

Israel's Annexation Plan: One State Based on Equality and Justice Is the Only Solution

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"I see no other way than to begin now to speak about sharing the land that has thrust us together, sharing it in a truly democratic way, with equal rights for each citizen."¹

When Netanyahu's government announced in May that it would formally annex parts of the West Bank and the Jordan Valley, the international community immediately reacted with outrage, even though settlements, deemed illegal under international law, have been rising and expanding in the territory for more than half a century. Annexation has been an ongoing and generational process for Palestinians, and it did not start, nor will stop, with Netanyahu's announcement. Palestinians know that annexation is not a momentum, it represents years of Israeli policy that has gone unchallenged. It would merely formalize *de jure* a system of occupation Palestinians have been living under, and would close the door to a negotiated two-state solution, signalling a failure of the Oslo Accords. The 1993 agreements and their flaws have already been extensively analysed in the literature, so I will not delve into them in detail. However, to understand the current crisis, one must consider the process that started with these accords, when the Palestine Liberation Organization (PLO) recognized Israel's right to exist for the first time. The Accords were formulated as a temporary framework for bilateral coopera-

tion with the goal of establishing a Palestinian state in the West Bank and Gaza after a five-year transitional phase, by dividing the West Bank into three different areas. Area A, which represents 18 percent of the territory, ideally under full Palestinian control, Area B, including 20 percent of the West Bank under a joint Israeli security control and Palestinian civil control, and finally Area C, 62 percent of the territory, exclusively under Israeli control, where most Jewish settlements have been established and where most natural resources are. In this process, other issues to be tackled were the right of return of refugees, the status of Jerusalem, Jewish settlements and border management. Today, none of these have been accomplished and Israel has taken advantage of the intricate jurisdictional structure and loopholes of the accords to reduce the transfer of territory and authority back to Palestinian institutions.

When the PLO recognized the legitimacy of the Jewish State within the parameters of the Oslo Agreements, this was not done in exchange for the recognition of the rights of Palestinians, their dispossession, nor their right of return. Over the years, the institutional architecture of the accords disappeared and these were reduced to security agreements only benefiting Israel, which changed the PLO into a collaborating agency under the name of the Palestinian Authority (PA). Meanwhile, Israel took advantage of a destabilized Palestinian leadership and gradually disempowered the Palestinians, unprotected from repression, facing institutionalized discrimination, systematic abuse and settlers' violence. Palestinians were deceived into believing that a Palestinian state would eventually be established. Instead, they endured military occupation and remained under "a transitional

¹ SAID, Edward "The One-State Solution." *The New York Times Magazine*, 10 January, 1999, www.nytimes.com/1999/01/10/magazine/the-one-state-solution.html.

administration with a Palestinian flag, obliged to serve the Israeli security system under the deceptive label of security coordination.”² As identified by Dajani and Lovatt, the accords helped in consolidating Israel’s control over the West Bank by distorting international law as a tool of conflict resolution and creating uncertainty around Israel’s clear responsibilities as an occupying power.³ For instance, Israel claims that since the PA does not have any actual control over Area C, the establishment of settlements and the displacements of Palestinians there is permitted. As a consequence of practices like this one, the Israeli authorities now have *de facto* total control of the West Bank, achieved thanks to years of occupation that turned the territory into an Israelized extension of the Jewish State, with Palestinian enclaves surrounded and suffocated by illegal settlements.

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In the international context, states that had been critical of Israel, felt legitimized in normalizing ties with the country based on the PLO’s recognition of the Jewish State, and even started importing goods produced in Israeli settlements. Today, the international community’s continuous assistance to the PA, which

provides services to the population in the West Bank, creates a contradictory situation in which international actors pay the price for Israel’s unlawful actions, but rarely take coordinated measures to challenge them nor engage in a tangible political strategy for ending Israeli occupation. The lack of any coherent action, compensated with huge financial aid, and combined with a continuous endorsement of a dead peace process and the two-state solution this implies, makes the international community complicit in the deterioration of Palestinians’ rights. The reaction from the international community can no longer be the resuscitation of Oslo’s failed framework. Instead, it needs to suggest a new structure that recognizes the one-state solution as the only viable reality. The international actors’ and the Palestinian leadership’s fixation on a two-state solution within Oslo’s parameters, reflects that they have been ignoring the reality on the ground, where Israeli settlers occupy 60 percent of the West Bank. At the same time, Trump’s so-called “deal of the century,” and Israel’s subsequent annexation threats provide a sense of urgency and momentum for the discussion and signal a shift in the international approach to the issue, particularly for countries that have remained largely silent on the subject of annexation up until now. Taking into account the improbability that Israel will take action towards de-occupation, the international community has a crucial role in promoting an alternative to Oslo.⁴

The first step to take in this change of approach is to recognize that a single state already represents today’s reality on the ground; the issue is that it has adopted the form of an apartheid.⁵ Acknowledging that the struggle is between a colonized people and an apartheid colonizer,⁶ enables the use of a new language for discussing power imbalances and ultimately achieving Palestinian rights.⁷ As stated above,

² SHAKER, Hossam, “A quarter of a century after Oslo, the game is over for Palestinians.” *Middle East Eye*, 16 December, 2017, www.middleeasteye.net/opinion/quarter-century-after-oslo-game-over-palestinians.

³ DAJANI, Omar & LOVATT, Hugh, “Rethinking Oslo: How Europe Can Promote Peace In Israel-Palestine.” *European Council on Foreign Relations*, 26 July, 2017, www.ecfr.eu/page/-/ECFR226_-_RETHINKING_OSLO_-_HOW_EUROPE_CAN_PROMOTE_PEACE_IN_ISRAEL-PALESTINE.pdf.

⁴ *ibid.*

⁵ MUNAYYER, Yousef, “Thinking Outside the Two-State Box.” *The New Yorker*, 20 September, 2013, www.newyorker.com/news/news-desk/thinking-outside-the-two-state-box.

⁶ ABDELFAH, Awad, “Out of the ruins of Oslo, a democratic state of all its citizens can be born.” *Middle East Eye*, 18 September, 2018, www.middleeasteye.net/opinion/out-ruins-oslo-democratic-state-all-its-citizens-can-be-born.

⁷ HAWARI, Yara, “Israel’s annexation drive requires fighting for justice in one state.” *Middle East Eye*, 4 June, 2019, www.middleeasteye.net/opinion/israels-annexation-drive-requires-fighting-justice-one-state.

Israel and the West Bank operate as one geographic space, there are no precise borders or Palestinian currency. However, in the same territory, Israeli settlers are granted ethno-religious privileges and rights under Israeli civil law, while Palestinians in the West Bank face discrimination everyday under a military rule. Even Palestinian citizens of Israel are not granted the same rights and privileges as Israeli Jews.⁸ To end this discrimination, Palestinians need to have their voices heard when the future state they will live in is going to be shaped, and “they can do so only on equal footing with their Jewish counterparts before the law, not under military occupation.”⁹ Furthermore, a key issue in advancing this new paradigm is recognizing that the essence of the conflict is not a territorial one and that its focus needs to shift from the division of land, which historically has never been successful, to people’s rights. Under this model, all Palestinians, including refugees, and Israeli Jews would live in a regime based on equality and justice, built on the ruins of the existing colonial apartheid system. Therefore, all structures of inequality need to be dismantled, whilst simultaneously addressing the widespread injustices faced by Palestinians. Other factors to consider are the Palestinian leadership and the political and geographical fragmentation of the Palestinian population, particularly in how it experiences occupation. In this sense, the struggle of each Palestinian is localized, meaning that each identity is confined to each community. Palestinian citizens of Israel fight for equality and for preserving their identity, Palestinian refugees in Arab countries and in the West wait for their return, even Palestinians within Areas A, B or C face occupation in different ways.¹⁰ This fragmentation needs to be stopped as it damages a potential national movement and hinders the possibility of uniting a Palestinian response. To achieve this, Palestinians need to establish a political movement that represents and mobilizes them all.

What is going to happen if no action is taken and Israel implements its annexation plans? There is still un-

certainty on when and if the Israeli government is putting into practice its plans, scheduled for 1 July. In practical terms, this would not make a big difference, given the reality on the ground. In fact, even if the Israeli Parliament has not voted yet, the settler population already occupies 60 percent of the West Bank and benefits from services and infrastructures of any Israeli city. For Palestinians, annexation entails further displacement – Israel would destroy even more communities and would forcibly transfer them to other parts of the West Bank, where they would be isolated and economically suffocated. It is time to question whether this system can continue, or if this is the moment to redefine and build a just system, where everyone can benefit from equal rights and freedom, irrespective of religion, under “a model which seeks reconciliation and not separation and where people are protected and not viewed as subjects of control.”¹¹

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Power imbalances and the discrimination against Palestinians, particularly in the West Bank and Gaza, are more blatant now with the coronavirus pandemic, which has intensified their already insecure living conditions. The military occupation had a direct impact on Palestinians’ health and their access to healthcare in different ways. When the pandemic started in early March, the PA introduced a number of restrictions on the freedom of movement of people across the West Bank and declared the state of emergency. Similarly, in Gaza, the government im-

⁸ BUTTU, Diana, “After the Trump “Peace Plan”: One-State Solution is the Only Way Forward.” Arab Reform Initiative, 16 March, 2020, www.arab-reform.net/publication/after-the-trump-peace-plan-one-state-solution-is-the-only-way-forward/.

⁹ MUNAYYER, Yousef, “Thinking Outside the Two-State Box.” *The New Yorker*, 20 September, 2013, www.newyorker.com/news/news-desk/thinking-outside-the-two-state-box.

¹⁰ BARGHOUTI, Mariam, “How far can Israel go in trying to erase Palestinians?” *Aljazeera*, 2 August, 2020, www.aljazeera.com/indepth/opinion/annexation-palestinians-survive-200709183543893.html.

¹¹ BUTTU, Diana, “After the Trump “Peace Plan”: One-State Solution is the Only Way Forward.” *Arab Reform Initiative*, 16 March, 2020, www.arab-reform.net/publication/after-the-trump-peace-plan-one-state-solution-is-the-only-way-forward/.

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posed strict measures to avoid a widespread outbreak of Covid-19. In some cases, the Israeli authorities have hindered the PA's independent efforts to defeat the virus by shutting down or destroying Covid-19 clinics in East Jerusalem,¹² the Jordan Valley¹³ and Hebron.¹⁴ Moreover, they have stopped civil society and grassroot groups from distributing food to vulnerable families by arresting volunteers. On top of that, the lives of Palestinian political prisoners, including children, incarcerated in Israeli jails have been at greater risk due to the Israeli State's failure to take precautionary measures to prevent the spread of the virus. For example, Israel's Supreme Court has ruled that Palestinian prisoners have no right to social distancing protection against coronavirus. Another point worth noting is that the pandemic did not stop the everyday displays of occupation, such as house demolitions and Israeli settlers' attacks.¹⁵ As reported by B'Tselem, "attacks have increased despite the movement restrictions, lock-

downs and social distancing measures introduced to battle the pandemic,"¹⁶ 79 out of the 143 incidents recorded in the first five months of 2020 occurred during the outbreak of Covid-19 in March and April.¹⁷ In addition to that, in June Israeli authorities doubled the demolitions of homes of Palestinians in the West Bank.¹⁸ These manifestations of military occupation directly interfered with the ability of Palestinians to respond to the coronavirus pandemic, already constrained by weak healthcare infrastructure and unstable financial conditions, and show how the Covid-19 crisis presented "political opportunities, including abuse of power by external forces, internal actors, and occupying powers."¹⁹ This concept is strengthened by the fact that the pandemic did not stop Israel's plans to annex Jewish settlements in the West Bank and the Jordan Valley. Instead, it highlighted the Israeli regime's power structures and institutionalized discrimination based on the ethno-religious privileges of some over others.²⁰

Israel's threats to annex the West Bank have revitalized the discussion on the two-state solution and represent a potential new period of negotiations. Now that the futility of the peace process that started in 1993 and the power imbalances between Israel and Palestine are more evident than ever, it is time to redefine a new future in order to end the discrimination of the Palestinian people. This new model must ensure equality and justice for all as the result of an approach that focuses on people, rather than land.

¹² HASSON, Nir, "Israel Shuts Palestinian Coronavirus Testing Clinic in East Jerusalem." *Haaretz*, 15 April, 2020, www.haaretz.com/israel-news/premium-israeli-police-raid-palestinian-coronavirus-testing-clinic-in-east-jerusalem-1.8767788.

¹³ B'TSELEM, "During the Coronavirus crisis, Israel confiscates tents designated for clinic in the Northern West Bank." 26 March, 2020, www.btselem.org/press_release/20200326_israel_confiscates_clinic_tents_during_coronavirus_crisis.

¹⁴ PATEL, Yumna, "Landowner says Israeli authorities demolished COVID-19 testing site on donated plot." *Mondoweiss*, 23 July, 2020, <https://mondoweiss.net/2020/07/israel-destroys-covid-19-testing-clinic-in-hebron-as-cases-soar/>.

¹⁵ HAWARI, Yara, "In Palestine, COVID-19 Meets the Israeli Occupation." *Al-Shabaka: The Palestinian Policy Network*, 14 April, 2020, <https://al-shabaka.org/memos/in-palestine-covid-19-meets-the-occupation/>.

¹⁶ B'TSELEM, "Israeli settlers exploit coronavirus to take over West Bank land with military backing: Violent attacks spike in April." 23 April, 2020, www.btselem.org/press_releases/20200423_violent_attacks_by_settlers_spike_in_april.

¹⁷ OCHA, "Unprotected: settler attacks against Palestinians on the rise amidst the outbreak of COVID-19." *The Humanitarian Bulletin*, 22 June, 2020, www.ochaopt.org/content/unprotected-settler-attacks-against-palestinians-rise-amidst-outbreak-covid-19.

¹⁸ B'TSELEM, "Despite coronavirus outbreak: Israel ramps up demolition of West Bank Palestinian homes in June." 6 July, 2020, www.btselem.org/press_releases/20200706_israel_ramps_up_demolitions_despite_coronavirus_outbreak.

¹⁹ TARTIR, Alaa & HAWARI, Yara, "Palestine and COVID-19: GlobalStandards, Local Constraints." *PRIO Middle East Centre*, July 2020, www.prio.org/utility/DownloadFile.ashx?id=2082&type=publicationfile.

²⁰ HAWARI, Yara, "COVID-19 in the West Bank and Gaza: A second wave under military occupation and siege." *Middle East Institute*, 29 July, 2020, www.mei.edu/publications/covid-19-west-bank-and-gaza-second-wave-under-military-occupation-and-siege.