

How Should the PA Respond to the U.S.-Israeli Annexation Plan?

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Brief Analysis

Israel's newly formed [unity government \(https://www.washingtoninstitute.org/fikraforum/view/israeli-politics-public-opinion-Netanyahu-Gantz-unity-coronavirus\)](https://www.washingtoninstitute.org/fikraforum/view/israeli-politics-public-opinion-Netanyahu-Gantz-unity-coronavirus) intends to press ahead with a unilateral action to annex Palestinian lands in the West Bank and the Jordan Valley by early July. The current plan appears to include settlement blocs and most of the 140 settlements in the West Bank and East Jerusalem, where nearly 600,000 Jews live in addition to the Palestinians. Though no action has yet been taken, the public debates and discussions of the impending annexation has undermined the fragile stability and security in the West Bank. Moreover, the annexation itself will have serious diplomatic, security, economic, social, and legal repercussions.

The most recent discussion of annexation is rooted in the January release of the [Trump administration's controversial Middle East peace plan \(https://www.washingtoninstitute.org/fikraforum/view/trumps-deal-of-the-century-and-why-it-still-matters/\)](https://www.washingtoninstitute.org/fikraforum/view/trumps-deal-of-the-century-and-why-it-still-matters/) "Vision for Peace," also dubbed as "Deal of the Century." Particularly heated was the discussion of the plan's apparent acceptance of Israeli sovereignty over settlements in the West Bank and the Jordan Valley.

The media hype covered the fact that Trump's peace plan also proposes in return a Palestinian state on the remainder of the West Bank, all of Gaza, along with its capital in the Arab parts of East Jerusalem. Thus, U.S. support for the Israeli annexation is not gratis but as part of the Trump administration's peace plan for Israel and the Palestinians, and the PA should take notice of that when considering its response to the annexation plan.

The consequences of the Israeli position on annexation

Though both sides have interpreted it this way, Israel does not, in fact, have a "green light" from the U.S. to go ahead in its unilateral annexation. Pompeo's notable visit to Israel appears to underscore this point, and that Israel is taking advantage of the Palestinian Authority's persistence on challenging the U.S. administration by refusing to consider the Trump peace plan to secure U.S. support.

However, the Palestinian Authority is not the only power likely to balk at an annexation

(<https://www.washingtoninstitute.org/fikraforum/view/Crisis-Israeli-Palestinian-security-annexation-economy-west-bank>). The international community considers the West Bank and East Jerusalem settlements illegal under international law. An Israeli annexation would violate the principle of territorial integrity—that territory should not be acquired by war, as stated in several U.N. resolutions proclaiming the status of the West Bank as occupied Palestinian territory. Thus, per international law, Israeli annexation, if implemented, the international community would refuse to recognize such an annexation regardless of whether the Israeli Knesset would legislate a law to legalize it, further alienating Israel from much of the international community.

So far, the Palestinian Authority, the Arab League, Saudi Arabia, Jordan, Turkey, the United Kingdom, the United Nations, and the European Union have all condemned this annexation. The EU further reaffirmed its support for a two-state solution and opposition to any unilateral annexation. Several European countries stressed international law should be upheld and expressed their concern that such a unilateral move may set a precedent by states with conflicts over disputed territories.

Closer to home, **Jordan's King Abdulla II (<https://www.washingtoninstitute.org/fikraforum/view/most-palestinians-approve-of-jordanplus-other-survey-surprises>)** warned Israel of a "massive conflict" if it proceeds with its annexation plans while Egypt warned the annexation would jeopardize Palestinian statehood; both Jordan and Egypt are the only two Arab states to have signed peace treaties with Israel. The Israeli government's declared intentions to move towards annexation have highlighted the international rejection of Israeli sovereignty over the Palestinian territories, the status of the West Bank as occupied, and annexation as constituting a serious violation of international law. Similar to the unilateral withdrawal from Gaza, this annexation action would leave its negative impact on the Palestinian political spectrum, empowering radicalism and extremism while pulling the rug from under the peace-activists and moderates.

If these international warnings are not enough, the Israeli government should reconsider the burdens annexation would place on itself. In going ahead with the annexation, the non-Jewish inhabitants of these areas will become a burden on the Israeli economy; Israel will be obliged to provide for their infrastructure needs including health, education, security, employment, and other basic services.

Such a move would also be disastrous for Israel's foreign policy. The annexation would harm Israel in terms of its regional and international stature, while jeopardizing Israel's normalization overtures with the Arab and Muslim worlds. Nor can the move be justified as a security measure. Rather than underscoring Israel's future security, the annexation will result in undermining Israeli security by creating wider threat exposure.

The Palestinian Response

Despite all these reasons for Israel not to move forward with annexation, the PA should not rely on Israeli politicians to step back from their stance. Much still depends on the response of the Palestinian Authority to this unilateral measure, which was rapid and swift but did not put any fresh ideas and a new pattern of behavior on the negotiation table.

The PA must recognize that there is a window of opportunity; Palestinians should focus on encouraging international involvement from third parties while maintaining the important aspects of their bilateral relationship with Israel and the United States.

Moreover, when the PA rejected outright the U.S. peace plan, even before it was finalized and published it did not provide an alternative to the plan rather than refusing it altogether. Instead, PA leadership should respond by putting forward a coherent, realistic, rational response to the Trump peace plan for negotiation purposes, detailing what Palestinians want and what do they can offer in return.

There are limited "practical steps" the PA may take in response to this annexation plan in the light of the wide

asymmetry of power between both parties. Not among them are the threat of ending security cooperation, calling for boycotts and sanctions, or declaring the cancellation of previous agreements with Israel, or waiting for the perfect plan to come along to avoid negotiations with the Israelis. The abolition of all existing agreements with Israel does not serve the Palestinian interest, but rather would annul the legal existence of the PA, serving extremism and inviting chaos, insecurity, and violent conflict.

Despite all the setbacks in the past, the relationship between Israel and the Palestinian Authority remains strong not only on the security level but along many dependencies on the trade, economic, health, and financial levels, as we have seen their cooperation combat the corona pandemic.

Therefore, the Palestinian response should aim at preventing any hostile action from spelling the end of the long-stalled peace process, making impossible the establishment of a viable Palestinian state, and putting an end to the two-state solution. It should be clear that this annexation plan would neither put the “final nail in the coffin of the two-state solution” nor would it be “a game-changer.”

Unilateral actions by Israel should not be reciprocated by sporadic unilateral retorts by the PA. The PA should employ its diplomatic capacities by cooperating with the United States, the EU, the UN, and Russia to negotiate with Israel towards a two-state solution. The PA should hold on to the codes of international law which discourages annexation of occupied territories.

Repeated negotiations of the past few decades—though ultimately unsuccessful—have demonstrated the difficult path that is necessary for Israelis and Palestinians to finally live in peace. Though neither side appears ready at this moment to begin negotiations again, the window for such a path must be left open to keep the dream of peace and coexistence for both people alive. The alternatives suggest another generation of uncertainty and conflict. This is not the heritage we want to leave our grandchildren. ❖

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