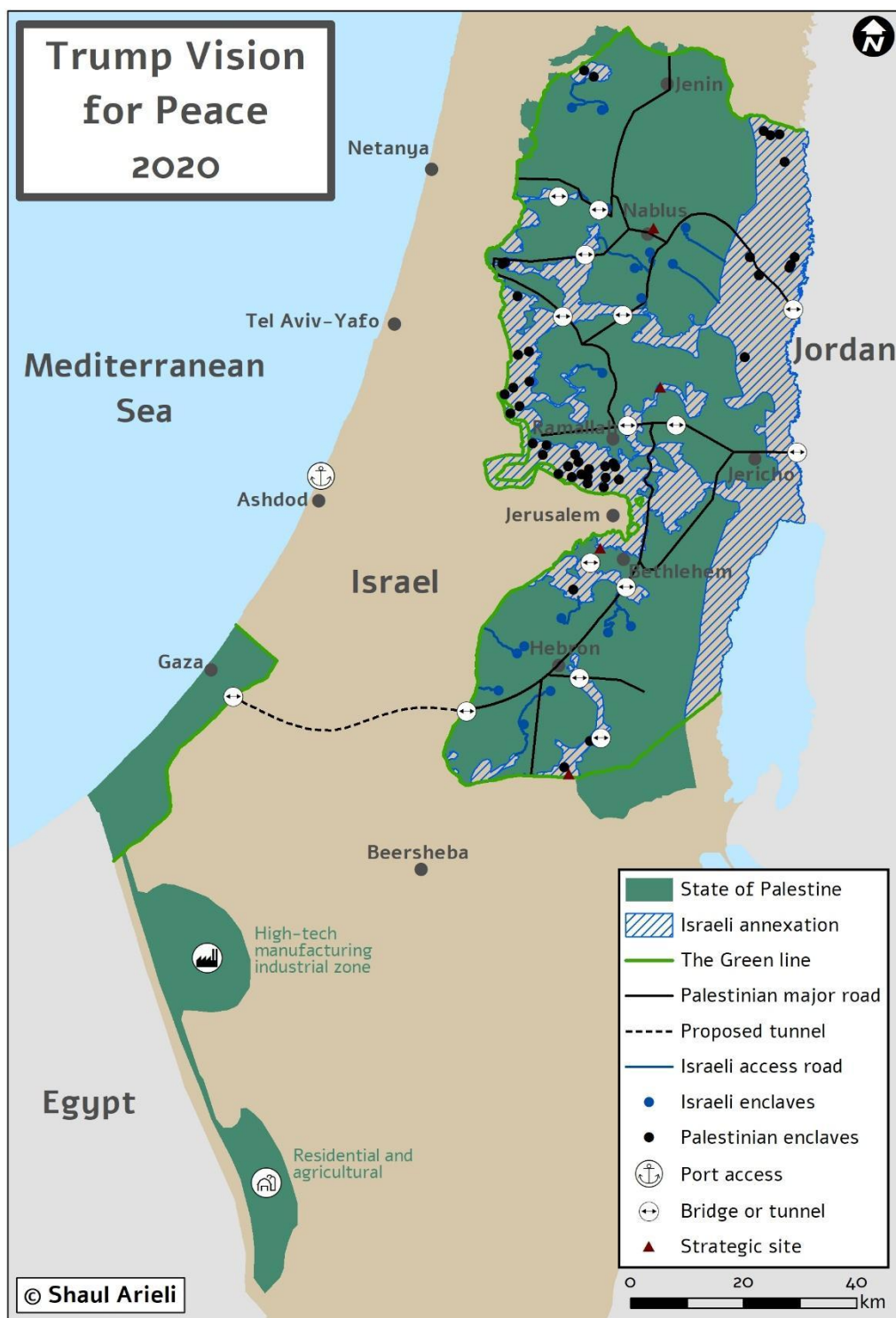
²⁵ According to the conceptual map in Appendix A, 50 sq.km. of the Gaza Strip are marked as annexed to Israel. We have chosen to assume that this is an error, and accordingly we did not include this area in our calculations.

²⁶ The area of Palestine is calculated at 6,205 sq.km., as agreed by Israel, the PLO, and the US at Annapolis in 2008.

²⁷ The area was measured according to the peripheral fences of the settlements.

²⁸ The area was measured according to the built-up area of each village, excluding most of the attached farmland.

Map 9 – Conceptual Map of the Vision for Peace



Map 10 – Settlements and Territories Annexed to Israel



Security

(See Map 9)

1. Palestine will be demilitarized.
2. The security responsibility for Palestine rests with Israel.
3. Israel will control Palestine's external borders and border crossings.
4. Israel will hold security responsibility for the Israeli and Palestinian enclaves, as well as for the access roads to both types of enclaves.
5. The Jordan Valley will be under Israeli sovereignty.
6. The Security Barrier will be rebuilt according to the new border and new crossings will be built.
7. Israel will hold four strategic sites: Mount Ebal, Hatzor, Mount Gilo, and Metzadot Yehuda (the last three are situated within an area annexed to Israel).

Jerusalem

1. United Jerusalem will remain the capital of Israel under its sovereignty.
2. The capital of Palestine will be established in the Arab neighborhoods of Jerusalem that remain outside the Security Barrier (which will remain in place), together with the town of Abu Dis.
3. Followers of all religions will have the right of prayer on the Temple Mount.

Refugees

1. The agreement will mark the end of the claims.
2. An international mechanism will address the issue of Palestinian refugees and another mechanism will address the issue of Jewish refugees from Arab countries.

3. There will be no “right of return” or absorption of any Palestinian refugees in the State of Israel.
4. Refugees can return to Palestine (with an Israeli veto), remain in their host countries, or up to 50,000 can be absorbed in Muslim countries.
5. Compensation.
6. UNRWA will be closed and the status of Palestinian refugees will be removed.

During the Negotiation Period

In areas of the West Bank not included in this vision as part of the State of Israel, **Israel** will refrain from:

1. Building new towns or communities, expanding existing localities, or advancing building plans in these areas;
2. Expanding the Israeli enclaves mentioned or advancing plans to expand the enclaves in areas beyond their present limits;
3. Demolishing an existing structure as of the date of the vision or advancing legislative and/or legal decisions necessary to ensure this result. This does not prevent the demolition of any illegal construction carried out after the publication of this vision. This moratorium does not apply to the demolition of a building that poses a safety risk, as determined by the State of Israel, or to punitive demolitions following acts of terrorism.
4. In the Palestinian enclaves, the existing legal situation will take precedence, and the State of Israel will allow the development of Palestinian communities within its present borders.

The PLO and PA must:

1. Refrain from any attempt to join any international organization without the consent of the State of Israel;

2. Not take any action, and cancel all pending actions, against the State of Israel, the United States, and their respective citizens before the International Criminal Court, the International Court of Justice, and all other courts;
3. Not take any action against any Israeli or American citizen before Interpol or a judicial system other than the Israeli or American systems;
4. Take all necessary steps to immediately end the payment of salaries to terrorists serving prison sentences in Israeli prisons, as well as to the families of terrorists killed (jointly – “payments to prisoners and martyrs”), and develop humanitarian and welfare programs to provide vital services and support for needy Palestinians not based on committing terrorist actions. The goal is to change the applicable laws, in a manner consistent with the laws of the United States, and to completely halt the payments to prisoners and martyrs pending the signing of the Israeli-Palestinian peace treaty;
5. Continue to develop institutions necessary for self-government.

To the extent permitted by law, the **United States** will:

1. Allow the office of the Palestine Liberation Organization General Mission to be reopened;
2. Open consulates in the Palestinian Authority in an appropriate location in the territory designated for the State of Palestine, as determined by the United States;
3. Take appropriate steps to renew U.S. aid to the West Bank and Gaza, as reasonable and appropriate, in consultation with the US Congress;
4. Work with the international community to support new initiatives for the Palestinian people, including programs to improve electricity and water supply, facilitate the movement of goods, and help create jobs.

Part Three: An Evaluation of the Vision for Peace and an Alternative Plan

The International Legal Foundation

The US and Israel's argument in the Vision for Peace is twofold: first, the Vision implements Security Council Resolution 242 of November 22, 1967; and secondly, this resolution does not require Israel to withdraw from all of the territories occupied in 1967. Is this the case?

The English version of Resolution 242 – as distinct from the French version – refers to a withdrawal from territories rather than from *the* territories. In practice, Israel implemented Resolution 242 when it returned all of Sinai to Egypt under the 1979 peace agreement (without the Gaza Strip, which historically forms part of Mandatory Palestine). The same principle was followed in the peace agreement with Jordan, signed in 1994. Jordan, which separated itself from the West Bank in July 1988 and relinquished its representation of the Palestinians in favor of the PLO, received every square meter of its other lands from Israel (including by way of land swaps). The negotiations with Syria, which failed in 2000, were also based on the 1967 lines.

The United Nations considers the West Bank to be a full-fledged occupied territory subject to the rules of war as established in the Hague Convention of 1907 and the Fourth Geneva Convention of 1949. On November 29, 2012, the United Nations General Assembly, adopted a resolution recognizing Palestine as an observer state within the 1967 borders, with the support of a majority of 138 countries.

The Supreme Court of Israel, sitting as the High Court of Justice, has also ruled that “[...] the Judea and Samaria areas are held by the State of Israel in belligerent occupation.” The legal meaning of this perception is twofold: First, the law, jurisdiction, and administration of the State of Israel do not apply in these areas. They have not been annexed to Israel. Second, the legal regime applying in these areas is determined by international public law dealing with belligerent occupation. This law centers on the

Laws and Customs of War on Land as annexed to the Fourth Hague Convention of 1907. These regulations reflect customary international law. The laws of belligerent occupation are also established in the Geneva Convention on the Protection of Civilians in Times of War (hereinafter “the Fourth Geneva Convention”).²⁹

These historical and legal arguments would seem to be unnecessary in light of a speech made by Jason Greenblatt, US Special Representative for International Negotiations, to the UN Security Council on July 23, 2019, six months before the initiative was published. The speech expresses in the clearest possible terms the worldview of the Trump administration and its position on the weight and role of the international community, as well as its attitude toward international law and international resolutions.

Greenblatt stated that the three foundations of world order – international consensus, international law, and UN resolutions, including those of the UN Security Council – are irrelevant to any agreement between Israel and the Palestinians. He further emphasized that “the conflict will not be resolved on the basis of an ‘international consensus’ regarding who is right and who is wrong [...] Neither will this conflict be resolved by reference to ‘international law.’ [...] This conflict will not be resolved by constant reference to hundreds of UN resolutions on the issue.”

Greenblatt went on to reject the international decisions, including those of the United States itself, regarding Jerusalem. “No consensus or international interpretation of international law will convince the United States or Israel that a city where Jews have lived and worshipped their god for almost 3000 years, and which has been the capital of the Jewish state for 70 years, is not the capital of Israel – today and forever.” According to Greenblatt, Islam did not rule Jerusalem for 1300 years. “Palestinians have no rights in Jerusalem, only aspirations [...] The PLO and the Palestinian Authority

²⁹ HCJ 7957/04 Zahran Yunes Muhammad Mara’aba et al. vs. Government of Israel et al., Takdin Elyon 2005(3) 3333.

continue to claim that East Jerusalem must be the Palestinian capital. But remember: an aspiration is not a right.”

he First Zionist Congress in 1897 stated: “Zionism seeks to establish a home for the Jewish people in Palestine secured under public law.” Part of the power of the Zionist movement’s claim to a homeland for the Jewish people rested on two foundations that Greenblatt dismissed 120 years later: the concept of national aspiration, and the conditioning of its implementation on international law and international resolutions. Indeed, as stated in Israel’s Declaration of Independence, the State of Israel was established “on the strength of the resolution of the United Nations General Assembly.”

In his speech and in the Vision for Peace, Greenblatt asks us not to forget Israel’s “generosity,” in that it “has already relinquished at least 88% of the territory it occupied in a defensive war [the Sinai Peninsula].” Greenblatt ignores the fact that the peace treaty with Egypt is based on Resolution 242, which begins by “emphasizing the inadmissibility of the acquisition of territory by war” (and this includes a defensive war). He also ignores the fact that the result of the return of the Sinai by Israel was the removal of the threat of a total war against Israel, the receipt of around \$200 billion in US military and civilian aid, and the opening of the door to further agreements. Accordingly, the purpose of Greenblatt’s claim would seem to be obvious: to justify the annexation of some of the remaining 12% of the territory. It should be recalled that on March 25, 2019 the Trump administration already recognized Israel’s extension of sovereignty to the Syrian Golan Heights – an action that was incompatible with even the most lenient interpretation of Resolution 242.³⁰

Greenblatt reiterated that “the only way before us is direct negotiations between Israel and the Palestinians,” meaning negotiations on the basis of the Trump Vision for

³⁰ “Trump Signs Presidential Declaration Recognizing Israel’s Sovereignty over Golan Heights,” Noa Lander, Haaretz, 25 March 2019.

Peace. He seeks to discard all of the rounds of negotiations that took place in the past, most notably the Annapolis process, which determined agreed parameters for resolving the four core issues: borders, security, Jerusalem, and refugees.

Perception / Approach

It is evident that the underlying perception behind the Vision for Peace was Netanyahu's understanding of the conflict and the way it should be resolved. Three prominent examples make this clear:

1. The first regards the Israeli need for security control over the Palestinian state. The Vision for Peace states that "As dangerous as Gaza, run by Hamas, is to the State of Israel's safety, a similar regime controlling the West Bank would pose an existential threat to the State of Israel." This is very similar to a comment Netanyahu made in a book he published in 1993: "A PLO state implanted ten miles from the Tel Aviv beaches would be a mortal danger to the Jewish state."³¹ The Vision for Peace continues: "Israel has also had the bitter experience of withdrawing from territories that were then used to launch attacks against it." This echoes the Bar-Ilan speech in 2009, in which Netanyahu declared that "every retreat of ours was met with a great wave of suicide terrorism and thousands of missiles." In his March 2015 speech, Netanyahu claimed that "I think that anyone who moves to establish a Palestinian state today, and evacuate areas, is giving radical Islam an area from which to attack the State of Israel. This is the true reality that has been created in past years. Those that ignore it are burying their heads in the sand. The left does this, buries its head in the sand, time and again." Both Trump and Netanyahu ignore the fact that this argument does not hold regarding the peace treaties with Egypt and Jordan. On the contrary, those peace agreements have improved Israel's security immeasurably. By contrast, Israel preferred to withdraw unilaterally from territories used by terrorist organizations

³¹ Netanyahu, *A Place Among the Nations*, 1993.

to act against it in southern Lebanon and the Gaza Strip, rather than reaching an agreement. This choice strengthened the position and strength of the terrorist organizations.³²

2. The second example regards Jerusalem. The Vision for Peace declares: "We believe that returning to a divided Jerusalem, and in particular having two separate security forces in one of the most sensitive areas on earth, would be a grave mistake." It asserts that "The State of Israel has been a good custodian of Jerusalem. During Israel's stewardship, it has kept Jerusalem open and secure." This recalls Netanyahu's promise in 2015, during a speech at a national ceremony at the Ammunition Hill site in Jerusalem marking the forty-eighth anniversary of the unification of the city: "Forty-eight years ago, the rift in our capital, Jerusalem, was healed and it became a unified city again. The division led to its atrophy; the reunification led to its flourishing. That is why Jerusalem will never again be a wounded and bisected city. We will forever keep Jerusalem united under Israel's sovereignty." Both of these comments ignore the reality of two virtually separate cities in Jerusalem; discrimination against Palestinian residents; ongoing violence and friction between the two sides; the deterioration of Jerusalem to the status of Israel's poorest city; Jewish out-migration; and a dramatic change in the municipal demographic balance in favor of the Palestinians.
3. The third example relates to the Arab world. The Vision for Peace states that "It is also the hope of the United States that Arab nations within the region that have yet to achieve peace with the State of Israel will immediately begin to normalize relations with Israel and eventually negotiate peace agreements with Israel." This

³² On 18 December 2003, speaking at the Herzliya Conference, Sharon announced for the first time his plan for Israel to "disengage" from the Gaza Strip and the north of the West Bank: "There exists no Palestinian partner with whom to advance peacefully toward a settlement and [...] I have decided to initiate a process of gradual disengagement..."

statement ignores the Arab League's Peace Initiative, which has been waiting for an Israeli response for nearly two decades. Instead, it expects the Arab world to accept Netanyahu's demand as expressed at a meeting of Likud government ministers in June 2016: "If the Arab states understand that they need to update the Arab Initiative according to the changes Israel will demand, there's what to talk about."³³

Accordingly, the authors of the Vision adopted Netanyahu's "solution" to the conflict, as he expounded as early as 2005: "the plan for autonomy under Israeli control is the only alternative that prevents those dangers inherent in the peace plan of the Oslo agreement." The Vision seeks to realize Netanyahu's promise on September 6, 1997, as already quoted above, that "There will be no Palestinian state. [...] No foreign sovereignty will be established between Jordan and the sea. The Jewish presence and Jewish settlement in Judea and Samaria will live, prosper, and survive forever."

The Palestinian Response to the Principles in the Vision for Peace³⁴

"The Palestinian vision of peace is based upon fundamental human rights of freedom, dignity, and equality. Our vision is in line with international law, and the system of justice and accountability that the international legal order is designed to preserve. It is consistent with the numerous United Nations resolutions that have recognized our fundamental rights, condemned Israel's denial of those rights, and called upon Israel and the international community to act to end the occupation, end and reverse the settlement enterprise, and protect and respect Palestinian rights. Any plan that flouts international law and United Nations resolutions, and instead legitimizes illegal land theft and annexation is no peace plan at all.

³³ For further details, see "The Road to Riyadh Passes through Ramallah," Shaul Arieli, Haaretz, 30 March 2017.

³⁴ Following the publication of the Vision for Peace, the PLO issued a document describing its positions: Communication Briefs, 3 February 2020, State of Palestine, Palestinian Liberation Organization, Negotiations Department. Throughout this study, we have chosen to present the Palestinian position as formulated in this publication, without additions or interpretation.

An independent and viable State of Palestine, with East Jerusalem as our capital, can only be based on complete sovereignty over our territory and our resources; control over our borders, airspace, and maritime boundaries; and, most importantly, self-determination: the ability to freely determine the shape of our political, civil, economic, cultural and social lives.

Pursuant to the Palestinian Peace Initiative, the broad outlines of a resolution to the Palestinian Israeli conflict are as follows:

Respect for international law and the relevant resolutions, including Security Council resolutions 242 (1967), 338 (1973), through to resolution 2334 (2016), and the Arab Peace Initiative, and the signed agreements.

Preservation of the principle of the two states, i.e. the State of Palestine, with East Jerusalem as its capital, living side-by-side with the State of Israel in peace and security on the basis of the 4 June 1967 borders, and rejection of partial solutions and a state of provisional borders.

Ensuring the security of the two States without undermining the independence and sovereignty of either of them through the existence of an international third party.

A just and agreed solution for the Palestine refugees on the basis of resolution 194 (III) and in accordance with the Arab Peace Initiative and, pending a just solution, continuation of the international commitment and support to UNRWA.

Ultimately, our vision for peace requires justice and an ability to exercise our rights freely in our homeland.

We are confident that with the support of peace-loving nations that seek to preserve the threatened international order, we will succeed in our pursuit of this just and long-lasting peace."

The Proposed Alternative

The following is a suggested set of principles based on the 2003 Geneva Initiative enabling both parties to resume negotiations, sign a permanent agreement, and resolve the conflict.³⁵

The State of Israel and the PLO:

1. Reaffirm their determination to put an end to decades of confrontation and conflict, and to live in peaceful coexistence, mutual dignity, and security based on a just, lasting, and comprehensive peace, and achieving historic reconciliation;
2. Recognize that peace requires the transition from the logic of war and confrontation to the logic of peace and cooperation, and that acts and words characteristic of the state of war are neither appropriate nor acceptable in the era of peace;
3. Affirm their deep belief that the logic of peace requires compromise, and that the only viable solution is a two-state solution based on UNSC resolution 242 and 338;
4. Affirm that this agreement marks the recognition of the right of the Jewish people to statehood and the recognition of the right of the Palestinian people to statehood, without prejudice to the equal rights of the parties' respective citizens;
5. Recognize that after years of living in mutual fear and insecurity, both peoples need to enter an era of peace, security, and stability, entailing all necessary actions by the parties to guarantee the realization of this era;
6. Recognize each other's right to peaceful and secure existence within secure and recognized boundaries free from threats or acts of force;

³⁵ Based on the Geneva Initiative, 2003.

7. Determine to establish relations based on cooperation and the commitment to live side-by-side as good neighbors aiming both separately and jointly to contribute to the well-being of their peoples;
8. Reaffirm their obligation to conduct themselves in conformity with the norms of international law and the Charter of the United Nations;
9. Confirm that that this Agreement is concluded within the framework of the Middle East peace process initiated in Madrid in October 1991, the Declaration of Principles of September 13, 1993, the subsequent agreements including the Interim Agreement of September 1995, the Wye River Memorandum of October 1998, and the Sharm El-Sheikh Memorandum of September 4, 1999, as well as the permanent status negotiations including the Camp David Summit of July 2000, the Clinton Parameters of December 2000, the Taba Negotiations of January 2001, the 2002 Arab League Peace Initiative, the Bush Vision of June 2002, the 2005 Quartet Roadmap, and the Annapolis Process in 2008.
10. Reiterate their commitment to United Nations Security Council Resolutions 242, 338 and 1397 and confirm their understanding that this agreement is based on, will lead to, and – by its fulfillment – will constitute the full implementation of these resolutions and the settlement of the Israeli- Palestinian conflict in all its aspects;
11. Declare that this Agreement marks the historic reconciliation between the Palestinians and Israelis, and paves the way to reconciliation between the Arab world and Israel and the establishment of normal, peaceful relations between the Arab states and Israel in accordance with the relevant clauses of the Beirut Arab League Resolution of March 28, 2002;
12. Resolve to pursue the goal of attaining a comprehensive regional peace, thus contributing to stability, security, development, and prosperity throughout the region;

13. The purpose of the permanent agreement is to end the era of conflict and usher in a new era based on peace, cooperation, and good neighborly relations between the parties;
14. Implementation of the Agreement will settle all of the claims of the parties arising from events occurring prior to its signature;
15. This effort shall continue at all times, and shall be insulated from any possible crises and other aspects of the parties' relations;
16. Israel and Palestine shall work together and separately with other parties in the region to enhance and promote regional cooperation and coordination in spheres of common interest.

Borders and Territory

The Concept of a Border

Before we evaluate the territorial section in the Vision for Peace, we should clarify the concept of a border as defined in the research literature. A border includes the boundary line itself and the border area, both of which must be regarded as an integral and indivisible geographical entity. Accordingly, it is important to explore and recognize the interplay between the boundary line and the adjacent space – the “border margin.” When considering any new border or any significant change to an existing one, a careful examination must be carried out regarding both sides of the proposed or potential border, and the ramifications of determining the new border on the space created must be assessed. Equipped with comprehensive knowledge of the physical and human characteristics of the strip within which the border is to be defined, and of its intended functions, it is possible to anticipate with reasonable accuracy the phenomena and processes that will occur in the border margin. This in turn facilitates the anticipation and avoidance of problems along the border and of negative developments in the border margin that could impair the functioning of the border and the relations between the countries it separates.

Studies in the field of political geography show that a good border is determined by the nature of the border regime and the relations between the relevant parties. In addition, such a border requires the widest possible application of the following four features, formulated by prominent geographer Charles Fawcett:

1. The location and marking of the border must be clear and conspicuous, so that no doubts arise as to its course and it cannot be crossed by mistake.
2. The border must coincide with, or be as close as possible to, the territory of the people of the nation constituting the population of each of the states it divides. In other words, the political border shall also be an ethnic border, or close thereto.
3. The border should not impose an obstacle within a region or territory whose residents maintain mutual dependence, economic or otherwise, unless adequate substitutes for this dependence are guaranteed within the territory of each state.
4. The border must avoid crossing locales and/or their immediate living space.

When delineating the border, a number of factors are taken into account, such as natural features, the distribution of the population and locales, economic resources, the transportation network, and so on. These factors may have varying effects on the nature of the border, and the balance between them will determine whether the border is one that encourages contact or separation.

At the same time, a borderline is a product of considerations relating to political and military power as these emerge at a given point in time. A border reflects the political and military equilibrium between the two political units on either side of the line when establishing a political border. Sometimes, when the balance of power leans clearly to one side, the division of territory and the demarcation of the separation line does not contribute to conflict resolution, and may actually serve as the first step toward the emergence of new conflicts. If a boundary is drawn in accordance with the needs and requirements of two parties between which there is a discrepancy in terms of power, the course of the border may not achieve optimal compatibility with its functional

character. The extent to which territorial borders are consistent with the relevant functions influences the stability of a border. Inconsistencies create areas of instability along the border where these functions are most prominent, requiring the formulation of functional arrangements that are often unable to compensate for the defective course of the border.

In other words, a border that at the time of its demarcation does not embody the four above-mentioned features may be improved by means of agreed and coordinated steps in order to bring it closer to the character of a good boundary. However, if the course of the border suffers from too many inconsistencies relative to its required functions, and these cannot be resolved by means of functional arrangements, the stability of the border will be jeopardized. Although intended to resolve the conflict and implement separation, such a border will in practice carry the disastrous potential for the next conflict.³⁶

Therefore, under the basic principle of land swaps – the guiding principle for undergirding the border between Israel and Palestine – the central dilemma to be addressed is the question of the cost of a permanent agreement. Land swaps in the context of a permanent agreement entail three main costs, all of which are interdependent:

1. The evacuation of Jewish communities from the West Bank and the absorption of their residents in Israel.
2. Damage to the fabric of Palestinian life and to Palestinian contiguity as a result of the annexation by Israel of so-called “blocs” and “fingers” of Jewish settlements that penetrate deep into the heart of Palestinian territory.

³⁶ For further discussion, see Shaul Arieli (2016), “Geographical, Historical, and Political Aspects in Determining a Political Border in Interstate Conflicts: The Israeli-Palestinian Instance. Thesis toward a PhD degree,” University of Haifa, Faculty of Social Sciences, Department of Geography and Environmental Studies.

3. Damage to Israeli localities situated within the State of Israel but close to the border, due to the use of their land for land swaps and their proximity to the new border.

Any attempt to reduce the cost of the first component increases the costs of the latter two. Greater annexation of Jewish settlements avoids the need for the forced evacuation of settlements, while raising the cost in terms of damage to the fabric of Palestinian life and to adjacent Israeli locales close to the border. Conversely, reducing the damage to Palestinians and Israelis means the more extensive evacuation of Jewish settlers from the West Bank and a reduction in the scope of land swaps.

Accordingly, when delineating a border it is important to strive for a cost-benefit optimization between these three components. This implies a profound recognition, understanding, and evaluation of the various costs and the presentation of optimal solutions in which the cost-benefit components will allow a reasonable existence for both countries, side by side, on the basis of a structurally stable border.³⁷

We will now turn to an evaluation of the border section in the Vision for Peace, which we will compare to a proposed alternative based on the parameters that guided the negotiations that took place between Israel and the PLO through 2009.

Palestinian Territory

As noted, the Vision for Peace states that “the State of Israel and the United States do not believe that the State of Israel must legally provide Palestinians with 100 percent of pre-1967 territories.” It also states that “this vision is a fair compromise, and it refers to a Palestinian state that encompasses areas that are reasonably similar to the West Bank and Gaza area before 1967.” To what extent are these assertions correct? (See Map 11).

³⁷ For further details, see Commanders for Israel’s Security, *A Stable Border: A Border Separating Israel and Palestine*, April 2017.

The territory of the Palestinian state, which constitutes 22% of Mandatory Palestine and comprises the territory of the West Bank (including East Jerusalem) and the Gaza Strip, was agreed by Israel, the PLO, and the US during the Annapolis negotiations to total 6,205 sq.km.³⁸ The Vision for Peace requires land swaps of 1,775 sq.km. to be annexed to Israel³⁹ (28.6% of the area of the West Bank and Gaza), compared to 833 sq.km. of Israeli territory to be annexed to Palestine (13.4% of the area of the West Bank and Gaza, a ratio of 1:2.13). After this process, Palestinian territory would total 5,263 sq.km. In other words, the Palestinians are asked to settle for 19.5% of Mandatory Palestine, and not 22%.

Quality of the Territories

The Vision for Peace states that the land swaps will provide the State of Palestine with “territory reasonably comparable in size to the territory of the West Bank and Gaza pre-1967.” What is the actual situation? (see Map 11).

The lands earmarked for annexation by Israel – in the Jordan Valley, around Jerusalem, and in western Samaria – are clearly more fertile and enjoy better natural water resources than the lands offered to Palestine. Most of the latter’s newly annexed land is situated in the western Negev, on the border with the Sinai Desert (596 sq.km., or 71.5% of the total area to be annexed to Palestine), in the Arad Valley , and on the border of the Judean Desert (176 sq.km., constituting 21% of the total area). Only a minority of the land (8%) is high quality land belonging to Arab locales in Israel, although Prime Minister Netanyahu and the Trump administration initially distanced themselves from portions of the plan that transferred Israeli Arabs to nominal

³⁸ *Israeli-Palestinian Negotiations File*. Center for Applied Negotiations, Institute for National Security Studies. Tel Aviv, 2013.

³⁹ It should be noted that according to the conceptual map attached in the appendix to the Vision for Peace, a thin strip of the Gaza Strip with an area of 50 sq.km. (14% of the area) appears as annexed to Israel. This area was not included in the calculations, since there is no reference to it in the text and it would appear to be a cartographical error.

Palestinian jurisdiction (a provision that was seemingly then re-inserted in a suggested Israeli annexation map reported in Israeli media in July 2020).

Map 11 – Land Swaps



Length of the Border

The length of the Green Line between Israel and the West Bank is 311 km while the border between Israel and the Gaza Strip totals 56 km. The extension of the border discussed at Annapolis in 2008 would bring the total border to 727 km.⁴⁰ According to the Vision for Peace, the border between Palestine and Israel will total 1,696 km.⁴¹ An additional 176 km in the West Bank must be added to the border between Israel and Jordan that was not included in the peace agreement signed in 1994.⁴² Thus, in total, 1872 km will be added to Israel's border with Jordan (and with Egypt in the Gaza Strip). This total is 5.1 times the current length of the Green Line, and 2.57 times the potential border resulting from the Israeli offer at Annapolis in 2008 (see Map 12).

⁴⁰ Border between Israel and the Gaza Strip: 79.16 km; border between Israel and the West Bank: 647.92 km.

⁴¹ West Bank – 1,112 km; Gaza Strip: 258 km; Israeli enclaves – 58.5 km; Palestinian enclaves – 265 km.

⁴² 144 km of land border and a maritime border of 32 km.

Map 12 – Borders



Enclaves

During all of the negotiations that took place between 1999 and 2008, neither of the two sides nor their intermediaries ever proposed maintaining enclaves. The Vision for Peace proposed that 17 Israeli settlements with 16,500 residents should remain as Israeli enclaves inside Palestine, connected to Israel by roads under Israeli security responsibility (see Map 13 and Table 1). In addition, within Israel there will be 43 Palestinian enclaves with a total of 106,000 residents, along with access routes to Palestine (see Map 14 and Table 2). These figures do not include dozens of tiny Palestinian settlements, each with an average of a few dozen residents, within the area to be annexed to Israel. The Vision also suggests that consideration be given to the annexation to Palestine of seven other Israeli Arab communities not marked on the conceptual map, with a total of 150,000 residents, though this was later walked back after it engendered considerable controversy (see Table 4). The location of these communities inside Israel will require their consideration as additional enclaves.

What does the research literature teach us about the feasibility of enclaves?

History demonstrates that the origins of most border disputes lie in the political and social organization of the countries involved and their political and economic aspirations. The characteristics and trends regarding the existence of territorial enclaves support this conclusion. Of the 258 existing enclaves in the world, 198 can be found in the Cooch Behar region between India and Bangladesh, and 30 more are situated in the Baarle township on the border between Belgium and the Netherlands. The following figures emerge regarding the proposed Israeli enclaves:

Map 13 – Israeli Enclaves



Table 1 – Israeli Enclaves

Name	Population (2018)	Leading party in the September 2019 Knesset elections	Perimeter (km)	Area (sq.km.)
Adora	440	Yemina	2.68	0.22
Itamar	1238	Yemina	5.39	1.48
Elon Moreh	1946	Yemina	8.04	2.15
Asfar (Metzad)	835	UTJ	2.42	0.23
Bracha	2620	Likud	2.78	0.40
Haggai	635	Yemina	2.56	0.36
Hermesh	228	Likud	2.57	0.46
Yitzhar	1635	Otzma Yehudit	4.33	0.57
Kfar Tapuach	1238	Yemina	2.63	0.46
Karmeit Tzur	1021	Yemina	2.35	0.33
Mevo Dotan	403	Likud	3.93	0.81
Ma'ale Amos	535	UTJ	2.93	0.29
Negohot	356	Yemina	2.24	0.25
Ateret	913	Yemina	3.66	0.62
Otniel	1037	Yemina	3.25	0.43
Shavei Shomron	929	Yemina	3.95	0.83
Telem	432	Yemina	2.78	0.45
Total	16,441		58.49	10.34

Enclaves are created and function due to political constraints within a given political or economic context. They can play a positive function in both the economic and the political spheres along border areas. However, when the nationality that is dominant in an enclave is not the result of a long and unstable historical process and the enclave is not stable, land swaps should be viewed as the preferred solution.

In general, enclaves survive when normal relations exist between the countries concerned, but tend to be eliminated in the case of hostile relations. This was illustrated in June 2015 with the ratification of the Land Border Agreement signed in 1974, under which Bangladesh will receive 111 Indian enclaves in its territory in exchange for 52 Bangladeshi enclaves inside India. About 53,000 people who currently

live in these enclaves will be required to choose whether to accept citizenship in their new country or relocate to the other side of the border.

Similar conclusions were also found with regard to the corridors of states inside other countries. There are dozens of enclaves in the world that belong to one country and are surrounded by another. Some of the links between the enclaves and their mother country are undertaken by sea and others by means of land corridors. Historical experience around the world proves that the success of such a solution requires neighborly relations at a level such as that which exists today between countries like Germany and Switzerland (between which many such corridors operate).

Map 14 – Palestinian Enclaves

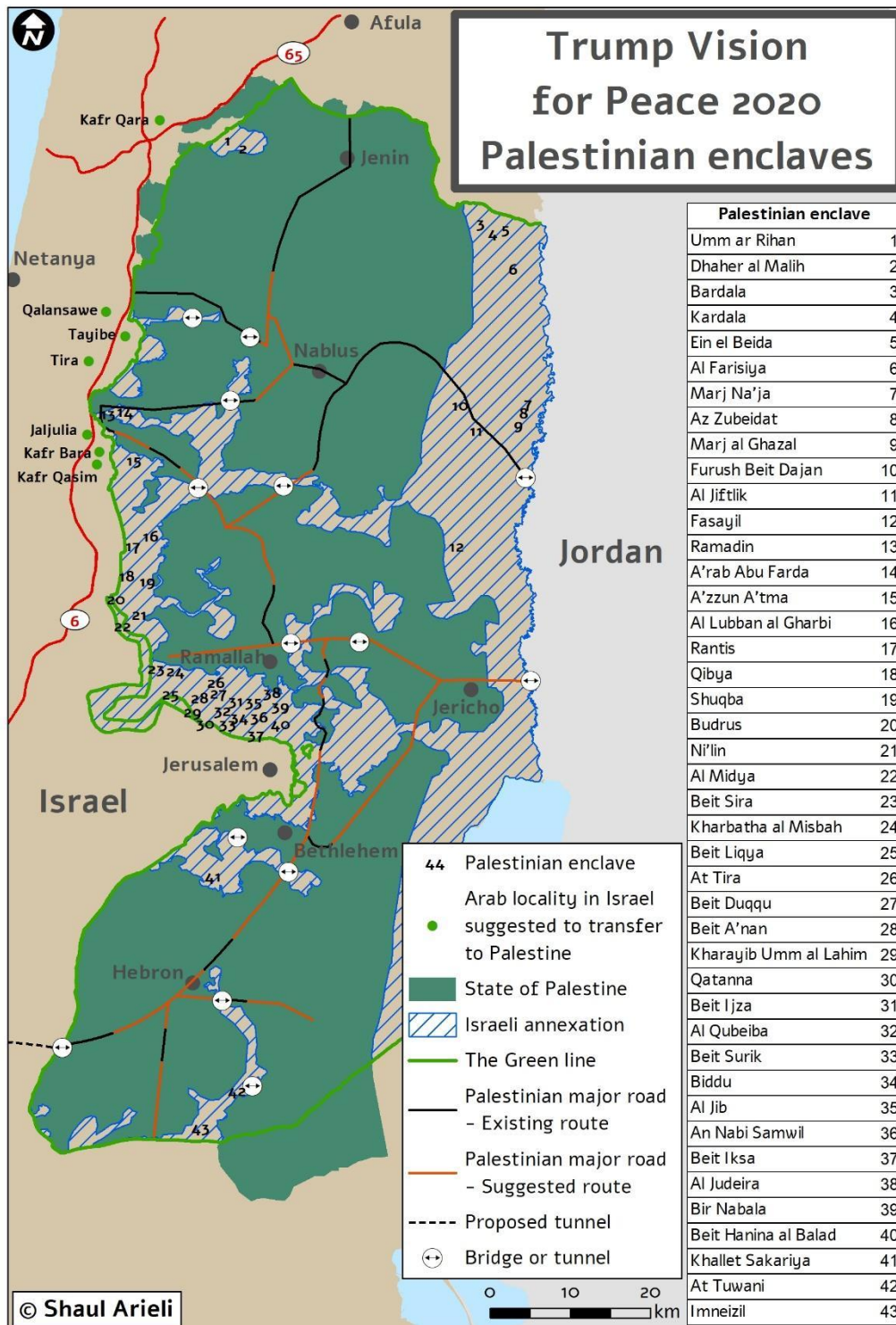


Table 2 – Palestinian Enclaves

Hebrew name	English name	Arabic name	District	Pop. (2018)	Perimeter (km)	Area (sq.km.)
אום א-ריחאן	Umm ar Rihan	ام الريحان	Jenin	447	1.32	0.11
ד'אהר אל מאלח	Dhaher al Malih	ظهر المالح	Jenin	195	0.96	0.03
ברדלה	Bardala	بردلة	Tubas	1607	5.72	0.28
עין אל-בידא	'Ein el Beida	عين البيضاء	Tubas	1138	3.20	0.10
כרדלה	Kardala	كردلة	Tubas	203	1.07	0.03
אל-פאריסיה	Al Farisiya	الفارسية	Tubas	118	2.39	0.07
פרוש בית דג'ן	Furush Beit Dajan	فروش بيت دجن	Nablus	723	4.66	0.07
ערב אבו פרדה	'Arab Abu Farda	عرب ابو فردة	Qalqiliya	131	1.63	0.03
רמאדין	'Arab ar Ramadin al Janubi	عرب الرماضين الجنوبي	Qalqiliya	286	2.23	0.04
עזון עתמה	'Azzun 'Atma	عزون العتمة	Qalqiliya	2068	3.79	0.16
א-לובן	Al Lubban al Gharbi	اللبن الغربي	Ramallah	1566	3.64	0.15
רנתיס	Rantis	رننيس	Ramallah	3179	10.61	0.33
שוקבא	Shuqba	شقبا	Ramallah	5459	16.19	0.60
קיביא	Qibya	قبيا	Ramallah	6090	15.68	0.58
בודרוס	Budrus	بدرس	Ramallah	1596	3.09	0.14
ניעלין	Ni'lin	نعلين	Ramallah	5118	12.56	0.65
אל-מדיה	Al Midya	المدية	Ramallah	1533	3.46	0.20
בית סירא	Beit Sira	بيت سيرا	Ramallah	3343	8.19	0.48
ח'ירבת אל-מיסבאח	Kharbatha al Misbah	خريثا المصباح	Ramallah	6366	11.21	0.65
טירה	At Tira	الطيرة	Ramallah	1504	5.34	0.25
בית ליקיא	Beit Liqya	بيت لقا	Ramallah	9304	17.47	1.08
מארג' נג'ה	Marj Na'ja	مرج نعجة	Jericho	828	2.10	0.15
זובידאט	Az Zubeidat	الزبيدات	Jericho	1679	1.65	0.10

מרג' אל-גזאל	Marj al Ghazal	مرج الغزال	Jericho	243	2.01	0.06
אל-ג'יפתליק	Al Jiftlik	الجفتلك	Jericho	3100	2.05	0.23
פסאיל	Fasayil	فصايل	Jericho	1637	1.88	0.20
בית דוקו	Beit Duqqu	بيت دقو	Jerusalem	1754	4.38	0.25
אל-ג'ודיירה	Al Judeira	الجديرة	Jerusalem	2634	5.30	0.35
בית איענאן	Beit 'Anan	بيت عنان	Jerusalem	4210	10.94	0.48
אל-ג'יב	Al Jib	الجيب	Jerusalem	4132	8.78	0.50
ביר נבאלה	Bir Nabala	بير نبالا	Jerusalem	6004	11.44	1.07
בית איג'זא	Beit Ijza	بيت اجزا	Jerusalem	854	3.14	0.11
קובייבה	Al Qubeiba	القبيبة	Jerusalem	3876	7.15	0.30
חראאיב אום א-לחם	Kharayib Umm al Lahim	خرائب ام اللحم	Jerusalem	401	2.13	0.07
בידו	Biddu	بدو	Jerusalem	8231	13.98	0.73
נבי סמואל	An Nabi Samwil	النبي صموئيل	Jerusalem	234	1.48	0.04
צפון בית חנינא אל בלאד ((בדואים	Beit Hanina al Balad	بيت حنينا البلد	Jerusalem	1107	5.57	0.28
קטנה	Qatanna	قطنة	Jerusalem	6981	24.69	1.07
בית סוריק	Beit Surik	بيت سوريك	Jerusalem	4025	9.80	0.36
בית איכסא	Beit Iksha	بيت اكسا	Jerusalem	1773	6.24	0.35
ח'לית זקריא	Khallet Sakariya	بيت سكاريا	Bethlehem	142	2.62	0.23
א-תוואני	At Tuwani	التواني	Hebron	194	1.70	0.02
אמניזל	Imneizil	امنيزل	Hebron	278	1.80	0.07
				106,291	265.24	13.03

When relations between countries are normal (Spain and France, the United States and Canada, etc.), corridors between enclaves, exclaves, and the rest of a state's territory do not have much significance, especially when the standard of living in both countries is similar. When hostilities and tensions exist between countries, the problem of enclaves and corridors becomes critical. In three such cases (West Berlin,

the Polish corridor (Danzig), and Bolivia's access to the sea), it was not possible to reach a stable and lasting solution satisfactory to both sides in a conflict.

The Israeli-Palestinian conflict is one of the longest lasting conflicts in modern history, rife with violence and bloodshed and grounded in contradictory narratives. Accordingly, it must be assumed that these negative resentments will not permit the functional operation of enclaves on both sides. The many arrangements required to secure traffic, infrastructure, farming, and so on will be unreasonable given the ongoing hostility between the parties. This is particularly true since the Israeli enclaves inside Palestine consist mainly of Jewish settlements espousing a messianic right-wing political bent (see Table 1).

Damage to the Fabric of Life

1. Palestine will lack territorial contiguity and will be divided into five main areas (see Map 15): Jenin-Nablus (1,692 sq.km.), Ramallah (838 sq.km.), Bethlehem-Hebron (1,571 sq.km.), the Gaza Strip (363 sq.km.), and the Western Negev (597 sq.km.). The connection between these areas is based on roads that cross Israeli territory, two of which stretch for tens of kilometers.
2. Of the total area of 1775 sq.km. to be annexed to Israel, 611 sq.km. (34.4%) is privately owned by Palestinians, belonging to some 150 Palestinian communities. The extent of damage to the lands of the localities varies, and includes harm to property, employment, and the development capacity of the locale.
3. 43 Palestinian villages, with approximately 110,000 residents, and dozens of other small communities that are home to thousands of additional residents will be left as isolated enclaves within Israel, subject to Israeli security authority, which will also apply to their access routes.
4. The proposed road system over the existing one is not hierarchical and does not correspond to the nature of the terrain; its construction will seriously damage the

landscape and environment. It will require construction of 212 km of new roads and an additional nine bridges and tunnels (out of the 15 proposed, see Map 14 and Table 3).

5. If the proposal for the transfer of seven Israeli Arab communities is implemented, this will cause severe damage to the standard of living and quality of life of 150,000 former Israeli citizens who will be annexed to the Palestinian entity.
6. The proposed corridor for connecting the areas of swapped land in the western Negev, and for connecting both these areas to Gaza, requires the construction of a road with a length of 65 km that bypasses the eight Israeli towns located along the route (see Map 16).
7. The road system in the northwest of the West Bank will need to be rebuilt, and eight Israeli communities will be brought within 500 meters of the new border (see Map 17).

Map 15 –State of Palestine Areas



Map 16 – Western Negev Roads and Locales



Map 17 – Northwest West Bank

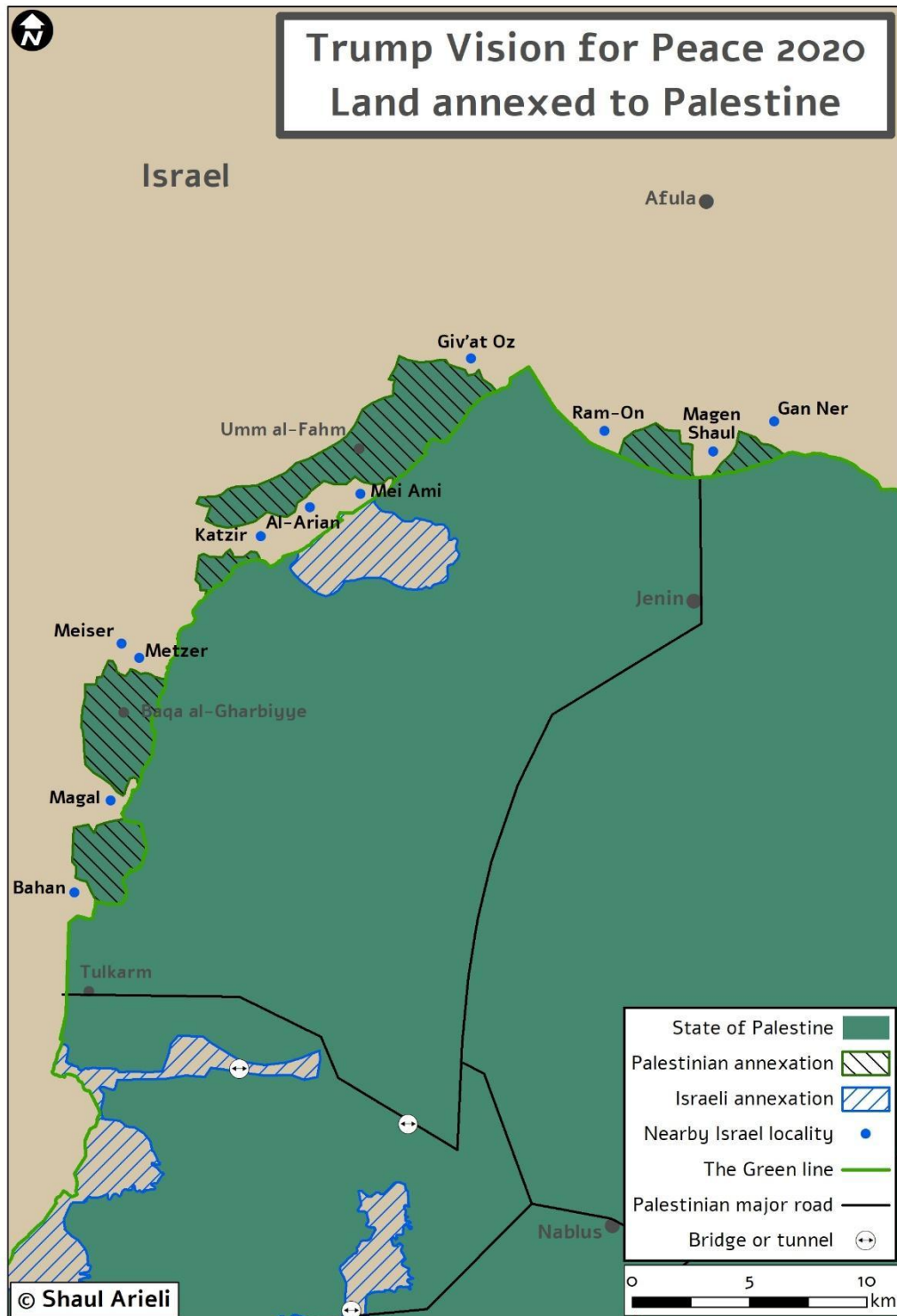


Table 3 – Bridges and Tunnels

No.	Area / Location	Currently Exists / Does Not Exist
1	Adam Bridge	Exists
2	Hussein (Allenby) Bridge	Exists
3	Rimonim Intersection	Does not exist
4	Bittin / Givat Asaf	There is a bridge on Route 60 north of Givat Asaf
5	Iskaka	There is a bridge over Route 4775
6	Shufa	Does not exist (there is a passage just to the west on Route 574, but this is not marked on the original map)
7	Shavei Shomron Intersection	Does not exist
8	Fara'ata – Al-Fundug	Does not exist
9	Barkan Industrial Zone	There is an interchange connecting Routes 446 and 5
10	Route 60 – Route 375	There is a passage under Route 60 just north of the intersection
11	Takoa / Harmalah	Does not exist
12	Gaza / Nachal Oz	Does not exist – Gaza entrance to the tunnel to the West Bank
13	Beit a-Rush a-Tahta	Does not exist – West Bank entrance to the tunnel to Gaza
14	Kiryat Arba / Bani Na'im	Does not exist
15	Maon	Does not exist

Transfer of Arabs Citizens of Israel

Proposals for land swaps confined to unpopulated areas were raised in the negotiations between Israel and the Palestinians, and were explicitly first raised in President Clinton's proposal (December 2000), based on the precedent established in the Jordan-Israel Peace Agreement (1994). During all of the negotiations to date, the Arab citizens of Israel, who account for approximately one fifth of the population of the state and one fifth of the Palestinian people within former Mandatory Palestine, were never regarded as one of the final status issues. The only exception to this was

the proposal by Tzipi Livni to Abu Ala in 2008 to unite two villages that were divided in the 1948 War (Barta'a and Beit Safafa), to which she also added Baqa al-Gharbiya. Her suggestion was rejected.

Against the backdrop of rising tension and alienation between the Jewish and Arab public, especially after the events of October 2000, some circles within the Jewish public in Israel have suggested that areas of Israel inhabited by Arab citizens could be transferred to a future Palestinian state. Discourse centering on the issue of the "demographic balance" has extended to include areas within the borders of the State of Israel. Such voices include not only right-wing politicians, such as MK Avigdor Liberman, but also occasionally emerge from the center-left, as in the case of former Prime Minister Ehud Barak⁴³. Until now, no detailed plan has been presented including a delineation of the areas and populations involved, and there has been no substantive discussion of the feasibility, interests, and ramifications inherent in this idea.

The purpose behind the idea of transferring the territories of the State of Israel populated by Arabs to the Palestinian state is first and foremost to strengthen the Jewish majority in the State of Israel. Some of those involved believe that such a transfer would also allow the State of Israel to maintain several of the settlement blocs. The underlying concept behind the proposal is the same as that behind the 1947 plan: to divide the land into two nation states according to the pattern of demography and settlement on the ground, using the Green Line as a point of reference. For some of the advocates of this approach, the idea is to "have one's cake and eat it too," by annexing settlement blocs and strengthening the Jewish majority. For others, it is merely an expression of the need for the Jewish majority to defend itself against perceived attempts by some parts of the Arab minority to abolish the Jewish character of the State of Israel. Be that as it may, the practical implication of this idea is the

⁴³ Injustice and Folly On the Proposals to Cede Arab Localities from Israel to Palestine
Shaul Arieli, Doubi Schwartz With the participation of Hadas Tagari. THE FLOERSHEIMER INSTITUTE FOR POLICY STUDIES. July, 2006

revocation of Israeli citizenship from tens of thousands of people, contrary to their wishes, because of their Palestinian Arab ethnicity. Those involved would become citizens of another country, detached from the fabric of life they built in the State of Israel, the country of their birth, and displaced to a different society.

The feasibility of this idea depends first and foremost upon Palestinian consent. A cross-border demarcation step and population transfer cannot be carried out unilaterally, but rather as part of a bilateral agreement. As things stand today, this idea does not have Palestinian support. The Palestinian side has no interest in fulfilling this plan. Neither is it likely that Palestinian leaders would agree to an idea that is opposed by the Arab citizens who are supposed to become citizens of their state, particularly since the implementation of the plan also requires the perpetuation of Jewish settlement blocs deep inside the Palestinian state.

The transfer of populated territories to another country as a mutually agreed upon solution has no precedent in the post-World War II era and the formulation of various human rights treaties. From a legal point of view, agreed border changes between countries are indeed acceptable under international law, and they are also possible under Israeli law, if approved by the Knesset. However, the revocation of the citizenship of tens of thousands of people simply because they happen to be Arabs who live close to the border, and their transfer to Palestinian sovereignty contrary to their wishes, are illegal actions under Israeli and international law.

The demographic argument underlying this idea assumes that the Jewish majority in the State of Israel is at risk from the rising number of Arab citizens, and that demands for the “de-Zionization” of the state are mounting in a manner that threatens its Jewish character. However, studies show that even without any change in the current borders of the State of Israel, including East Jerusalem, the Jewish sector will constitute 74% of the population; without East Jerusalem, the percentage would be even higher. No detailed plan has ever been presented with clear data regarding the proposed area to be transferred and the number of Arab citizens who live in it. The careful examination

of the Vision for Peace in this essay also shows that the change that this plan, if implemented, may bring is extremely marginal. The population of Wadi Ara and the “Triangle,” numbering about 305,000, constitutes only 15.2% of the total Arab population of Israel. By comparison, the number of Palestinians expected to become Israeli citizens, contrary to their wishes, if East Jerusalem becomes part of the State of Israel is higher: 350,000 (see Table 4).

The demographic argument might seem to support the Jewish and democratic character of the State of Israel. However, it is far from clear why some people believe that denying the citizenship of tens of thousands of Arabs, contrary to their will, is consistent with the Jewish character of the state, let alone with its democratic nature.

Raising this issue on the domestic political agenda in Israel, even before it has become part of any official Israeli position in the negotiations, has numerous implications for Israeli society in general, and for Israeli Arab society in particular. Such a proposal seems designed to remove what little remains of the sense of affiliation with the state among its Arab citizens and to thwart any chance of their integration in Israeli society. The Arab population in Israel is working consistently to secure equality and to improve its integration in society. A plan to transfer territories inhabited by Arab citizens could prove to be the final stage in a process of political and social delegitimization, leading to the exclusion of the Arab population from the Israeli system. As a result, relations between the majority and the minority and between the state and the Arab population are liable once again to acquire a violent character and lead to confrontation rather than reconciliation.

Table 4 – Israeli-Arab Locales

Name of locale to be transferred	Population (2018)
Umm al-Fahm	55,182
Baqa al-Gharbiya	29,393
Arara	24,904
Zemer	6,940

Basma	9,779
Jatt	11,798
Ma'ale Eron	14,833
Muqeibla	4,030
Sandala	1,609
Total	158,468

Localities transferred to Palestine under the Trump Vision for Peace

Kafr Qara	18,675
Qalansuwa	22,788
Taybeh	43,127
Kafr Qassam	23,241
Tira	26,162
Kafr Bara	3,594
Jaljuliya	9,984
Total	147,571

In the external arena, the inclusion of this issue in peace negotiations with the Palestinians moves the discussion from the debate surrounding the 1967 borders to a discussion of ethnic-settlement boundaries. It also creates a precedent for an Israeli willingness to relinquish further areas of the state that are inhabited by Arabs. Inserting the issue of the Arab citizens of Israel alongside the other issues to be decided in the final status negotiations will also bring with it discussion of other issues related to this public, such as the “internal refugees,” the expropriation of Arab lands, and the relations between the majority and the minority. It will also lead to the internationalization of this issue, which has hitherto been regarded as a domestic Israeli affair.

Since, as mentioned, there are no internal or external Palestinian partners for the idea of exchanging populated territories – an action that cannot be undertaken by force in accordance with Israeli or international law and is of very marginal demographic significance – the proposal to transfer an Arab population to Palestinian sovereignty

should be regarded as part of a political process in Jewish society in Israel. Today, new political and coalition agreements are being formed between left and right (which were not possible in the past), based on the assumption of the principle of dividing the country into two nation-states. Discussion of the idea of transfer actually forms part of the discourse concerning the expansion of the public legitimacy of the proposed permanent agreement, the future of settlement blocs, and the character of the Jewish nation-state after a treaty is reached. This discussion is important and legitimate, provided it is presented as such and not subverted through moves that are incompatible with international and Israeli law, lack any real demographic significance, and will serve only to damage the rights of the entire Arab public while severely damaging Arab-Jewish relations and the democratic nature of State of Israel.

The establishment of an independent Palestinian state in the West Bank and Gaza Strip will realize the Palestinian people's right to self-determination. This will allow all the Arab citizens of Israel to define their identity and affiliation with the State of Israel and to choose, from an equitable national position, the state they identify with and in which they seek to exercise their citizenship rights.⁴⁴

The Palestinian Response on the Border Issue ⁴⁵

"The border prior to June 4, 1967 is the basic borderline. The 1967 line is defined as the 1949 Armistice Line, together with all the legal changes introduced thereto as of June 4, 1967.

⁴⁴ For further discussion, see Shaul Arieli, Dubi Schwartz, Hadas Tagari, *Misdemeanor and Folly, on the Proposals to Transfer Arab Communities from Israel to Palestine*, Floersheimer Institute for Policy Studies, 2006.

⁴⁵ Following the publication of the Vision for Peace, the PLO issued a document describing its positions: Communication Briefs, 3 February 2020, State of Palestine, Palestinian Liberation Organization, Negotiations Department. Throughout this study, we have chosen to present the Palestinian position as formulated in this publication, without additions or interpretation.

It will be necessary to discuss a number of issues on the subject of the borders during the talks for the final agreement, in order to the conflict based on a two-state solution. These include:

- **Borders:** Israel has no valid right to any part of the West Bank or the Gaza Strip. However, for the sake of peace, we are prepared to discuss minor, equitable, and agreed territorial land swaps if we decide that it is in our interests to do so.
- **Territorial contiguity:** In order for the West Bank and the Gaza Strip to function as a single territorial unit, it is crucial to have a territorial link connecting the two parts of the State of Palestine. The link must provide permanent and unrestricted movement of people, goods, and vehicles between the two geographical areas. It must also be adapted for the passage of various resources across the State of Palestine (e.g. gas, water, electricity, etc.). There is a need for a safe arrangement or passage allowing such movement under an agreed regime until a permanent territorial link is fully operational. These arrangements must remain in force even after the territorial link becomes operative, as an alternative means of connecting the West Bank to the Gaza Strip, if the territorial link is interrupted.
- **Maritime border issues:** Maritime issues concern coastal areas off the Gaza Strip. Negotiations for our maritime borders must be negotiated not only with Israel, but also with other adjacent coastal countries (primarily Egypt and Cyprus). These discussions will need to address issues related to shared resources in different maritime areas. As a coastal state, we aspire to secure the totality of maritime rights under international law.”

Proposed Alternative for the Permanent Border

In a study prepared for the organization Commanders for Israel’s Security, based on the parameter of the “1967 borders as the basis, with land swaps at a ratio of 1: 1,” an optimal boundary was formulated after careful examination of the following factors:

First, the study addressed impact of the annexation of settlement “blocs” on Palestinian communities, and, in particular, the extent of the damage to the residents’ sources of livelihood and the fabric of their lives, drawing on the latter two criteria proposed by Fawcett for a good border.⁴⁶

The criterion that seeks to avoid placing an obstacle within an area characterized by interdependence, causing damage to the fabric of life, was assessed by means of the following tests, subject to ensuring proper substitutes:

- The degree of harm to economic relations.
- The degree of harm to family relationships.
- The degree of impairment of access to the provincial city and to medical services.

The criterion that seeks to avoid dividing locales and their immediate living areas was assessed by means of the following tests:

- The extent of damage to land owned and used by the villagers.
- The extent of harm to the number of people employed in agriculture (permanent and temporary).
- The extent of damage to water sources.

⁴⁶ The reason for this focus is that regarding Fawcett’s first criterion, the clear marking of the border, there is no difficulty today using artificial means (border posts, fences, signs), even if the border deviates profoundly from potential physical courses. It should be noted that during negotiations, Israel declared that in any agreement it would construct a physical obstacle, similar to the current Security Barrier, along the agreed border. As for the criterion of ethnic separation, the proposals raised by Israel and the PLO during the negotiations elevated this principle to sacred status; the areas Israel sought to annex are populated solely by Israelis.

Second, the implications for the transfer of areas of Israeli land for the Israeli communities holding rights of use to the land were considered.⁴⁷ The located land was assessed according to the following criteria:

- The size of the area.
- Length of the border.
- Distance from the community and from vital infrastructure.
- Israeli/Palestinian contiguity on the ground.
- Proximity to IDF firing zones and bases.
- The affiliation of the land (ownership, area of the local authority, and actual uses – insofar as this information is accessible).
- Land uses (crops, orchards, nature, ponds).
- The existence of major infrastructures (and major roads).
- Future plans (development of the area, especially extensions to existing communities).
- The presence of abandoned Palestinian villages from 1948 (which could constitute a symbolic gesture toward the Palestinians justifying the transfer).
- Contiguity for Israeli Arab communities.

Third, attitudes toward the arrangement and toward the relocation of Israeli residents inside Israeli territory were examined using a representative sample of 1,504 households in the Judea and Samaria District (out of 39,000 potential candidates for evacuation).⁴⁸

⁴⁷ This examination was undertaken by Mr. Dan Rotem.

⁴⁸ The survey was undertaken, processed, and analyzed by Dr. Gilad Hirschberger and Dr. Sivan-Hefler of the Interdisciplinary Center at Herzliya.

This examination shows that the optimal border between Israel and Palestine is based on the annexation of the settlements near the Green Line (see Map 18). This proposed border requires land swaps totaling 242 sq.km., equivalent to 3.9% of the territory of the Palestinian state (6,205 sq.km.). The length of the proposed border will be 741 km. The number of Jewish settlements to be annexed is 49 (including 12 neighborhoods in East Jerusalem), and the number of Israelis to be annexed will be approximately 513,000 (79% of all Israelis living east of the Green Line). On the other side of the border, 20 Israeli communities (within the Green Line) will lose 20% or more of their land, and 24 Israeli communities (within the Green Line) will fall within a distance of 1,000 m or less from the proposed border. 69 Palestinian communities will lose an average of 15.2% of their land; Palestinian territorial and transportation contiguity will not be impaired.

In addition, the study also included the mapping of demand, supply, and suitability of available housing units for the evacuated settlers.⁴⁹ This survey found that in 62 cities, communities, moshavim, and kibbutzim in Israel, as well as in 20 communities throughout the settlement blocs, there are approved plans on a scale of 123,512 available housing units. It was assumed in this study that out of the 33,000 households expected to be evacuated, 45% would prefer to receive personal compensation, while a housing solution would be required for the remainder.

In terms of employment, given that 64% of the Israeli workforce in Judea and Samaria works inside Israel, there will be a need to create approximately 20,000 additional jobs in Israel for the evacuees. Over the past 15 years, the Israeli economy has produced about 80,000 new jobs every year. Assuming a five-year timeframe for the implementation of the agreement, the number of new jobs entailed is negligible relative to Israel's capability.

⁴⁹ Undertaken by SAYA Architects Yehuda Greenfield-Gilat and Keren Lee Bar-Sinai.

Map 18 – Stable Border



Summary – Borders (See Table 5)

The analysis above shows that the proposed border according to the Vision for Peace does not even come close to the required characteristics for a stable border.

1. First and foremost, it does not maintain separation between Palestinians and Israelis. Close to 60 enclaves on both sides make separation impossible and will require the creation of dozens of functional arrangements related to all areas of life: law and order, infrastructure, social and public services, traffic, property, etc. Against the backdrop of the preexisting resentment between the two sides, it must be anticipated that daily friction will lead to violence and a wider escalation.
2. Secondly, the border severely damages both the fabric of Palestinian life and the sources of production of Palestinian communities. Hundreds of thousands of dunams annexed to Israel will damage the livelihoods, production, and expansion of more than 150 Palestinian villages. The land swaps do not allow compensation in the form of alternative land, but only financial compensation from the State of Palestine. Moreover, marking the border and building the new security barrier will also consume tens of thousands of dunams of farmland.
3. Third, leaving the Jordan Valley under Israeli sovereignty removes the last remaining land that can be potentially used by Palestinians to absorb refugees in new towns and villages.
4. On the other hand, the recommended boundary maximizes the cost in terms of the three affected circles: Israelis in Jewish communities, Palestinians in Palestinian communities in the West Bank, and Israelis in communities close to the border, all of whom will pay the price for the land swaps needed to establish a stable border between Israel and Palestine.

Table 5 – Summary Table

No.	Criterion	Vision for Peace	Proposed Alternative
1	Parameter of “1967 borders with land swaps at a 1:1 ratio”	Absent. The Trump Administration and Israel reject this parameter.	Present. The parameter is accepted by the PLO, the international community, the Arab world, and by Israel prior to the Netanyahu government
2	Land swaps	Present, but a ratio of 1:2.13 in Israel’s favor, with an enormous discrepancy in the quality of the land involved	Present at a ratio of 1:1 Small discrepancy in the quality of the land involved
3	Ethnic separation	60 enclaves on both sides	No enclaves
4	Separation of mutually dependent populations	Division of Palestine into five areas and disconnected enclaves	Palestine comprises the West Bank and Gaza Strip, without enclaves
5	Separation from production sources	150 Palestinian villages will suffer from the annexation of 610,000 dunams of privately-owned land	69 villages will suffer from the loss of 67,000 dunams of privately-owned land
6	Contiguity	Contiguity solely in terms of vehicle transportation, requiring a disjointed network of hundreds of kilometers of roads and numerous interchanges	Territorial contiguity based on the existing system
7	Length of borders between Israel and the West Bank	1696 km	741 km

Security

Jordan Valley

The security zone on the eastern slopes of Samaria and in the Jordan Valley emerged after the Six Day War due to Israeli concern over a possible land invasion by a potential eastern front consisting of Jordan, Syria, and Iraq. This front has since disappeared: from the destruction of ground-to-air missile batteries in the Bekaa Valley and the downing of 86 Syrian planes during the First Lebanon War in 1982; through the cessation of free arms shipments from Russia to Syria due to the collapse of the USSR in 1991; the peace agreement with Jordan signed in 1994; the occupation of Iraq by the US in 2003 and the civil war in the country; and lastly the civil war in Syria since March 2011.

Every junior intelligence officer understands that Iran is neither interested in nor capable of sending its own armed forces toward Israel, crossing 1,500 km of the Arabian Desert, while exposed to the Israeli Air Force, and while crossing through a domain inhabited mainly by Sunnis.

What is Israel's true strategic depth?

The Israel-Jordan peace agreement has for 26 years included two clauses whose security importance is equal to that of the demilitarization of the Sinai Peninsula in Israel's peace agreement with Egypt. Both clauses appear in Article Four of the agreement and both are mutual. The first, section four, prohibits Jordan and Israel from signing military alliances with hostile states or organizations, and from "allowing the entry, stationing, and operation on their territory, or through it [...] in circumstances that may adversely prejudice the security of the other party." In other words, based on the working assumption that the Jordanian military is neither capable of nor interested

in threatening Israel,⁵⁰ the true security border of Israel is not the Jordan River, but Jordan's borders with Iraq, Syria, and Saudi Arabia, which lie over 300 kilometers from the Israeli population centers. This section in the agreement thus gives Israel greater strategic depth than any territorial demands ever raised by the Zionist movement since the 1919 peace conference at Versailles.

The threat to Israel is today defined as the "seepage" of terror from Jordan through the Jordan Valley to the Palestinian state, and from there on to Israel. This threat also received an extremely effective security response under the 1994 peace treaty. Firstly, section five of the security component in the peace agreement states that Israel and Jordan will carry out "necessary and effective measures, and will cooperate in combating terrorism of all kinds." The parties pledge "to take necessary and effective measures to prevent acts of terrorism, subversion, or violence from being carried out from their territory or through it and to take necessary and effective measures to combat such activities and all their perpetrators." Commanders from Israel's Jordan Valley Brigade and operational commanders of the IDF's Central Command will confirm that the Jordanian army, deployed along the River Jordan, performs its task more than faithfully. This success has allowed Israel to enjoy a stable and calm border and to reduce significantly the number of forces stationed in the area.

Second, as part of the negotiations between Israel and the PLO, the latter agreed to a proposal leaving a temporary Israeli military presence in the Jordan Valley for several years, partly in order to allow the Palestinian security forces to organize throughout the West Bank following the withdrawal of the IDF and the evacuation of some of the settlers under a permanent agreement. Thereafter, the Palestinians agreed to the presence of third-party forces in the Jordan Valley. Mahmoud Abbas suggested that

⁵⁰ Jordan maintains a small military for defense purposes. It participates extensively in United Nations peacekeeping. The military budget is small, at around \$2.5 billion, and the draft was abolished in 1999.

U.S. forces acceptable to Israel should ensure the demilitarization of the Palestinian state and the supervision of its border crossings.

The Length of the Border for Both Sides

According to the Vision for Peace, the length of Israel's border will be 1,696 km (see Map 12). The total border of Israel with four Arab states (Egypt, Jordan, Syria, and Lebanon) is 617 km. In addition, the Green Line in the West Bank totals 311 km and the border along the Gaza Strip 65 km. Thus the border with Palestine will be 4.6 times longer than the Green Line. The border with Palestine alone will be 2.7 times the length of all of Israel's other borders, to which we must add 176 km for the border with Jordan (between the West Bank and Jordan).

1. According to the Vision for Peace, the existing security barrier, which extends over 600 km and was constructed with an investment to date in excess of 6 billion \$, will be dismantled and rebuilt along the new border between Israel and Palestine. The cost of building a barrier over this length is estimated at NIS 30 billion, with an additional NIS 4 billion a year for maintenance.
2. The main difficulty created by such a long border is the scope of the forces needed along the barrier. Based on the level of personnel deployed for the IDF's current operations in the West Bank and the Gaza Strip, this will require the addition of at least 60 companies, an increase of 200%.
3. Due to the addition of the border with Jordan, the IDF will have to leave its regional brigade in the Jordan Valley.
4. The many crossings that will be required to ensure Palestinian contiguity and to inspect residents of the enclaves will require the Defense Ministry to more than double the personnel of the Land Crossings Authority, which is currently responsible for operating such facilities.
5. The IDF will have to dispatch additional forces to protect the 17 Israeli enclaves (at a minimal level of one company per enclave) and the 43 Palestinian enclaves.

The IDF will also be required to allocate extensive forces to secure the access routes to both the Israeli enclaves (totaling 126 km) and the Palestinian enclaves.

6. It should also be emphasized that the State of Palestine is not capable of allocating even a small fraction of the total personnel required in order to enforce law and order along its side of the security barrier.

In order to meet all of the aforementioned additional needs, it must be assumed that the IDF will be required to invest in the standing army and to undertake the extensive recruitment of reserve forces, something that will be detrimental to the IDF's broader preparation.

Security Responsibility

Israel's overall security responsibility for Palestine provides Israel with the ability to penetrate and operate inside the territory of the Palestinian state – ostensibly through coordination. Given this provision, what is the difference between the current occupation and the situation proposed in the Vision for Peace?

The Palestinian Response to the Vision for Peace⁵¹

"Ending the Israeli occupation through complete withdrawal from all Palestinian territory, airspace, and territorial waters without any Israeli presence or control is a basic requirement for establishing a sovereign Palestinian state, resolving the conflict, and regional stability."

⁵¹ Following the publication of the Vision for Peace, the PLO issued a document describing its positions: Communication Briefs, 3 February 2020, State of Palestine, Palestinian Liberation Organization, Negotiations Department. Throughout this study, we have chosen to present the Palestinian position as formulated in this publication, without additions or interpretation.

A Proposed Alternative for the Security Issue

Basic Assumptions

1. The guiding principle of the permanent agreement is that any agreement will secure arrangements ensuring that Israel's ability to defend itself on its own will not be impaired, whatever the circumstances.
2. Israel must ensure that its security situation improves as a result of the diplomatic agreement.
3. The agreement will include security arrangements ensuring that, in the event of its collapse, Israel's security situation will not be less favorable than it is now.
4. The Middle East suffers from ongoing instability and is in the midst of turmoil. The region is fraught with threats, but also offers opportunities for a change in the balance of forces in Israel's favor.
5. Pragmatic Sunni Arab countries share some common interests with Israel due to the perception of common threats and the need to combine forces in order to address these threats – this in addition to the interest in resolving the conflict between Israel and the Palestinians.
6. A sustainable and permanent agreement will allow Israel's integration into a set of regional arrangements, thereby enhancing its ability to confront diverse threats.
7. The United States and European countries share common interests with Israel, as well as an interest in resolving the Israeli-Palestinian and Israeli-Arab conflicts. This explains their willingness to assist in the implementation of a final settlement, including the financing and deployment of a multinational force.
8. In any permanent solution, the State of Palestine will include the West Bank and the Gaza Strip. The application of the agreement to the Gaza Strip is conditional

on its return, in both civilian and military terms, to the authority of a single Palestinian government.

9. The Palestinian leadership, as represented by the PLO and the PA, is currently struggling to impose its control over all the organizations and regions in the West Bank, and it has no authority whatsoever over the Gaza Strip, which is controlled by Hamas.
10. As long as the political separation of the West Bank and the Gaza Strip continues, the parties will agree to condition the implementation of the agreement on issues pertaining to the Gaza Strip and on Israel's policy toward Hamas and other Islamist organizations.
11. The Palestinians will generally reject security arrangements that violate their sovereignty, except those anchored in international decisions and in the peace agreements between Israel and Egypt and Jordan (including concepts like demilitarization, international forces, gradual implementation, etc.).
12. Due to the distrust between the parties, international, Arab state, and other external involvement will be required in all future arrangements between Israel and the Palestinians as part of the security arrangements in the Palestinian state.
13. Preventing the passage of weapons and unauthorized persons across the Jordan-Palestine and Egypt-Palestine borders is key to maintaining the Palestinian state as a demilitarized entity. This will require a special arrangement in the Jordan Valley, including the permanent presence of a strong US force on the west side of the Jordan River, and in the Rafah area near the Egypt-Gaza border.
14. The main opponents of the Israeli-Palestinian agreement are Iran and non-state extremist organizations, such as ISIS, Jabhat al-Nusra, al-Qaeda, Hezbollah, Hamas, Palestinian Islamic Jihad, and others. These groups will work to prevent the agreement and impair its implementation. In addition, there are also Israeli

Jewish terrorist and extremist factions determined to prevent an agreement and to sabotage its stability.

15. Regarding Israel's eastern security border, an agreement between Israel and the Palestinians, together with arrangements between Israel and the pragmatic Arab states, will create a situation in which Israel's strategic depth will only increase.

Guiding Principles for an Arrangement

1. Once the agreement is fully implemented, the border between Israel and Palestine will be considered permanent and final.
2. The parties acknowledge that mutual understanding and cooperation in security matters will form a significant part of their bilateral relations and will strengthen regional security.
3. Palestine and Israel will base their security ties on cooperation, mutual trust, good neighborly relations, and the protection of their common interests.
4. The border regime will be defined as porous and will permit the controlled passage of goods, vehicles, workers, and tourists between the two sides.
5. Israel and Palestine:
 - Will recognize and respect the right of the other party to live in peace within safe and recognized boundaries, free from threats of war, terror, and violence.
 - Will avoid the threat or use of force against the territorial integrity or political independence of the other party, and will settle all disputes between them peacefully.
 - Will refrain from joining, assisting, promoting, or collaborating with any coalition, organization, military alliance, or security treaty whose objectives or operations include an attack or other hostile activities against the other party.

- Will refrain from organizing, encouraging or allowing the establishment of irregular force or armed gangs, including mercenaries and militias, within their territory and will prevent their establishment. In this sense, any existing irregular force or armed gang will be dismantled, and will be prevented from regrouping at any time in the future.
 - Will refrain from organizing, assisting, allowing or participating in acts of violence in or against the other party, and will refrain from consenting to activity intended to incite others to such acts.
6. The border between Israel and Palestine will be based on the 1967 lines, with arrangements and adjustments required due to the demographic needs of the State of Israel, including the main settlement blocs, Israeli communities close to the Green Line, and Jewish neighborhoods in East Jerusalem, as well as changes required as a result of the transfer of territories from Israel to Palestine.
 7. In order to promote security cooperation, the parties will establish a Joint Supreme Security Committee. The committee will meet on a monthly basis. It will maintain a permanent joint office and be able to establish subcommittees as it deems appropriate, including for the immediate resolution of local tensions.
 8. Jordan and Egypt will take part in the security arrangements on the basis of their support for the peace agreement and out of concern for its stability and its impact on their interests.
 9. The agreement will include the following functional arrangements:
 10. Both sides will establish joint industrial zones along the borders with special security arrangements.
 11. Each party will ensure the integrity and functionality of infrastructure located in its territory but used by the other party.

12. Agreed functional arrangements between the two parties will be established to ensure uninterrupted travel to the holy places.
13. Functional arrangements to be agreed upon between the two parties will be established to enable the passage of rescue, fire, and medical teams as required by each party.
14. Israel's security considerations will be a priority and will ensure that:
 - Even in the scenario of the collapse of the agreement or its breach by the Palestinians, the security of the State of Israel will be preserved and its ability to defend itself, by itself, will not be harmed.
 - The security of the State of Israel will rely on its national strength and will be based on the willingness or ability of the Palestinians and/or of multinational forces to meet their commitments.
15. Implementation of the permanent agreement in the Gaza Strip is conditioned on:
 - Maintaining a central Palestinian government that exercises effective control over the Gaza Strip.
 - The dismantling of terrorist organizations and their infrastructure in the Gaza Strip, and ensuring that the principle of a demilitarized Palestinian state also applies in Gaza.

Demilitarization of the Palestinian State

1. The Palestinian State will be demilitarized. Palestine will not be permitted:
 - To make military alliances with states, organizations, or entities hostile to Israel.
 - To invite or permit a foreign army or organization to station, pass through, or otherwise make use of its territory with the exception of a US and/or multinational force to be deployed, by agreement, in the Jordan Valley.

- To maintain military forces or weapons outside its territory.
2. The Palestine-Jordan border will be a security line ensuring the demilitarization of Palestine and preventing the entry of hostile elements into its territory.
 3. A strip on either side of the Jordan River will be designated as a "pecial security zone and will be subject to special arrangements that combine for agreed periods of time and with mutually acceptable procedures the capabilities of Jordan, the Palestinian state, Israel, and the multinational force.
 4. Israel will control (for an agreed period) the entry of people and cargo at international border crossings on land, air, and sea.
 5. Subject to rules of conduct to be formulated between the parties, the territory of the Palestinian state will constitute conditional strategic depth for the State of Israel (as in the agreement with Jordan, and similar to the demilitarization of the Sinai Peninsula in the agreement with Egypt.
 6. A multinational force will be deployed in the Palestinian state; the force will be under US command and dominated by elite American forces, along with the participation of other military units with the agreement of the parties.

Palestinian Security Forces

The task of the Palestinian security forces includes preventing the destabilization of the political regime and supporting the territorial integrity and dignity of the State of Palestine. This includes: combating and countering terrorism; strict enforcement of the principle of demilitarization; preventing weapons smuggling; border control; enforcing law and order; intelligence gathering; rescue and recovery; and community services.

With the establishment of the Palestinian state, any illegal weapons will be collected by the Palestinian security forces and transferred to the multinational force for destruction.

Israel-Palestine Border

The borders between Israel and Palestine in the West Bank and Gaza will be based on a multi-component defense system: preventative intelligence, tactical intelligence gathering, the barrier system, the definition of sensitive security areas, and the gradual and conditional transfer of security responsibilities.

Palestine–Jordan and Palestine-Egypt Borders

These frontiers will constitute another set of vital security lines for ensuring the demilitarization of the Palestinian state, preventing smuggling and the entry of hostile elements from the territory of Jordan and Egypt into Palestine and Israel, with all this implies.

International Crossings

International crossings must effectively ensure the safe and dignified passage of people and goods between Palestine and Jordan, while preventing abuse of the crossings in order to smuggle weapons and other illegal substances, as well as people posing a security risk to one or more of the three parties. In addition, the transitional facilities must be properly secured and protected.

Gaza-West Bank Corridor

The corridor will be under Israeli sovereignty and Palestinian administration.

Maritime Space

Like the airspace, Palestinians will control their territorial waters in Gaza, but with certain restrictions, consistent with the United Nations Convention on the Law of the Sea (UNCLOS), enabling Israel to maintain overall security.

Airspace

The Israeli-Palestinian civilian airspace will be part of Israel's Flight Information Region (FIR). It will be managed by the Israeli Air Force with transparency to the Palestinian side regarding civilian traffic in their territory. An air traffic coordination hotline will be established between Israel and Palestine.

Early Warning Stations

Israel will be able to maintain two early warning stations, one at Baal Hatzor (Jabal al-Asur) and one at Mount Ebal (Jabal Ibal), for operating electronic and optical monitoring equipment, both active and passive.

Multinational Force

The Multinational Force for the Implementation of the Israeli-Palestinian Peace Agreement will operate as follows:

1. The multinational force will be established within the framework of the agreement between the parties and will constitute an integral part thereof.
2. The multinational force will have the capacity to carry out its missions and respond to Israel's demands for reliable security arrangements, while minimizing the violation of Palestinian sovereignty.
3. The force will monitor, verify, and assist in the implementation of the parties' commitment to the agreement and prevention of its violation.
4. The multinational force will be under U.S. command, with a dominant component of elite U.S. military forces and with the participation of other militaries as agreed by the parties.
5. The multinational force will be built and operated in accordance with a mandate to be agreed between the parties.
6. In the Jordan Valley, the force will be American only and will work in coordination with the Jordanian security apparatus in all aspects of border security operations along the River Jordan and at the border crossings; it will work in coordination with the Egyptian security services on the Gaza border.

Electromagnetic Spectrum

Use of electromagnetic space by either party will not interfere with use by the other side. Israel will maintain control of the spectrum's security elements, while reaching understandings with the Palestinians concerning the civilian use of its frequencies.

Regional Diplomatic and Security Arrangements

Participation in the planned regional security framework should be open to all countries in the region that accept its terms. These should include a commitment to regional stability, support for the Arab Peace Initiative, support for the two-state Israeli-Palestinian agreement on the basis of negotiations, and once such an agreement is reached, willingness to establish full diplomatic relations with Israel. Countries outside of the region that share these goals and contribute to them, such as the United States and Russia, as well as relevant organizations (EU, NATO, and the Arab League), will be invited to participate in the framework, but not in the decision-making process.

Principles and Stages for the Implementation Plan

Stage 1 – Up to five years

1. Israel will maintain full security responsibility for Area C.
2. The Palestinian government will exercise full civilian and security control in the Gaza Strip.
3. Disarmament of the Gaza Strip in accordance with the agreement.
4. Evacuation and relocation of IDF bases in the West Bank.
5. Construction of the barrier and border crossings along the course of the Jordan-Palestine border.
6. Construction of obstacles and border crossings along the borders between Israel and Palestine.
7. Application of a border arrangement along the Palestine-Egypt border.

8. Evacuation of communities east of the agreed border and resettlement of their residents.
9. Completion of training of the Palestinian security forces.
10. The creation and initial deployment of the multinational force.
11. Gradual transfer of Area C to the State of Palestine.
12. Construction of the Gaza-West Bank corridor / temporary safe passage.

Stage 2 – Up to eight years

1. Gradual transfer of civil and security responsibilities to the Palestinian government and to the multinational force, including the Special Security Area in the Jordan Valley.
2. Consolidation and preparation of the multinational force with its various components.
3. Transfer of responsibility for the Jordan-Palestine border crossings to the Palestinian government.

Stage 3 – No rigid timeframe for implementation

1. Full sovereignty for the Palestinian government
2. A continuous campaign against terrorism; maintenance of the border arrangement; operational activities of the multinational force continue.
3. Overall security arrangements, including the Special Security Area, will be assessed ten years after the implementation of Stage 2.

Security – Summary

1. An agreement that will be fair and approved by the majority of the Palestinian population will give supporters an interest in denouncing and politically isolating the minority that opposes the agreement.

2. An arrangement with the Palestinians will allow for a regional security-political alliance between Israel and several key Arab states based on common interests, such as:
 - Fighting Salafi, Jihadi, and other terrorist organizations.
 - Addressing both nuclear and non-nuclear threats presented by Iran.
 - Stopping the spread of the “Shiite Crescent.”
 - Strengthening moderate Sunni regimes.
 - Streamlining the IDF fight against weapons smuggling across the region
3. Improving Israel’s international standing and curbing hostile trends such as the BDS movement.
4. An increase in US security aid to Israel.
5. Releasing the IDF from responsibility for policing and for tasks entailing friction with a civilian population, thereby allowing it to focus on core security tasks and to invest its resources in enhancing its strength and in ensuring preparedness.
6. Reducing security tension with Israeli Arabs.
7. Allocating budgetary resources to social and welfare issues.

Table 6 – Summary Table for Security

No.	Criterion	Vision for Peace	Proposed Alternative
1	Strategic depth	+	+
2	Israeli forces	Three times current level	Less than currently
3	Palestinian forces	Not permitted	More than currently
4	Border with Jordan	Extended by 10 km	No change
5	Friction points	Hundreds of new friction points – enclaves, crossings, interchanges	Ethnic division with a porous border

Jerusalem

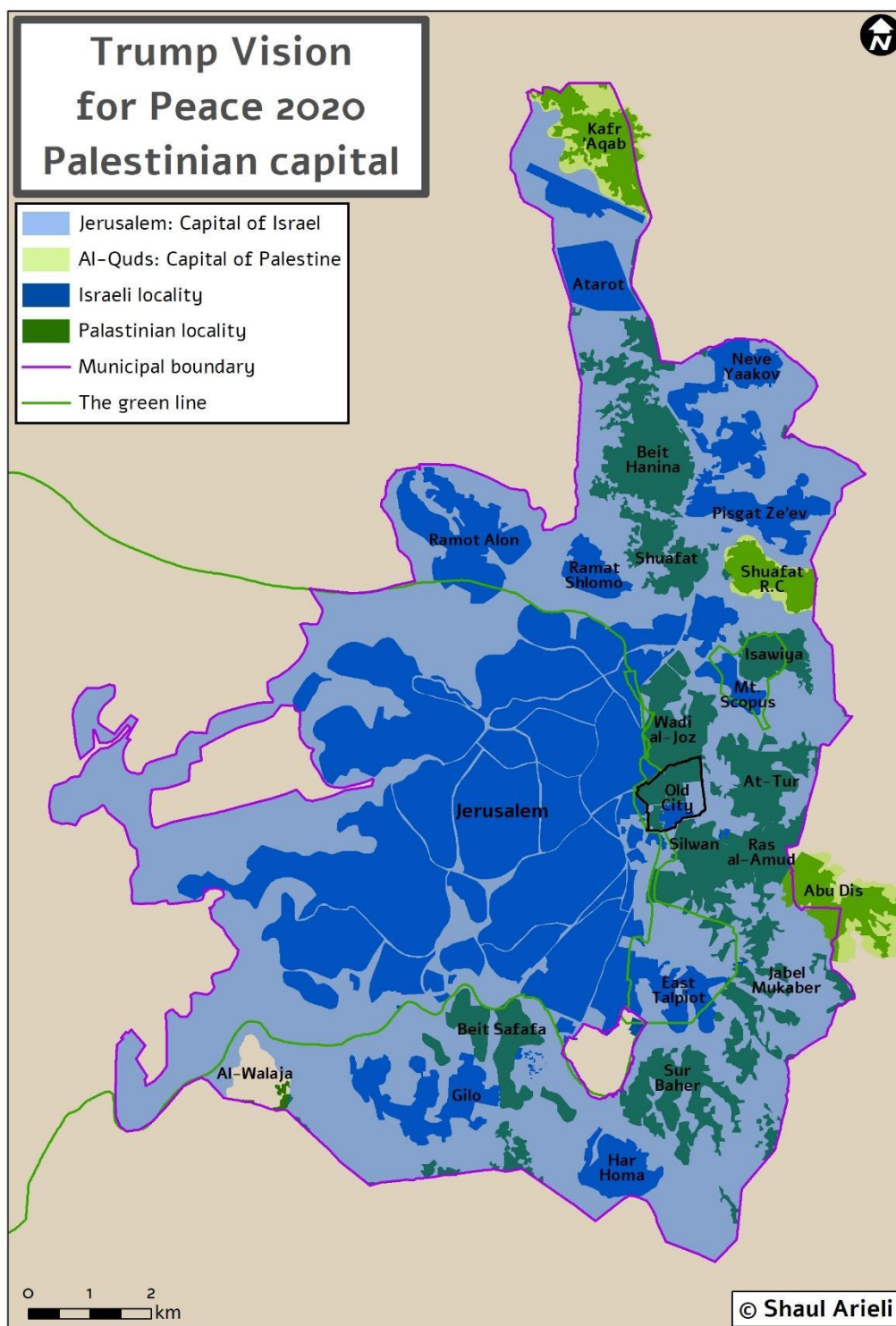
A Capital in “Jerusalem”

The Vision for Peace proposes the establishment of the Palestinian capital in the town of Abu Dis, which is not part of the united city of Jerusalem, and in villages that fall on the West Bank side of the security barrier but inside Jerusalem’s municipal boundaries: Kafr Aqab, Samiramis, the Matar neighborhood, and Shuafat refugee camp (but not the village of Walaja – 781 dunams; see Map 19).

To put it in numerical terms: Out of the total area of 126,400 dunams in united Jerusalem, 117,725 (93%) will remain under Israeli sovereignty, while the Palestinian capital will receive 3,483 (2.75%).⁵² It should also be emphasized that the Palestinians and the Arab world do not regard these villages as part of Jerusalem. All of these areas were annexed to Jerusalem by Israel after the Six Day War for various reasons. They lack even the most minimal institutional, urban, economic, and transportation infrastructure to serve as a national capital of any kind. Meanwhile, all the holy places in and around the Old City, both for Muslims (primarily al Haram al Sharif/the Temple Mount), and for Christians (particularly the Church of the Holy Sepulcher), remain under Israeli sovereignty. The center of urban life, public institutions, hospitals, and other key infrastructure will all also remain under Israeli sovereignty. The suggestion in the Vision for Peace to build an alternative to all of those services in Atarot is inconsistent with the city’s history and natural development.

⁵² The remainder of the area is the village of Walaja.

Map 19 – The Palestinian “Capital” and the Capital of Israel



The call to recognize this area as al Quds cannot be reconciled, either historically or religiously, with this concept as it appears in Arab culture and Islam. First and foremost, as noted, the proposed area does not include al Haram al Sharif/the Temple Mount, on which the Al-Aqsa Mosque and the Dome of the Rock were built, and which established the Islamic presence in the city. Secondly, the proposed area does not include even a small part of the Old City and the Historic Basin, the areas that constituted the entire city of Jerusalem from its beginnings through the mid-nineteenth century. Lastly, the proposal includes none of the additional neighborhoods that made up East Jerusalem until 1967. Thus the plan requires Palestinians, Arabs, and Muslims to deny their religion and history.

The Vision for Peace provides three options regarding the status of Palestinian residents, one of which is citizenship. However, the experience of Palestinian residents of East Jerusalem in the past fifty years shows that it is far from certain that this option will actually be available. Likewise, the protracted discrimination and neglect of Palestinian East Jerusalem can be expected to continue. Two Israeli mayors of the city have openly admitted this reality. The first, longtime Mayor Teddy Kollek, said in 1990, "We have repeatedly said that we will equalize the rights of the Arabs to Jewish rights in the city. Empty words [...] they were and remain second- and third-class citizens [...] For Jewish Jerusalem, I have done something in the last 25 years. For East Jerusalem? Nothing! What have I done? Schools? Nothing! Sidewalks? Nothing! Cultural houses? Nothing!" In May 2012, his successor, Ehud Olmert commented in an interview: "'In many ways, I think Jerusalem is making progress. I'm talking about the Jerusalem that is West Jerusalem. I mean the neighborhoods where Jews live, even in areas that were part of the city before 1967. Regarding other parts of Jerusalem, where Jews do not live, there has not been any significant change. I have come to some very sad conclusions about the future of Jerusalem as a united city [...] No Israeli government since 1967 has even done a tiny part of what is needed in order to unite the city in practice [...] The government I headed, too, did not do

everything required to make Jerusalem a united city. We invested in Jerusalem, but we consciously did so mainly in the west of the city and in the new [Jewish] neighborhoods such as Har Homa, Pisgat Ze'ev, Ramot, and Gilo. We avoided investing in areas that I feel in the future will not be part of Jerusalem under Israeli sovereignty." We only need to observe how Israel acted in East Jerusalem during the coronavirus crisis in 2020 to fully understand the depth of the discrimination. The response time and the beginning of treatment in the Palestinian neighborhoods were much longer than in the Jewish neighborhoods. The same goes for the number of virus detection tests.⁵³

Regarding access to holy places, the Vision for Peace states that "Jerusalem's holy sites should remain open and available for peaceful worshippers and tourists of all faiths. People of every faith should be permitted to pray on the Temple Mount/Haram al Sharif, in a manner that is fully respectful to their religion, taking into account the times of each religion's prayers and holidays, as well as other religious factors." In other words, religious access under Israeli sovereignty, combined with security control. It will be very easy to define, as is the case today, who are "non-peaceful worshippers" who are not allowed to ascend to the Temple Mount.

Moreover, what is the significance of the provision for Jewish prayer on the Temple Mount offered in the Vision for Peace? In theory, this could permit the construction of a synagogue (in contravention of some interpretations of *halakhah*, Jewish religious law, which prohibit Jews from even entering the area due to its proximity to the site of the Holy of Holies in the ancient Jewish temples). During the talks at Taba in January 2001, Israel's Chief Rabbi Eliyahu Bakshi Doron explained to Minister Beilin that in religious terms Jews are forbidden to go up to the Temple Mount and must not pray at the site; accordingly, it is not correct that there are some areas on the site where

⁵³ "Concern in East Jerusalem that the Wave of Dismissals due to Corona Will Lead to Poverty and Hunger," Nir Hasson, Haaretz, 1 April 2020.

Jews may be present and others where they may not. Furthermore, there is no benefit in establishing a synagogue on the Temple Mount, since even if it is erected, Jews are religiously obligated to not visit it or pray in it. Rabbi Doron emphasized his view that Israel must maintain political sovereignty over the Temple Mount, since if it is given to the Palestinians, they will do everything they can to eradicate the remains of the Temple and erase the Jewish roots at the site. Thus sovereignty is needed to prevent this eventuality, but not so that Jews can go up onto the Mount.

Building a synagogue and house of prayer for Jews would violate the status quo that has been maintained on the Temple Mount since 1967. Is this not an invitation to daily friction that will lead to outbreaks of violence?

The Palestinian Response to the Vision for Peace on the Jerusalem Issue:⁵⁴

“In accordance with international law and as stated in the Declaration of Principles, all of Jerusalem (and not just East Jerusalem) is the subject of negotiation in a permanent agreement. Regarding East Jerusalem, since this has remained part of the territory occupied since 1967, Israel has no right to any part of it.

As the political, economic, and spiritual heart of our state, there can be no Palestinian state without East Jerusalem, and particularly the Old City and its surroundings, as its capital. We are committed to respecting freedom of worship and access to religious sites in the east of the city for everyone. All possible measures will be taken to protect these sites and to preserve their dignity.

“Beyond ensuring our sovereignty in East Jerusalem, we will consider a number of solutions, as long as they are in our best interests and conform to international law. For example, Jerusalem may be an open city for both Palestinians and Israelis – the capital of two states. Whatever the specific solution, East Jerusalem is vital to the

⁵⁴ Following the publication of the Vision for Peace, the PLO issued a document describing its positions: Communication Briefs, 3 February 2020, State of Palestine, Palestinian Liberation Organization, Negotiations Department. Throughout this study, we have chosen to present the Palestinian position as formulated in this publication, without additions or interpretation.

economic, political, and cultural viability of our future state. There can be no integrated national Palestinian economy, and hence no lasting solution to the conflict, without a solution for Jerusalem through negotiations that guarantees our rights.”

Proposed Alternative for the Jerusalem Issue

There are two possible alternatives: firstly, dividing East Jerusalem according to the demographic principle – Jewish neighborhoods to Israel and Arab neighborhoods to Palestine, with a special regime for the Historic Basin. Secondly, maintaining Jerusalem as an open city with two municipalities, while separating the city from both Palestine and Israel by means of a physical obstacle.

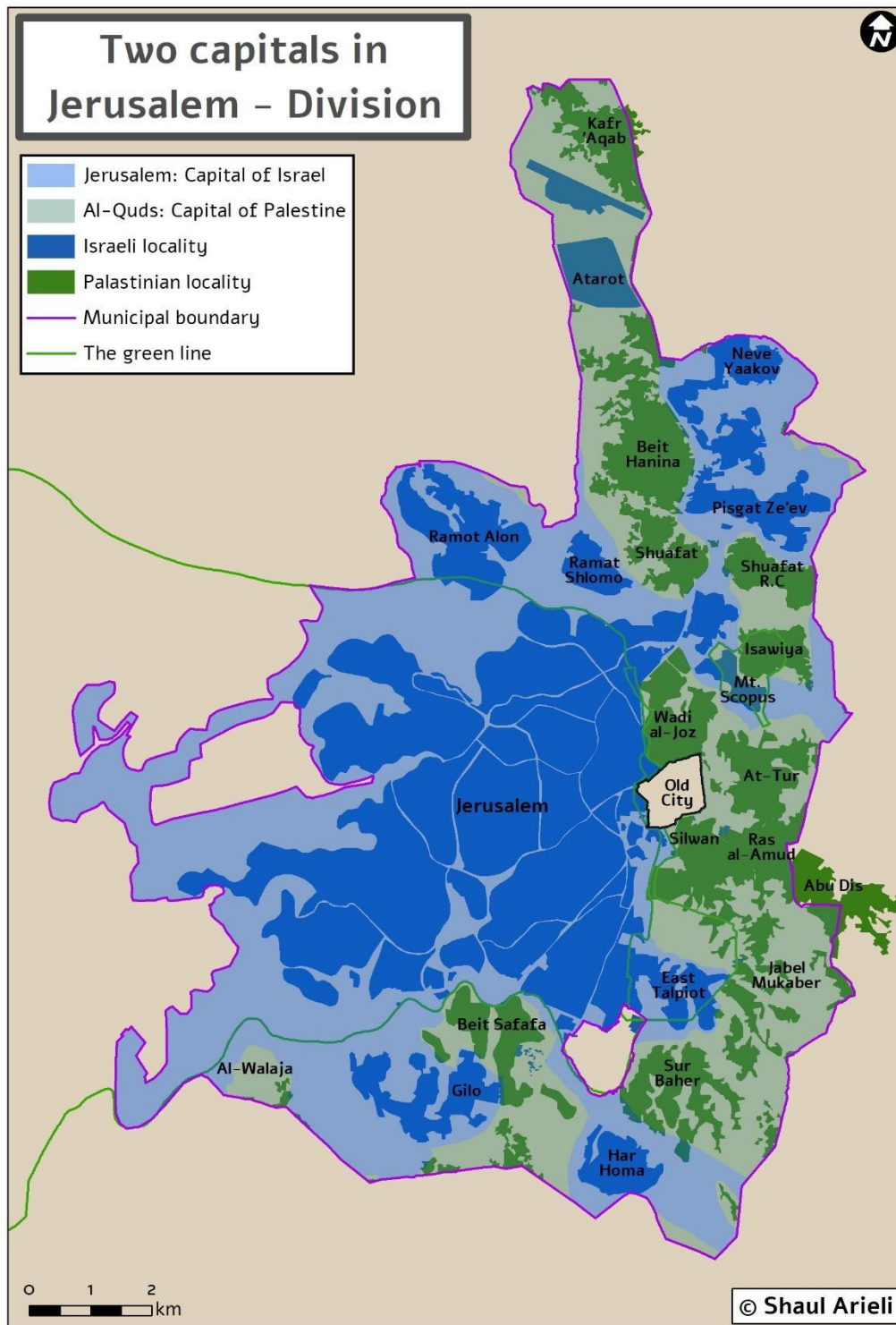
First Alternative (see Map 20):

1. Status of residents: The municipal boundaries under the Jerusalem Law will be amended. Palestinians residents of East Jerusalem will receive Palestinian residency and citizenship in exchange for the loss of Israeli residency.
2. Obstacle and crossings: An obstacle will be constructed, secured on both sides by Israeli and Palestinian forces respectively, to prevent unauthorized passage or any other terrorist or criminal activity. A network of controlled crossings will be established between the two cities for the movement of goods, vehicles, pedestrians, and tourists.
3. Security arrangements in the Historic Basin:
 - The Historic Basin will include the Old City, the City of David, Mount Zion, the Kidron Basin, the Mount of Olives, and the Mount of Anointment (2 sq.km., 70,000 inhabitants, 90% of whom are Arabs).
 - Obstacle: The Historic Basin will be separated from Israeli Jerusalem and Palestinian al Quds by means of a soft obstacle (a decorative alert fence similar to that installed at Ben Gurion Airport). The obstacle will include crossing points for pedestrians, tourists, vehicles, and service providers.

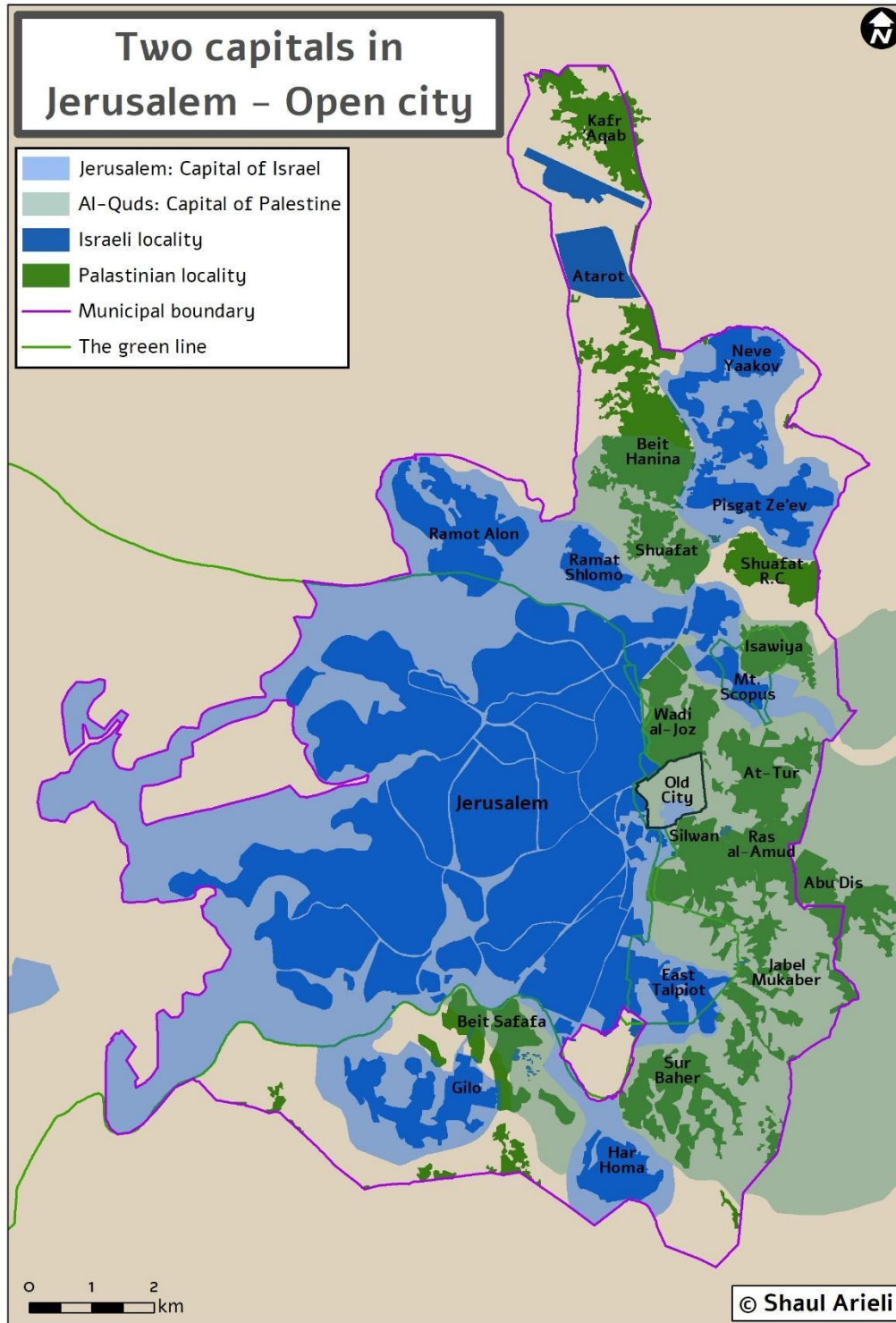
- Freedom of access to all the holy places and freedom of worship will be guaranteed in accordance with the status quo.
- Israelis and Palestinians will enjoy free access to the Historic Basin through a system of crossings monitored by the relevant body (the multinational force or joint forces), and will only be required to present their ID card. There will be no passage from one state to the other through the Historic Basin.
- An Israeli-Palestinian multinational joint committee will be set up for arbitration on matters concerning the Historic Basin.
- Israel and Palestine will appoint a multinational force (from Arab countries, Europe, and the United States) to manage all aspects of life in the Historic Basin, from security to tourism, assisted by the Municipality of Jerusalem and the Municipality of al Quds.
- The multinational force will be deployed in the Historic Basin area and at sensitive points in the city and will oversee the implementation of the agreement by both sides.
- Israelis will continue to hold Israeli citizenship while Palestinians will hold Palestinian citizenship.
- The sides will review the existing mandate every ten years and may cancel it by mutual agreement.

Second Alternative (see Map 21): Two separate municipalities within an open city, separated by an obstacle from Israel and Palestine.

Map 20 – Two Capitals in Jerusalem



Map 21 – Two Capitals in an Open City



Summary – Jerusalem

The Vision for Peace does not provide for a Palestinian capital in Jerusalem. It perpetuates the existing reality, and even strengthens Israel's position further in demographic and economic terms by removing the Palestinian neighborhoods beyond the Security Barrier from Israeli sovereignty. By contrast, the proposed alternative permits the establishment of a Palestinian capital, al Quds, alongside Jerusalem.

Refugees

The proposal in the Vision for Peace gives Israel the right to veto the return of Palestinian refugees to the State of Palestine, and even limits the number of Palestinians who can be absorbed by third-party Islamic states to 50,000. Accordingly, it cannot constitute an appropriate interpretation of UN Resolution 194, Article 11 as, in simple terms, all refugees will remain where they are now.

The annexation of the Jordan Valley to Israel robs Palestine of the only space offering the potential to absorb refugees (principally from Lebanon). The territories that Israel is supposed to transfer to the Palestinians in the western Negev are not capable of absorbing a significant number of refugees.

The Palestinian Response on the Refugee Issue

"Refugees – Our vision calls for a just solution to the issue of Palestinian refugees in accordance with international law, with an emphasis on UN General Assembly Resolution 194. A just solution must be based on the right of return and compensation. Our position regarding the refugees is also included in and supported by the Arab Peace Initiative (API), which calls for 'a just solution to the problem of Palestinian refugees in accordance with UN General Assembly Resolution 194.'

Right of return – The key to resolving the refugee issue is Israel's recognition of the principles and rights of refugeehood, including the right of our refugees to return to their homes and lands. Israel's recognition of the right of return will pave the way for negotiations on how to implement this right. Choice is a critical part of the process. Our refugees should be allowed to choose how to implement their rights and normalize their status. The options for our refugees should be as follows: return to Israel; return to/resettlement in a future Palestinian state; integration in host countries; or resettlement to third-party countries. Rehabilitation in the form of vocational training, education, medical services, the provision of housing, etc., will also be an essential component in each of these options.

Compensation – compensation consists of three elements. The first is Israel's recognition of its role in creating and perpetuating the upheaval of the Palestinian refugees. While Israel has its own narrative explaining the circumstances surrounding the emergence of Palestinian refugees, it cannot be denied that when our refugees sought to return to their homes, Israel systematically and resolutely blocked their efforts. To this day, Israel continues to deny their right to return. If there is to be a just, peaceful, and sustainable solution to the conflict, Israel must unequivocally recognize its responsibility for these actions.

Restitution is the second component of compensation. Under international law, restitution is the principal relief for arbitrarily confiscated property. If restitution is not materially possible, where damage cannot be repaired by restitution alone, or if a refugee chooses compensation instead of restitution, compensation must be complete and absolute. Alternatively, compensation can be offered in kind in the form of vacant land in Israel.

Actual compensation is the third component, and this includes three categories. Compensation must be made for property that cannot be recovered (or if the refugee chooses compensation instead of restitution); for material damages (personal

belongings, livelihoods, etc.); and for non-material damages (pain and suffering accruing from long-standing displacement).”

Proposed Alternative⁵⁵

1. The parties recognize that, in the context of two independent states, Israel and Palestine, living side-by-side in peace, an agreed resolution of the refugee problem is necessary for achieving a just, comprehensive, and lasting peace between them. Such a resolution will also be central to stability and development in the region.
2. The Parties recognize that UNGAR 194, UNSC Resolution 242, and the Arab Peace Initiative (Article 2.ii.) concerning the rights of the Palestinian refugees represent the basis for resolving the refugee issue, and agree that these rights are fulfilled according to Article 7 of this agreement.
3. Refugees shall be entitled to compensation for their refugeehood and for loss of property. This shall not prejudice or be prejudiced by the refugee’s permanent place of residence. The parties recognize the right of states that have hosted Palestinian refugees to remuneration.
4. The solution regarding the permanent place of residence (PPR) aspect of the refugee problem shall entail an act of informed choice on the part of the refugee to be exercised in accordance with the options and modalities set forth in this agreement. Options for the permanent place of residence from which the refugees may choose shall be as follows: i) the State of Palestine; ii) areas in Israel being transferred to Palestine in the land swap⁵⁶ after the application of

⁵⁵ Based on the Geneva Initiative, 2003.

⁵⁶ PPR options i and ii shall be the right of all Palestinian refugees. and shall be in accordance with the laws of the State of Palestine

Palestinian sovereignty; iii) third countries;⁵⁷ iv) the State of Israel;⁵⁸ and v) the present host countries.⁵⁹

5. The process by which Palestinian refugees shall express their PPR choice shall be on the basis of a free and informed decision. The Parties themselves are committed and will encourage third parties to facilitate the refugees' free choice in expressing their preferences, and to counter any attempts at interference or organized pressure on the process of choice. This will not prejudice the recognition of Palestine as the realization of Palestinian self-determination and statehood.
6. Palestinian refugee status shall be terminated upon the realization of an individual refugee's permanent place of residence as determined by the International Commission.
7. This agreement provides for the permanent and complete resolution of the Palestinian refugee problem. No claims may be raised except for those related to the implementation of this agreement.
8. The parties call upon the international community to participate fully in the comprehensive resolution of the refugee problem in accordance with this agreement, including, inter alia, the establishment of an International Commission and an International Fund.

⁵⁷ Option iii shall be at the sovereign discretion of third countries and shall be in accordance with numbers that each third country will submit to the International Commission. These numbers shall represent the total number of Palestinian refugees that each third country shall accept.

⁵⁸ Option iv shall be at the sovereign discretion of Israel and will be in accordance with a number that Israel will submit to the International Commission. This number shall represent the total number of Palestinian refugees that Israel shall accept. As a basis, Israel will consider the average of the total numbers submitted by the different third countries to the International Commission.

⁵⁹ Option v shall be in accordance with the sovereign discretion of present host countries. Where exercised this shall be in the context of prompt and extensive development and rehabilitation programs for the refugee communities.

9. Refugees shall be compensated for the loss of property resulting from their displacement. The aggregate sum of property compensation shall be calculated as follows: The parties shall request the International Commission to appoint a panel of experts to estimate the value of Palestinians' property at the time of displacement. The aggregate value agreed to by the parties shall constitute the Israeli contribution to the International Fund. No other financial claims arising from the Palestinian refugee problem may be raised against Israel. The value of fixed assets remaining intact in the former settlements to be transferred to the State of Palestine shall be offset from Israel's contribution to the International Fund. The evaluation of this sum shall be undertaken by the International Commission, taking into account an estimate of the damage caused by the settlements.
10. A Refugeehood Fund shall be established in recognition of each individual's refugeehood. The Fund, to which Israel shall be a contributing party, shall be overseen by the International Commission.
11. Funds will be disbursed to refugee communities in the former areas of UNRWA operation, and will be at their disposal for communal development and commemoration of the refugee experience. Appropriate mechanisms will be devised by the International Commission whereby the beneficiary refugee communities are empowered to determine and administer the use of this Fund.
12. An International Commission shall be established and shall have full and exclusive responsibility for implementing all aspects of this agreement pertaining to refugees.
13. An International Fund shall be established to receive contributions outlined in this section and additional contributions from the international community. The Fund shall disburse monies to the Commission to enable it to carry out its functions.

14. UNRWA should be phased out in each country in which it operates, based on the end of refugee status in that country. UNRWA should cease to exist five years after the start of the Commission's operations commence. The Commission shall draw up a plan for the phasing out of UNRWA and shall facilitate the transfer of UNRWA functions to host states.
15. The parties will encourage and promote the development of cooperation between their relevant institutions and civil societies in creating forums for exchanging historical narratives and enhancing mutual understanding regarding the past. The parties shall encourage and facilitate exchanges in order to disseminate a richer appreciation of these respective narratives, in the fields of formal and informal education, by providing conditions for direct contacts between schools, educational institutions, and civil society. The parties may also consider cross-community cultural programs in order to promote the goals of reconciliation in relation to their respective histories.
16. These programs may include developing appropriate ways of those villages and communities that existed prior to 1948-49.

Part Four – The Annexation Proposals

Many see the Vision for Peace as nothing more than a justification for Israel's unilateral annexation of parts of the West Bank.⁶⁰ A joint Israeli-American mapping team began its work on the eve of the third round of elections in Israel.⁶¹ One of the points of contention between Likud and Kachol Lavan during coalition negotiations revolved around the question of whether Israel will begin steps to annex the West Bank (with American support).⁶²

Summary of the Status Quo

The legal status of the West Bank has not changed since it was occupied by Israel in the 1967 Six Day War. The West Bank is regarded as occupied territory by the international community, contrary to Israel's position. Immediately after the war, Israel annexed 70 sq.km. of the West Bank to Jerusalem, including six sq.km. of East Jerusalem (al Quds) a move not recognized by the international community and condemned in a series of resolutions. As part of the Oslo process between Israel and the PLO, which began with the signing of the Declaration of Principles (DOP) in 1993, 40% of the West Bank (Areas A and B), where approximately 90% of the Palestinian population (2.85 million) live, came under the jurisdiction of the Palestinian Authority (PA), established in 1994. By the end of 2018, the population of the remainder of the area (Area C) comprised 429,759 Israelis in 130 Jewish settlements and some 300,000 Palestinians. In the summer of 2005, as part of the unilateral Disengagement Plan, Israel withdrew from the Gaza Strip, where by 2020 about 2.1 million Palestinians

⁶⁰ "Senior US Figures: We Will Permit Annexation within Months if the Palestinians Do Not Returning to the Negotiations," Channel 13, Barak Ravid, 5 March 2020.

⁶¹ "Netanyahu: 'We Will Win American Support for Annexation: Mapping Process is Underway,'" Channel 13, Sefi Ovadia, 8 February 2020.

⁶² "Likud and Kachol Lavan Hope to Swear In New Government Next Monday," Haim Levinson, Haaretz, 30 March 2020; "Ahead of New Government: Netanyahu and Gantz Agree that PM Will Advance Annexation of Settlements in Summer," Haim Levinson and Jonathan Liss, Haaretz, 7 April 2020.

resided. At the same time, Israel evacuated the 17 Jewish settlements (8,000 people) in the Gaza Strip, along with four Jewish settlements in northern Samaria.

After 1999, Israel and the PLO engaged in rounds of negotiations toward a permanent agreement, mainly under American mediation, and based on UN Security Council Resolutions 242 and 338. However, all the rounds of negotiations failed to result in a final agreement. Following the Second Intifada, which erupted in the fall of 2000, Israel resumed operations in PA areas (beginning with Operation Defensive Shield in March 2002). Between 2002 and 2007 it constructed most of the "Security Barrier;" the sections of the barrier that are located inside the West Bank were disqualified in an opinion issued by the International Court of Justice in July 2004. On November 29, 2012, 138 UN states admitted Palestine within the 1967 lines as a non-member observer state in the organization.

Relations between Israel and the PA are broadly based on the Interim Agreement (1995). Under this agreement, extensive and effective cooperation is maintained between the security forces of the two sides, while economic aspects are governed by the Paris Agreement (1994). Each side refrains from implementing certain sections of the agreement, but neither has proposed that it be cancelled.

The Gaza Strip has been under the control of Hamas since the organization seized power in the area in 2007, after which point Israel and Egypt imposed a partial closure on the area. Since the implementation of Israel's Disengagement Plan, four rounds of major conflict have taken place (Operations Summer Rains, Cast Lead, Pillar of Defense, and Protective Edge). Attempts to advance a reconciliation process between Hamas and Fatah (the dominant party in the PLO), which would require the PA to resume responsibility for Gaza and entail joint work by both organizations, have proven unsuccessful and there has been no change in the underlying reality in the area.

On the broader regional level, Israel has maintained security cooperation with Jordan and Egypt, as well as covert cooperation with other Arab countries based on shared

interests against the backdrop of the growing strength of Iran and Turkey and the struggle against jihadist organizations. Significant changes have also become apparent in Saudi Arabia's attitude toward the diplomatic process between Israel and the Palestinians, including statements expressing willingness to make progress toward normalization with Israel, provided that Israel maintains a clear commitment to the two-state solution. At the same time, the Arab League's Peace Initiative of 2002, which includes the parameters that served as the basis for the Annapolis 2008 negotiations, still serves as the foundation for the Arab states' requirements concerning negotiations and the signing of a permanent agreement between Israel and the PLO.

Concerning the international community, several key features should be noted. Under the Trump administration, the US stands by Israel on all aspects relating to the Israeli-Palestinian conflict, as reflected in the relocation of its embassy in Israel to Jerusalem and its recognition of the city as Israel's capital, as well as in the withdrawal of the US from the international nuclear agreement with Iran. However, a process of withdrawal by the US from involvement in the Middle East can also be seen, and in the long term the US-Israeli relationship is being eroded in all three of its key pillars – shared values, strategic interests, and bipartisan support. These three areas previously guaranteed stability in the relationship. Meanwhile, Russia is consistently upgrading its involvement in the region and consolidating its ties with Iran and Syria.

Within this context, Israel is working to achieve a number of key goals: continued control of the West Bank, at least until the Palestinians accept Israel's positions regarding a permanent agreement; strengthening ties with the Sunni Arab states on the basis of common interests; ensuring US support for the Israeli position in order to neutralize resolutions adopted by the UN Security Council and in order to modify the nuclear agreement with Iran; and efforts to avoid an escalation in the West Bank or a further round of escalation in the Gaza Strip, which could damage its relations with Jordan and Egypt, respectively.

The PLO refuses to resume negotiations with Israel unless Israel agrees to principles and parameters for the discussions based on international resolutions and previous rounds of negotiations, most notably the Annapolis process of 2008. Since the Trump administration's 2017 declaration on Jerusalem, Abbas has rejected US mediation and seeks to rely on the European countries and the UN. At the same time, he is striving to secure his own position vis-à-vis Hamas by maintaining the support of the moderate Arab states. He has avoided implementing the reconciliation agreement with Hamas due to his reluctance to assume responsibility for Gaza, and he is also refraining from allowing Hamas to join the PLO due to concern that this would allow Hamas to seize the lead role in representing the Palestinians. Within PA areas, a pattern of economic consolidation can be observed, particularly in comparison with Gaza; however, this process also heightens the PA's dependence on Israel for its exports, imports, and employment.

Turning to internal trends in Israeli society and the Jewish world, the Second Intifada led to the creation of post-territorial nationalism, and the struggle between Israelis and Palestinians now also manifests an internal confrontation within Israeli society concerning the definition of its collective identity. Several trends can be observed today that threaten Israeli society: an increasing tendency to religiosity among both Jews and Arabs; the reinforcement of marginal culture; a widening culture of illegality; protracted damage to democracy and democratic institutions; a deepening rift between politicians and professional civil servants; widening differences of opinion between various streams in American Jewry and the Israeli government; the lack of a national consensus on the future of the West Bank, which in turn intensifies the damage to the legitimacy of the political system; the erosion, through the Regulation Law of the position that was accepted for many years that Israeli legislation cannot be applied to the Territories; the equalization of the status of Israelis in the West Bank to that of citizens living inside the Green Line; and a tension among Israeli Arabs between a tendency to Israelification and their position among the Palestinian people.

Annexation Ideas and Plans

Ideas and plans involving annexation in the West Bank have become an increasingly prominent feature of Israeli political discourse in recent years. Since Donald Trump's election to the US presidency, a growing flood of initiatives have been launched by the Knesset and the Israeli government to apply Israeli law to all or part of Area C (it should be emphasized that none of the plans ever included a map, with the exceptions of the proposal launched by MK Ayelet Shaked in December 2019 and Prime Minister Netanyahu's proposal to annex the Jordan Valley in September 2019). Examples of such initiatives include a suggestion by MK Yoav Kish and others to annex Ma'ale Adumim; MK Yehuda Glick's initiative to create a "Greater Jerusalem;" an initiative to annex all the Jewish settlement areas, again raised by MK Yoav Kish and others on the basis of a decision of the Likud Central Committee from December 31, 2017; a proposal by Likud MK Sharen Haskel to annex the Jordan Valley; MK Eitan Cabel's plan; the annexation of all of Area C under the Jewish Home party's "Stability Plan;" a proposal to annex the entire West Bank under the National Union's "Determination Plan;" or even Mordechai Kedar's "Palestinian Emirates" proposal. Meanwhile, voices on the Palestinian side have called for the suspension of security coordination with Israel, the dismantling of the PA, and the withdrawal of recognition of Israel, as well as ideas centering on the concept of a single state for all of its citizens.⁶³

The current situation is dominated by two key features: a diplomatic impasse and an international arena that lacks any significant influence, with the exception of the Trump administration, which clearly prefers Israel over the Palestinians. These two features make it easier for the parties to adhere to the current status quo and to

⁶³ In his speech to the UN General Assembly in September 2017, Abbas declared: "But if the two-state solution were to be destroyed due to the creation of a one-state reality with two systems – apartheid – from the unchecked imposition of this occupation that is rejected by our people and the world, this would be a failure, and neither you, nor we, will have any other choice but to continue the struggle and demand full, equal rights for all inhabitants of historic Palestine. This is not a threat, but a warning of the realities before us as a result of ongoing Israeli policies that are gravely undermining the two-state solution."

maintain their current equilibrium: the non-resumption of negotiations toward a permanent agreement; the absence of Palestinian reconciliation and agreed joint leadership; continued Israeli construction in the West Bank; and limited and covert security cooperation between Israel and the Arab world. However, it should be noted that protracted stagnation can be expected to weaken the PA, increase the chance of violence, and lead to the collapse of the fabric of life in the Gaza Strip.

Ramifications of the Annexation Initiatives

Initiatives and programs for annexation, if enacted in the Knesset, would mark a dramatic change in the policy of the right-wing governments to date, by way of “letting the cat out of the bag.” The current government’s policy of action has so far been based on the format of “creeping annexation,” manifested in the expansion of the Jewish settlement enterprise, according to Israeli law and contrary to this law; de facto annexation by means of the security barrier; the construction of Jewish neighborhoods in East Jerusalem; the construction of major highways through the West Bank; the restriction of Palestinian development in Area C and the demolition of illegal Palestinian homes in the area; and a deepening distinction between Jewish and Palestinian residents through a series of legislative moves.

The new bills suggest that the Israeli government intends to adopt a policy of de jure annexation by applying Israeli law to large areas of the West Bank. As Naftali Bennett told Prime Minister Netanyahu in 2016: “Regarding the Land of Israel, we must move from containment to determination. We need to mark out the dream, and the dream is that Judea and Samaria will be part of the sovereign Land of Israel.”

Eliminating the feasibility of a two-state solution by means of limited annexation measures, exploiting what is perceived as a moment of political opportunity – the unprecedented support of the Trump administration, the weakness of the EU, the wars in the Arab world and so forth – is the ultimate dream of many members of the current Israeli government. From their perspective, this step removes an existential threat to

the State of Israel, and they will not be inclined to show any caution. Such a move creates the tangible possibility that it will become necessary to re-establish an Israeli military administration in Areas A and B, even leading to the annexation of these areas. These figures currently seek to accept the risks involved in advancing the annexation processes, partly in order to realize their messianic-nationalist beliefs. They tend to belittle the potential threats to Israel resulting from such steps, and accordingly they may not be deterred by the idea of departing from the existing reality in order to secure their objectives. They adopt this position despite the fact that no detailed or orderly preparatory work has been undertaken by any professional body relating to the full range of risks and issues raised by the annexation plans.

The annexation of all or part of Area C, or of the entire West Bank, should be regarded as a single process. The beginning of the process and the potential turning point in government policy can be identified as a future decision by the prime minister and the Ministerial Committee for Legislative Affairs to approve one of the bills, and the first stage in the process can be identified as the approval by the Knesset of this law, calling for the annexation of Jewish settlement blocs (including the Jordan Valley).

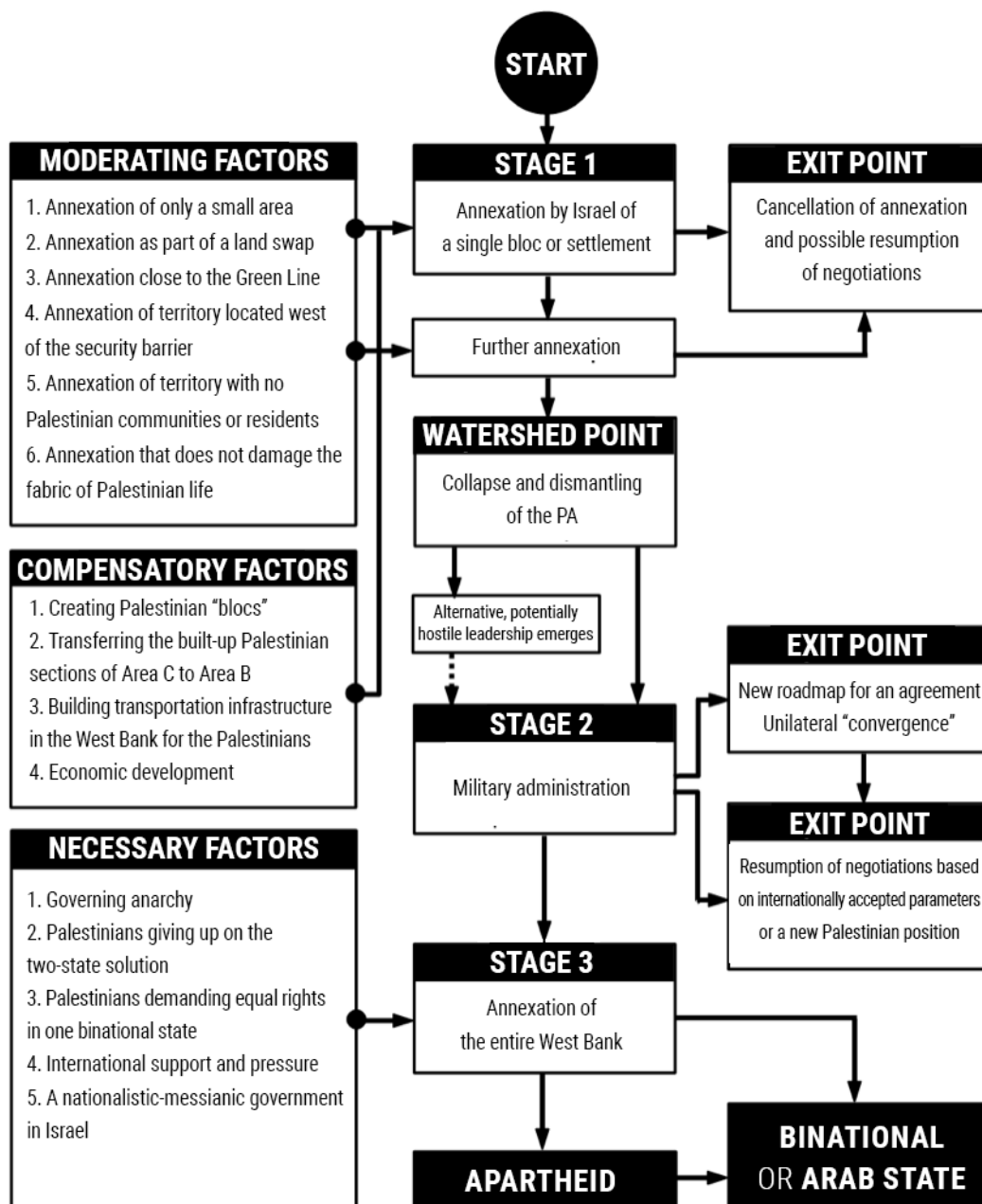
It is impossible to anticipate accurately the scope of the reactions to these annexation processes or their severity and duration, which will determine their impact on the positions of the two sides and the development of the process. It should be noted that a series of factors may soften or even eliminate some of the responses. These factors include Israel's overlapping interests with the US (especially if Donald Trump is elected for a second term) and with Arab states and other players regarding the confrontation with Iran, Turkey, and the extremist Islamist political movements; common economic interests; instability and insecurity in Europe as a result of the power and actions of extremist and violent Islamist movements; the growing influence of nationalist parties in Europe; and the actions of the pro-Israel lobby in the US. All of these factors will also be dominated by the response to and ramifications of the global coronavirus crisis.

Despite these factors, however, annexation will ultimately cause instability and the end of the current reality.

The exit point from the current state or the watershed moment of the process is the dismantling or collapse of the PA as a result of the annexation process. For security, economic, and legal reasons, this will oblige Israel to resume responsibility for Areas A and B, with over two million Palestinian residents. In the first stage, this will manifest in the restoration of the military administration requiring the seizure of control in the West Bank by force. As the situation deteriorates, and when the appropriate conditions emerge, Israel will annex the entire West Bank.

Thus the process comprises (1) annexation without the dismantling/collapse of the PA; (2) the forceful seizure of Israeli control in Areas A and B following the dismantling/collapse of the PA and the resumption of the military administration; and (3) the annexation of the West Bank. This entire process indeed seems destined to occur unless Israel chooses to take one of the exit points, as detailed below.

Figure 1 – Annexation Processes



It is difficult to estimate the exact degree of annexation that will cause the snowball to begin rolling, leading to the crossing of the watershed line. However, a number of moderating principles can be enumerated in this context. The risk of crossing a watershed point will be reduced the smaller the extent of the annexation, beginning with one or two blocs. Other mitigating factors might include: the annexed area forms

part of a proposed land swap with the Palestinians; the annexed area is closer to the Green Line; the annexed area is to the west of the security barrier; Palestinian communities or residents are not annexed; and finally, the fabric of Palestinian life is not damaged materially or without alternatives. The Netanyahu government intends to act in a manner diametrically opposed to these mitigating principles.

It can be assumed that after deciding on the policy change, Israel would seek to act in a way that avoids crossing the watershed line, and accordingly will initially adhere to the above-mentioned principles. Furthermore, the Israeli government may adopt moderating and compensatory measures to mitigate the reactions to the move, particularly from the Palestinian side. In the initial stage, for example, the responsibility for Area C in regions connecting the disjointed Palestinian communities could be transferred to the PA. In addition, regarding built-up areas in Palestinian communities that have seeped over from Areas A and B into Area C, it can be anticipated that these will not be annexed to Israel; it is even possible that they will be granted status equivalent to Area B and transferred to the PA. Other factors include the construction of a transportation infrastructure ensuring territorial and traffic contiguity for Palestinians. Within the foreseeable future, however, the Netanyahu government is neither willing nor able to attend to these matters.

If during the initial stage Israel already identifies signs of the collapse of the PA and seeks to avoid this, it may aim to achieve this by annulling the annexation legislation and restoring the previous legal status quo. The nullification of the law will provide a significant boost for the Palestinians and other players in the Arab world and international community, encouraging them to continue the steps they introduced in response to the law. It is not impossible that Israel will even feel compelled to resume negotiations on terms acceptable to the Palestinians that it currently rejects.

Following the collapse of the PA, Israel can be expected to act to prevent the transition to stage two – the reinstatement of the military administration, not to mention stage three – the annexation of the entire West Bank. However, this is contingent on several

factors: Israeli preparations for annexation, the management of counter-responses, and the reaction of the Palestinian public, the Arab world, the international community, and the Israeli public.

For example, in order to avoid the second phase, Israel will seek to establish Palestinian governmental alternatives for the management of Palestinian life in Areas A and B. However, the success of this move depends on a large number of factors: a willingness on the part of Palestinians to cooperate in these frameworks; the level and effectiveness of pressure, including extensive violence, that will undoubtedly be triggered on the part of the various Palestinian organizations toward the substitute authorities; the formation and policies of a unified leadership of all the Palestinian organizations in the West Bank (and Gaza), with an emphasis on Fatah and Hamas; preparations by the Palestinian leadership to provide basic services to the population without Israeli involvement for a relatively extended period (many months), and other aspects.

Israel will do everything it can to avoid the transition to the third stage, entailing the application of Israeli law to the entire West Bank, but a series of cumulative and essential conditions could force Israel to take this fateful and historic step. These include Palestinian governmental anarchy; a substantial change in the Palestinian position (as represented by the joint leadership or a government in exile), including the abandonment of the two-state solution and a demand for full equality in a single state; extensive Arab and international backing and support for the new Palestinian position, accompanied by operative measures; pressure from political parties in Israel interested in this; and passivity on the part of the Israeli public.

The chance that all these cumulative conditions for the annexation of the entire West Bank will materialize is extremely low. Accordingly, this is an unlikely scenario, but still one that is possible if the above conditions are met.

Full annexation will pose substantive questions regarding the identity and system of government of the single state. Israel may initially prefer to tackle practical questions, such as the application of the Absentee Property Law; processing Palestinian residents' requests for citizenship; and equalizing services according to the East Jerusalem model. However, it will not be possible over time to ignore questions concerning the composition of the security forces in general and the IDF in particular; the future of Palestinian refugees; the role of the Law of Return, and so on.

Bearing this all in mind, if the PA collapses, given the need for Israel to decide regarding the transition between the stages, and in the absence of the necessary conditions for applying Israeli law to the entire West Bank, we can anticipate that Israel will attempt to turn back the clock. Israeli concessions required in such an attempt will be in proportion to the stage that has been reached in the process.

The historical experience of the 25 years of the Oslo process, even during the First Intifada, suggests that Israel has chosen to emerge from a crisis and a violent escalation by means of one of three options: renewing negotiations and even signing an agreement (the Oslo Accords followed the First Intifada and the Hebron Protocol followed the Hasmonean Tunnel events); establishing an international framework for the continuation of the peace process (like the Roadmap, the Sharm el Sheikh Conference, the Annapolis Conference); or a unilateral move (in the mold of the Disengagement Plan and the construction of the security barrier).

The first option, then, is the resumption of negotiations between Israel and the Palestinians according to the parameters that guided the Annapolis process. However, it should be noted that in such a scenario, the Palestinians might adopt a much firmer position than at present concerning the four core issues (borders, security, Jerusalem, and refugees), including on the future of the Jewish settlements. It is possible that this Palestinian position would not be acceptable to any Israeli government, including one that supports the two-state solution. Israeli opposition

leaders must bear this scenario in mind when formulating their position on any annexation process, however limited.

The second possibility is that Israel will seek to launch a new three-step roadmap in coordination with the US, the European Union, and the Arab Quartet, which would represent the exiled Palestinian leadership (albeit unwillingly). The first step could include a convergence plan for the settlements at various levels, and potentially at a very deep level; this possibility could also be implemented by way of a unilateral Israeli action if no agreement is reached. This step would also include the recognition of Palestine as an independent state within temporary boundaries and resumption of negotiations for a final agreement. In the second stage, a permanent agreement would be signed with the involvement of regional players, while the third stage would include the gradual, conditional implementation of the agreement with the involvement of Arab and international players.

The only practical advantage of applying Israeli law to areas in the West Bank would seem to be the ability of the government to promote the expansion of the Israeli settlement enterprise under Israeli law, thereby circumventing the Supreme Court and the laws of occupation that restrict such activities. From Israel's point of view, this will create the possibility for wide-scale land confiscation and promoting construction for Jews in the West Bank, as was the case when East Jerusalem was annexed after the Six Day War.

This advantage may prove almost insignificant due to the constant decline in the number of Israelis moving to the West Bank. Moreover, the international community will continue to regard the West Bank as an occupied territory to which all relevant international conventions apply (namely, the Hague and Fourth Geneva Conventions). The effective elimination of the two-state idea is possible only by establishing by agreement one democratic state with a binational or no national character – an option that totally contradicts the Zionist vision of a democratic state for the Jewish people and Israel's interests.

Accordingly, the annexation of Area C, or of substantial parts thereof, by Israel will constitute a dramatic step with the potential to change the reality outside the existing consensual framework that has shaped the relations between the two sides since 1993. The annexation process as a whole will destabilize the point of balance between the various tensions that comprise the status quo (in proportion to the extent of annexation). This is liable to remove the fragile equilibrium within which these tensions are currently contained and to create a different and threatening reality for Israel. This reality will deviate profoundly from the current situation, potentially leading to a deterioration toward the annexation of the entire West Bank, against Israel's will and interests.

Israel can expect to be shaken by extremely negative reactions and developments in the fields of security, the economy, diplomatic relations, legal systems, and internal social threats that will cast a heavy shadow on its image, its system of government, and its status among the family of nations. With time, as these developments become more acute, Israel will find it increasingly difficult to put the genie back in the bottle. It may find itself breaking down, leading to the emergence of a state whose composition, economy, status, and system of government will differ from those of the state that embarked on the annexation process.

What form would the collapse of the State of Israel take? The first possibility is the gradual establishment of a binational state, raising substantial questions regarding the identity and system of government of a single state. Millions of Palestinians will become citizens of Israel at the end of the process, enjoying equal rights – including the right to vote and be elected to the Knesset. This will be a very different state than the one created in 1948. Opposition to this development will be enormous, and it can be determined with certainty that the Jewish public will not allow it to go ahead.

Accordingly, the second possibility is to create two civil statuses, one for Jews and one for Arabs. This will, of course, be accompanied by attempts to conceal this reality and make it more attractive to foreign observers. It will be said that this arrangement

is only for a transitional period; that Palestinians will be given the opportunity to receive political rights if they swear allegiance to the state and agree to additional stipulations, and so on. These conditions will be rejected outright by the Palestinians, but will allow the government to justify the political discrimination. However, these justifications will be rejected by the world, which will rightly regard Israel as an apartheid state. The crisis will not only be between Israel and other countries, but will also lead to a rupture with Diaspora Jewry and a rift within Israeli society itself. In short, the prospects of successfully implementing this possibility are relatively low.

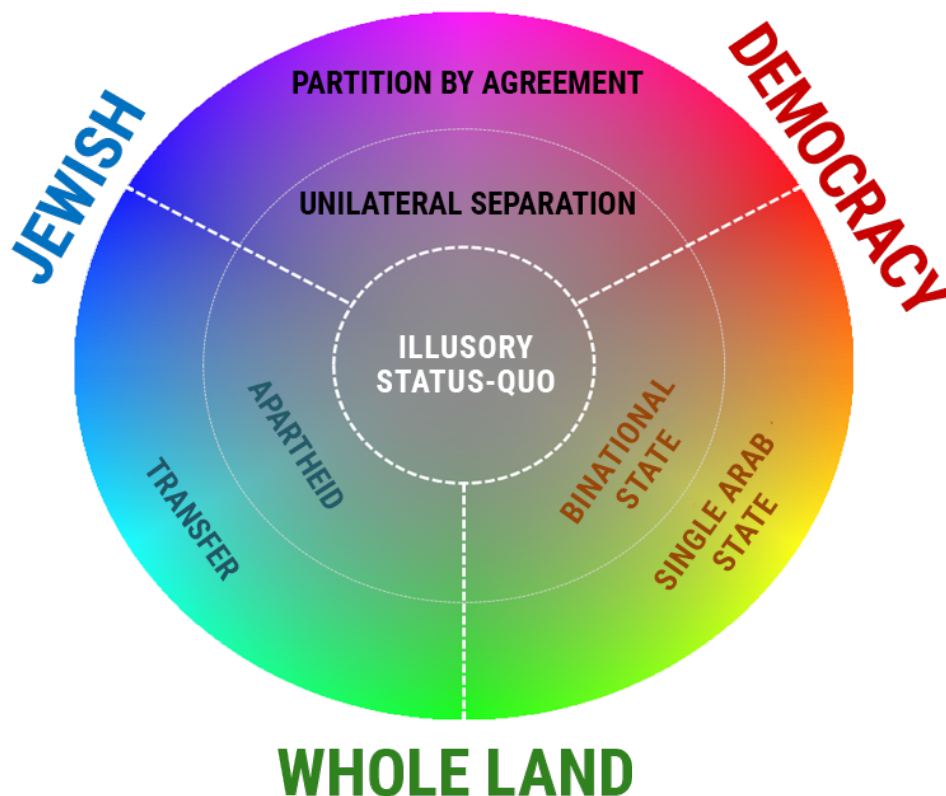
There is a third possibility. In the wake of the security crisis created by the annexation, Israel may be swept into a civil war. A new wave of violence would erupt, involving not only the Palestinians but also their supporters in the Arab and Muslim world. In the heat of battle, hundreds of thousands of Palestinians will be expelled from the territories, and possibly even from Israel itself, pushed east of the border. What happened in the War of Independence without a global shock (though it created the refugee problem), and what happened a second time in the Six Day War, almost without response (though it created the issue of the displaced persons), could happen a third time. This time, however, Israel will justifiably find itself accused of ethnic cleansing. It will be defined as a pariah state and treated accordingly by many governments.

This new concept of annexation will dramatically change the approach of the Zionist movement and Israeli governments over the years regarding the choice between the three main objectives of Zionism: to be a democratic state, with a Jewish majority, in all of the Mandatory territory.

For nearly a century of the conflict, a non-Jewish majority has existed in former Mandatory Palestine, reflected in international recognition of its right to self-determination in the country. Accordingly, the Zionist leadership was forced to choose just two of the three national goals, and until today its choice has always been for a democratic state with a Jewish majority in part of the Land of Israel.

The unveiling of annexation processes entails a change in the order of priority in these goals, favoring the whole Land of Israel (in the Mandatory borders) at the expense of the democratic system of government, in the first stage, and in the long term potentially at the expense of a Jewish state (see Figure 2).

Figure 2 – Israel's Identity, System of Government, and Borders



In conclusion, the cost of the annexation idea massively outweighs its benefit. Even a small step toward annexation could ultimately lead to the annexation of the entire West Bank, with all the negative implications this would entail. The application of Israeli law to the area will be completely rejected by the international community, including the next Democratic US administration, which will continue to see the West Bank as occupied territory whose Palestinian residents are protected under the Hague

and Fourth Geneva Conventions, and are entitled to self-determination in the form of an independent Palestinian state with its capital in East Jerusalem. The expected ramifications in the political field are liable to include damage to Israel's peace treaties with Jordan and Egypt; the loss of the potential for a regional network of alliances with the Arab states in order to block the Iranian axis; growing involvement of Russia, Iran, and Turkey in the region; damage to Israel's relations with European countries; and, in the event of a new US administration, damage to Israel's irreplaceable strategic relations with the US. In the diplomatic and military arena, Israel can expect to face a fierce armed conflict with the Palestinians, who will probably seek to form a joint leadership, abolish security cooperation with Israel, return to the armed struggle, and intensify their international diplomatic campaign. Israel's existing security cooperation with Jordan and Egypt will be damaged, and the first signs of cooperation with the remainder of the Arab world will be nipped in the bud. In the economic sphere, Israel will be ejected from the OECD. Public services for Israeli citizens will be severely curtailed, particularly in the fields of welfare, health, and education. Finally, Israel may be swept up in a civil war from which it will emerge as a totally different country.

Part Five – Conclusion and Recommendations

Although the authors of the Vision for Peace chose to describe their framework as a “two-state solution,” their proposal constitutes a serious blow to everything achieved to date. It has pushed political discourse in Israel back 15 years, to the illusion that it might be possible to reach an agreement without relinquishing the West Bank. The Vision is also liable to push Palestinian discourse back many decades, to the desire to create a single state with an Arab majority (even before any refugees return).

The details of the Vision for Peace differ significantly from the direction that emerged at Annapolis. The plan cynically uses terms that characterized peace discourse prior to Netanyahu’s return to power in 2009: two states, land swaps, demilitarization, a Palestinian capital, and so on. The use of these terms in this context exposes professional ignorance in the fields of security, geography, and international law..

The plan has absolutely no chance of being implemented in the context of a peace agreement as it has been broadly rejected by the Palestinian, Arab, and international communities. Moreover, the plan is not feasible in spatial and physical terms, as has been made clear throughout this document. Any attempt to implement the Vision for Peace will create a much harder reality for both sides.

The Vision for Peace must be shelved. It does not and will not have any Arab partner. The global reactions show that it cannot be used to justify any Israeli annexation. Its consequences are liable to cause serious harm to Israel. The plan seeks to formalize the existing situation, where two different legal systems exist in the same area on the basis of an ethnic criterion, and to compound this by permitting an annexation that would create a reality of apartheid – or, to use David Ben-Gurion’s words in 1949, “a dictatorship of the minority.”

The deal may serve as a death blow to the PLO, which since 1988 has attempted to create a diplomatic discourse based on the resolution of the conflict in place of armed struggle. It will encourage the cancellation of security coordination with Israel. It

damages the value of citizenship through the proposal to transfer Arab citizens of Israel to Palestine. It damages the rule of law and property rights by approving illegal outposts built on stolen Palestinian land. Lastly, it will encourage the emigration of Palestinians from the neighborhoods outside the security barrier in Jerusalem into the inner neighborhoods, thereby accelerating Jewish out-migration and escalating the shift in the demographic balance in favor of the Palestinians that has been underway for the past 52 years.

Those who view the Trump proposal as approval for annexation must understand that unilateral partial annexation will eventually force Israel to annex the entire West Bank. This will lead to a deterioration into protracted military and diplomatic conflict, accompanied by a profound rift within Israeli society and severe damage to its economy.

This document offers an alternative to Trump's Vision for Peace relating to each of the components of the conflict: narratives, borders, security, Jerusalem, and refugees. The alternative proposal is based on the negotiations that have taken place over the years between the two sides. These alternatives can serve as a basis for the resumption of negotiations between Israel and the PLO, with the involvement and support of the international community and the Arab world.



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