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# Israeli Annexation of the West Bank

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By Mobeen Jafar Mir\*

Israel's newly installed unity government is planning to annex parts of the Occupied West Bank in what is being feared to be a very provocative and dangerous move.

The idea of annexing parts of West Bank has all along existed in Israeli political discourse since the 1967 six day war between the Zionist state and its Arab neighbours. A number of bills were table in Knesset (Israeli Parliament) between 2016 and 2018 seeking extension of Israeli law and sovereignty to settlements and the Jordan River valley. The legislation did not then progress because of fear of diplomatic fallout.

Prime Minister Netanyahu, however, believes that the international situation is ripe now for such an action with US President Donald Trump openly supporting it, intense differences among the Palestinian factions, division in the Arab world over support for Palestine and many of the influential Muslim countries of the Middle East seeking to develop ties with it.

Israeli actions including land confiscations and construction of illegal settlements had already diminished hopes of an amicable settlement of the dispute. The planned move for further consolidating Israel's control on the occupied territory would further undermine the prospects of a resolution of one of the oldest problems on the agenda of the United Nations.

Hamas has said that it would take the annexation as a "declaration of war". Palestinian Authority President Mahmud Abbas has, meanwhile, announced cancellation of "all agreements" with Israel and the United States. But, there are questions over how effective can be the Palestinian protests especially in the absence of solid support from the Arab world. There have been similar threats from Palestinians in the past against other Israeli actions, but they were not able to execute those.

This issue brief looks at the development to analyse its implications for the Palestinians and peace in the broader Middle East region.

### Formation of the Unity Government

Benny Gantz, a former Israeli army general and an erstwhile political opponent of the longest-serving Prime Minister of Israel, Benjamin Netanyahu, had last year vowed to unseat the then embattled premier as he emerged on Israel's political landscape. Concerns of Gantz, a centrist politician, were then about the contentious past of the right-wing premier and at that time he saw little chances of joining hands with him. "A Prime Minister up to his neck in corruption allegations has no public or moral mandate to make fateful decisions for the State of Israel," Gantz's political alliance Blue and White had then proclaimed in a statement.

Israeli prime minister had been facing serious charges in as many as three corruption cases. Indictments in these cases – first ever for a sitting Israeli premier – cast a long shadow over his political career and brought his government to the verge of collapse on multiple occasions.

Mr. Netanyahu's overriding concern, meanwhile, was to sustain himself in the power of the only Jewish state in the world even as three inconclusive elections imperiled his prospects.

Gantz for some time stood his ground challenging Netanyahu's Likud party as indictment charges as the Likud leader struggled with corruption charges.

Then events took a dramatic turn and Netanyahu's arch-rival, Gantz, agreed to form an emergency unity government with Netanyahu after an understanding that both leaders would take turns in the prime minister's office with Netanyahu serving the office first for the next 18 months unless he is thrown out of office by a conviction in the corruption cases against him. Mr. Gantz was, meanwhile, to serve as deputy prime minister and defence minister until October 2021, when he will assume the charge of premiership for the next 18 months.

Another major deal made while forming the unity government was agreement on the annexation of large portions of West Bank this summer – a controversial move that will have far-reaching implications for the region. Netanyahu, ahead of his inauguration, described the proposed annexation as “another glorious chapter in the history of Zionism”.

Annexation means one country illegally and unilaterally assimilating another territory. Such an action is illegal under international law. One recent most example is that India annexing the disputed territory of Jammu and Kashmir in Aug 2019.

Netanyahu has been a staunch proponent of Israel's expansionist policies. His political history is replete with instances wherein he resorted to such actions for political points scoring and diverting attention from his wrongdoings and corruption at home.

One of the remarkable outcomes of the Oslo Accords was the creation of the Palestinian Authority (PA). The PA assumed the responsibilities of catering to the everyday needs of Palestinian lives. The Oslo Accords also divided the West Bank into three area zones: Area A where the PA enjoys full civilian and security control; Area B where Israeli soldiers manage security, but the PA runs the schools and other civilian affairs and Area C which constitutes around 60 percent of the West Bank and is run entirely by the Israeli military. It is this Area C around which Netanyahu's annexation plan revolves. The Oslo Accords had mandated Israel to gradually transfer its control of Area C to the Palestinians.

Yossi Beilin, an Israeli diplomat who held secret meetings with PLO officials in Norway to map out the details, says about Area C: “This area was designated for the Palestinians — there was never an idea that this was meant for Israel.”

“It was always understood that the 2.5m Palestinians who now live in the West Bank need this land [the area Mr. Netanyahu intends to annex] for their industry and their residence,” he maintained.

The rightwing settlers, who have established themselves in a group called the Yesha Council, insist that Israel should annex all of Area C. These right-wingers constitute less than 5 percent of the Israeli population but maintain significant influence in the Israeli parliament. If their plans are given due consideration, the annexation of all of Area C is expected, though the maps are currently being drawn up by Israel and the US.

It will make up nearly twice the area envisaged in Netanyahu's ambitious plans who wants to start with annexing the illegal settlements constructed by Israel. This policy was once described by Ms. Shaked, a lawmaker, as "maximum land, minimum Palestinians."

The West Bank is a large swathe of land that was taken by Israel from Jordan during the six-day war in 1967. It starts from the fertile Jordan Valley and stretches all the way long from the Sea of Galilee to the Dead Sea. It also includes the red-roofed villas, factories, and vineyards of as many as 650,000 Jewish residents in the illegal settlement blocs near Jerusalem. Of all the multiple peace-making negotiations that have taken place between Israel and the Palestinians in the past, none of them by any stretch of the imagination, contemplated such an unprecedented controversial move by Israel to extend Israeli border to as far as Jordan.

The approval of the annexation plan by Knesset, Israel's unicameral parliament, is still pending, but it would be nothing more than a formality especially after the formation of the unity government and blessings of Trump Administration. The process of annexation would commence tentatively from July 1 after Knesset's assent.

### **Palestinian and Israeli Positions**

As many as 2.1 million to 3 million Arab Palestinians are living in the West Bank. One contentious issue is that the number of Israeli Jews in the West Bank has also grown to around 430,000, who are living in the nearly 132 settlements constructed by the Zionist regime of Israel. These settlements are illegal as per international law, but the US government, especially Trump Administration, deems such interpretations as misleading with no consequence.

The Palestinians claim the entire West Bank as their own and look at it as a part of their future independent state along with the Gaza Strip.

As the contours of the likely annexation are mapped out by Israel and the US, there are indications that as much as 30% of the West Bank territory could be annexed. Palestinians in those areas will in such an eventuality be left out in the cold, homeless, and without any identity, meeting the same fate as their fellow citizens met in the aftermath of the capture of East Jerusalem in 1967.

It is argued that the areas of West Bank likely to be annexed are already under Israeli defense ministry's control and the move will practically have little impact on the lives of the Palestinians residing there. However, it is feared that besides further complicating the conflict, the annexation would lead to expedited construction of more settlements to further consolidate Israeli control.

As for as Israeli position is concerned, it maintains numerous historical and religious rights to the West Bank, claiming that it is an ancestral swath of land that belongs to Jewish people. Israel feels its

presence in the Jordan Valley is also crucial for its 'self-defense'. Although Israel has long been claiming that its settlements in the parts of occupied West Banks are a part of the Israeli state, yet it is considered as a contentious plan by foreign states and other international actors.

### **Annexation Plan and Trump's 'Deal of The Century'**

The progress on Israel's annexation aspiration is to a great extent linked to President Trump's 'Deal of the Century' proposal, which too proposed incorporation of settlements by Israel.

The Trump plan is the brainchild of Trump's son-in-law, David Kushner, who is a close friend of Israeli premier. The other architect of the thorny deal is David Friedman, a pro-settlement American ambassador to Israel. This lends credence to the claim that little room is left for the Palestinians to pursue their interests in the prevailing hostile environment. It is not that the plan has no mention of a possible Palestinian future state, but that Palestinian state, which if it materializes, would be confined to numerous scattered enclaves. Two major cities of a possible Palestinian future state, Ramallah and Bethlehem, would be connected through tunnels and highways passing through Israeli territories, and if Israel somehow manages to absorb the Jordan Valley, there will remain one route or possibly only a highway for the Palestinians to enter into Jordan.

"What would be left of the West Bank would be a Palestinian Bantustan, islands of disconnected land surrounded by Israel and with no territorial connection to the outside world," a group of UN human rights experts have recently warned.

Pakistan's minister of human rights Dr. Shireen Mazari in her opinion piece published in The News in January 2020 expressed her concerns about the possible annexation of the West Bank by the Zionist regime of Israel. She criticized the so-called 'Great Deal of the Century' by stating: "Despite its often-pretentious moralistic language, a careful reading of the Trump Plan for Palestine and Israel is nothing short of creating for the Palestinian people Bantu homelands that had been created for black South Africans to bolster Apartheid. Black 'Homelands' were created and blacks were no longer regarded as South African citizens of one of the 'self-governing' territories".

The planned Israeli annexation would dash Palestinian hopes of a sustainable independent state, which had been built over decades. The Oslo Accords of 1993 and 1995, for instance, was a remarkable feat in the otherwise protracted Palestine dispute. The Accords were signed between the Government of Israel and the Palestinian Liberation Organization (PLO) in Washington, D.C., US, and Taba, Egypt respectively. The Accords laid the foundation stone for the start of the Oslo process, a peace process designed to achieve a lasting peace based on the United Nations Security Council Resolutions 242 and 338, and ensuring the "right of the Palestinian people to self-determination."

The UN resolutions call for an immediate withdrawal of Israeli forces from the newly occupied territories captured during the six-day War in 1967 and returning them to the Palestinians and other respective Arab states. Israel had made significant territorial gains during the war and had captured the West Bank, Golan Heights, Gaza Strip, and the Sinai Peninsula up to the Suez Canal. So averse was Mr. Netanyahu to Oslo Accords, then in the Kensett, as an opposition lawmaker that he shouted at the

then prime minister of Israel, Yitzak Rabin, saying the Bible was 'Israel's deed to the land'. Mr. Rabin was gunned down by a Jewish militant within the next two years.

"This annexation is an existential threat — a serious violation of the agreements we have signed with Israel and a part of the systematic destruction, of a future Palestinian state," lamented Palestinian prime minister Mr. Mohammed Shtayyeh, who is also a UK-trained economist, in an interview in Ramallah, the administrative capital of the Palestinian Authority. He further added that "If we accept annexation, we are a bunch of traitors". His statements depict the deep-seated exasperation of Palestinian leadership that has long accused the international community, especially the US, of maintaining a sinister silence on the expansionist designs of Israel.

Israel, under the leadership of Mr. Netanyahu, has long discarded the decades-old 'Land-for-Peace' policy. The famous term 'Land-for-Peace' is a legalistic interpretation of UN Security Council Resolution 242 which enjoins Israel to withdraw from the occupied territories and terminate all claims or states of belligerency, to pave a way for lasting peace in the region.

Many experts on the regional politics believe that the illegal plans of annexation represent a significant change in Israeli foreign policy from 'Land-for-Peace' to 'Land-for-Nothing'.

### **The Historical Context of Annexation**

Israel first did the de facto annexation of East Jerusalem in 1967 and then the Golan Heights in 1981. The multiple UN resolutions, bilateral negotiations, and dozens of other declarations term these occupations illegal. The international community's reaction had, however, remained lukewarm in its condemnation of Israel's belligerent actions. Last year Trump administration dealt a death blow to the little hope that was left behind for forging a peaceful consensus between Israel and the Palestinians by recognizing Golan Heights as a part of Israeli territory. The US move gave Israel's claim over around 1,200 sq. km of strategic land a sort of legitimacy.

The Great Deal of the Century, touted as 'a historic opportunity' by Mr. Netanyahu, gives East Jerusalem to Israel. In May 2018, the US moved its embassy to Jerusalem. When Israel captured East Jerusalem in 1967, the Palestinians living there were sent to restricted enclaves. If non-voting Palestinians of Israel fail to show their ties to the city, they lose their resident claims. A similar fate is awaiting Palestinians of the West Bank if Israel moves forward with its annexation plans. In a nutshell, it is not only a loss in terms of a large territory, but around 4.5 % of Palestinians living in the to-be annexed territories would be enslaved permanently.

One of the reasons for the declining role of Mahmoud Abbas-led Palestinian Authority is the lack of cooperation from his Israeli counterpart, Benjamin Netanyahu. Mr. Mahmoud Abbas in a bid to promote the prospects of success of peace negotiations got close to former Israeli prime minister, Ehud Olmert, who served as the 12<sup>th</sup> prime minister of Israel from 2006 to 2009.

Israel has, meanwhile, found in the form of Donald Trump a close friend in the White House. The US administration's winking at Israeli misadventures has further emboldened the Zionist regime of Israel to carry out its illegal plans with impunity. Furthermore, the Palestinian Authority was split in 2007 when two Palestinian political parties, Fatah and Hamas, engaged themselves in a sanguinary



war also known as the Palestinian Civil War. Hamas has consolidated its control in the Gaza Strip since then with bleak chances of reconciliation between the two estranged groups.

Mr. Netanyahu's political brinkmanship and expansionist policies have diminished prospects of support for talks based on the Oslo Accords as per the latest findings published by the Palestinian Center for Policy and Survey Research. It claims that as many as 7 Palestinians out of every 10 now believe that the accords signed with Israel should be scrapped, and some 65 percent of the Palestinians have shown a propensity to return to armed struggle against Israel. It does not bode well for an already volatile region.

### **International Reaction**

Israel found it an opportune time to move ahead with its sinister designs while the entire world was busy battling the deadliest ever virus.

The response from the Gulf states has remained lukewarm at best. King Abdullah II of Jordan, as being a leader of one of the only two Arab Muslims states in peace treaties with Israel, has expressed his annoyance and cautioned Israel that such a move could force the Hashemite Kingdom of Jordan to abrogate its peace with Israel. The UAE too has delivered a clear message to Israel that such a hasty move could adversely impact its warming ties with Israel. There are strong apprehensions that many of the Arab countries would look the other way when the push comes to shove.

There are some very solid indications for this prediction about the Arab response to annexation of parts of West Bank - the Arab countries and Israel, as mentioned earlier, share animosity towards Iran, the Arabs are interested in utilizing Israeli technology for cyber-spying, agriculture and desalination, and their growing trade ties, which they would not like to be undone.

Moreover, there are also rumours that Israel has arranged a Saudi presence on the Wakf (Islamic Trust) that manages the affairs of the holy Muslim site at Haram al-Sharif in Jerusalem with a sole aim to win over Saudi support for the Israeli plan to annex parts of occupied West Bank. So far, no official statement to condemn Israeli actions has been announced by Riyadh.

European Union has expressed concern and has said that it would use diplomatic avenues to stop Israel from doing so.

Israel might face some verbal international censure, but the US support could play a decisive role in dealing with it. Trump Administration has backed the Israel-Palestine plan in a radical shift from previous US policies of supporting the two-state theory. President Trump, meanwhile, wants to see the annexation executed before US presidential elections in November where Trump's rival, Joe Biden, is opposing the plan. It is also an opportunity for Netanyahu to carry out this action before he leaves the throne of Israeli premiership in October 2021 as per the agreement inked with Benny Gantz.

Annexation, an illegal act as per international law, also brings into question the credibility of the UN that has so far acted as a silent spectator in all this period.



Pakistan has already expressed its deep concerns over Israeli plans to annex the occupied West Bank and has begun drawing parallels between Palestine and Kashmir conflicts.

“We have seen reports about the framework agreement by Israel’s coalition government proposing the annexation of the West Bank with grave concern,” FO spokesperson Aisha Farooqi said at a media briefing.

Pakistan did not appear noticeably vehement in denouncing the controversial ‘Deal of the Century’ much like its Arab allies, who kept an ambivalent position due to their ties with the US and shared acrimony towards Iran.

The historical Pakistani position on the conflict has been that it supports “the establishment of a viable, independent, and the contiguous state of Palestine, based on internationally agreed parameters, the pre-1967 borders, and with Al-Quds Al-Sharif as its capital”.

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