



**Arab American University  
Faculty of Graduate Studies**

**The USA Deal of the Century :  
The Expected Political & Legal Ramifications on Palestinian  
Cause  
(1993-2020)**

**By  
Sharaf Nayef Alswitat**

**Supervisor  
Dr. Ahmad Fares Odeh**

**Co-Supervisor  
Dr. Raed Abubadawia**

**“ This Thesis was submitted in partial fulfillment of the  
requirements for the Master’s Degree in Conflict Resolution ”**

**March 2021**

**AAUP-Ramallah Campus 2021**

**All Rights Reserved ©**

The USA Deal of the Century :  
The Expected Political & Legal Ramifications on Palestinian Cause  
(1993-2020)





Presented By :

Sharaf Nayef Ali Alswitat

This Thesis was Defended Successfully on 14/3/2021, and Approved By :

Committee Members

Signature

1. Supervisor Name Dr/Ahmed Fares H. odoh ..... 
2. Co- Supervisor Name ..... 
3. Internal Examiner Name Sania EL-Husseini ..... 
4. External Examiner Name Abdul Rahman Torakim ..... 

## II

### Declaration

**“ I , [ Sharaf Nayef Ali Alswitat ] , declare that this thesis was submitted in partial fulfillment of the graduation requirements for Master Degree in Conflict Resolution \ Graduate Studies-Department of Social Sciences \ Arab American University , Ramallah-Campus \ Palestine. This Thesis contains no material that has been submitted previously, in whole or in part, for the award of any other academic degree or diploma. Except where otherwise indicated , this Thesis is a conclusion of my own work”.**

**Student Name :** .....

**Signature :** .....

**Date :** .....

### III

#### **Dedication**

**I dedicate this Thesis to my Lovely parents, since they always gave me strength & patience. My Family, Sisters, Wife & Son. My Instructors & Supervisors, and Finally , to the Community of Conflict Resolution and for every person who still believes in finding a fair and just solution for the Palestinian Cause. Additionally, as a Palestinian Refugee, I dedicate this work to the Palestinian Refugees worldwide who still believe that, one day, a fair and just solution will bring them the chance to return to their homeland .**

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

”يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قِيلَ لَكُمْ تَفَسَّحُوا فِي الْمَجَالِسِ فَافْسَحُوا يَفْسَحِ اللَّهُ لَكُمْ وَإِذَا قِيلَ انشُرُوا فَانشُرُوا يَرْفَعِ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَالَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ ۗ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ“ (١١)

صدق الله العظيم

سورة المجادلة : آية (١١)

V

**Appendixes Table**

<b>Appendix Number</b>	<b>Appendix Title</b>	<b>Page</b>
<b>1</b>	<b>Annexation of The Jordan Vally Map, PASSIA Organization</b>	<b>126</b>
<b>2</b>	<b>Palestinian Refugees Map, PASSIA Organization</b>	<b>127</b>
<b>3</b>	<b>Letter to Secretary of State Pompeo on Peace to Prosperity Proposal, February 3, 2020.</b>	<b>128-129</b>
<b>4</b>	<b>Joint letter by 1.080 parliamentarians from 25 European countries to European governments and leaders against Israeli annexation of West Bank</b>	<b>130</b>
<b>5</b>	<b>U.S.A Congress House Letter Expressing Disapproval of Trump Peace Plan</b>	<b>131-132</b>
<b>6</b>	<b>Excerpts from the Official Text of the Deal of the Century (Peace To Prosperity)</b>	<b>133-145</b>

## Terms of Reference

- oPt : Occupied Palestinian Territories
- PA : Palestinian Authority
- PLO: The Palestinian Liberation Organization
- PM : Prime Minister
- UN : United Nations
- UNSCR : United Nations Security Council Resolutions
- UNCCP : United Nations Consolation Commission for Palestine
- UNRWA : United Nations Relief and Works Agency for Palestinian Refugees
- UNOCHA : United Nations Office for the Coordination of Humanitarian Affairs
- UNGA : United Nations General Assembly
- GA : General Assembly
- PASSIA : Palestinian Academic Society for the Study of International Affairs
- API : Arab Peace Initiative
- Eretz Yisrael : Land of Israel
- AIPAC : American Israel Public Affairs Committee)
- CUFI: Christians United for Israel
- CFOIC :Christian Friends of Israeli Communities
- CCI: Christians Concerned for Israel.
- HR :Human Resources
- TKI : Thomas-Kilmann Conflict Mode Instrument
- GDP : Gross Domestic Product
- UAE : United Arab Emirates
- USA, U.S. : United States of America

## Abstract

This study will address the main themes of the deal of the century “Peace to Prosperity : A Vision to Improve the Lives of the Palestinian & Israeli People”, which was proposed officially by the U.S. Administration in the Trump Era (2018). This study will examine the expected legal and political ramifications of the deal of the century on the Palestinian cause. On one hand, this study is going to use Conflict Resolution theories , mechanisms and strategies to examine the stages that the conflict, went through (1993-2020). In addition to this, the negotiations process and third-party intervention attempts will be clarified to show the reason of the failure of more than 25 years of peace process. Furthermore, this study will examine the deal of the century from the perspective of , International Law, United Nations General Assembly and Security Council Resolutions. Above on that, this study will address the Interior policy of the U.S., clarifying how Evangelicals (Christian Zionists) had succeeded in shaping the U.S. foreign policy in favor of Israel.

In this study , the core points are the final status negotiated issues (1967 Borders, Jerusalem, Settlements, Political Prisoners, Refugees, Water, Breaches of International Law , UNSC & GA Resolutions, and Normalizing the relationship with Arab countries. Moreover, this study will follow the qualitative approach, and will rely on reading and analyzing other previous studies and resources using the descriptive analytical reattach method. Additionally, the importance of this study comes from that the deal of the century considered as an imposed proposal on Palestinians which manifestly ignored their basic rights. Moreover, the deal clearly ignored the importance of the final status negotiated issues by unilateral actions were taken by the U.S. Administration. Including, Moving the U.S. Embassy to Jerusalem , and Recognizing Jerusalem as the United capital of Israel. These actions considered a clear evidence to the biased side of the U.S. Administration toward Israel. Not only this, but also, a clear evidence that the biased third party intervention by the U.S.

## VIII

Administration in the Palestinian-Israeli Conflict has in fact impeded all the peace efforts toward achieving a just & long-lasting peace in the region.

Finally, this study proved that the so called “Deal of the century” will never bring peace to the region as it considered a block for peace for Palestinians. By ignoring their basic rights, destabilizing the sovereignty of the Palestinian state by partition it into isolated areas, which is under Israeli security measures and controls. Moreover, legitimizing settlements , Illegal annexation, ending the refugees case, and ending all the rightful claims for the Palestinian people. In addition to this, the deal of the century considered a blatant challenge to International law and norms and International legitimacy resolutions regarding the Palestinian-Israeli Conflict. And this calls the International community to take their responsibilities toward the implementation of the International law based system.

## Table of Contents

### **i. Chapter One :The General Framework**

Introduction & Historical Overview .....	1
A. Research Justifications & Research Significant .....	4
B. Research Problem .....	5
C. Research Objectives.....	7
D. Research Questions .....	8
E. Research Methodology .....	9
F. Research Tools.....	9
G. Research Obstacles.....	9
H. Boundary of Research.....	10

### **II. ChapterTwo : Theoretical Framework &PreviousStudies**

Introduction .....	11
A. Section One : Definitions of Terms & Concepts .....	11
B. Section Two : Theories .....	12
C. Section Three : Literature review & Recourses.....	19

### **III. Chapter Three : Palestinian Israeli Conflict**

Introduction .....	23
--------------------	----

A. Section One : Major Issues of the Conflict (1993-2020).....	24
B. Section Two : Negotiations, Mediation & Peace Process Analysis (1993-2020) .....	31
C. Section Three : Summary of the Deal of the Century .....	36
D. Section Four: The USA Internal Policy Toward the Deal (Evangelicals & Zionism) .....	56
E. Section Five: Political Ramifications of the Deal of the Century .....	71

#### **IV. Chapter Four : Deal of the Century & International Law**

Introduction .....	77
A. Section One : Security Council Resolutions & Breaches of International Law, Treaties and conventions .....	78
B. Section Two : Legal Ramifications of the Deal of the Century .....	89

#### **V. Chapter Five : Conclusions & Future View**

Introduction .....	102
A. Section One : The Possible scenarios on the Palestinian State after the deal of the century .....	103
B. Section Two: Conclusions & Recommendations .....	107
Bibliography.....	115
Appendixes .....	126
Abstract in Arabic Language.....	146

## Chapter One

---

### **The General Framework of the Study**

#### **Introduction & Historical Overview**

The Palestinian-Israeli Conflict is one of the oldest conflicts worldwide. Israeli Occupation for the Palestinian Territories is considered to be the last occupying colonial power in the 21<sup>st</sup> Century.

Many mediation attempts were lunched by a third-party mediator (USA), and many policies were applied in order to resolve the conflict. But unfortunately, all the efforts that has been deployed during the las 25 years has failed. After the Trump Administration has won the U.S Elections in 2016, a set of changes were applied by the U.S Administration towards Palestinian-Israeli Conflict. The most important change the proposal of what so-called “The Deal of the Century” as an attempt to terminate the Palestinian-Israeli Conflict permanently.

This study will address the legal dimensions of the deal of the century and the extent of its impact on finding a fair and lasting solution for the Palestinian-Israeli Conflict. Furthermore, the study will clarify the position of the deal within the International Law, United Nations Security Council and General Assembly Resolutions. This study will address the major contradictions included in the Deal of the Century, reflect its implication and examine its compatibility with the International Laws and norms. It will also try to examine its implications on the Palestinian Cause.

On one hand, explaining how the deal of the century provided Trump's Administration will lead to the exclusion of the USA from its role as a neutral mediator in resolving the conflict. On the other hand, clarifying how the implementation of this deal by the USA, clearly shows the biased side to one of the conflict parties, and this in turn will destroy the conflict resolution instead of finding a fair solution, that satisfies both parties and establishes a fair and long-lasting peace in the area. Indeed, the International Laws, Norms, Conflict Resolution Theories & International Organizations are still used as a tools to resolve the Palestinian-Israeli Conflict, while on the other side, this study will prove that Israel is not showing any commitment or willingness to achieve a sense of peace with the Palestinians.

The historical experience shows a simple fact, which is that unjust solutions cannot establish a fair and long-lasting comprehensive peace. Through this study, the nature of the Palestinian-Israeli Conflict will be introduced as a national struggle about the land and the basic rights of the Palestinians. This study will go through the historical stages, that the conflict went through, solutions and proposals that were presented as an attempt to bridge the gap between the two parties. Moreover, the reasons for the failure to resolve the conflict between the two parties will be clarified.

Additionally, the Oslo Agreement model will be used as a sample for this research, and it will manifest which party was responsible for the failure of achieving a fair and long-lasting peace between the two parties, through a long period of time (more than 25 years).

The deal mentioned the relationship with Arab Countries. For decades, Arab Countries have considered Israel as an enemy state and committed themselves to reject

all forms of normalization with it until a comprehensive and just solution to the Palestinian Issue was reached. Egypt has opened the door of normalization by unilaterally signing peace treaties with Israel in 1979, without requiring a solution to the Palestinian Issue, which is considered the basis of conflict with the Zionism. The Palestine Liberation Organization signed the Oslo Agreement with Israel in 1993. While Jordan signed a peace agreement with Israel in 1994.

Yet, despite these treaties the Arab position remained somewhat consistent regarding the normalization of relations with Israel. Due to the Iranian threat the relations of some Arab Gulf States with Israel have grown and developed; such thing has been clearly noticed in 2020. In this study, normalizing relations between Israel and Arab Countries will be discussed to show it's different dimensions and dangerous effects on the Palestinian Cause. Also, the dimensions of normalizing the relationships with Arab Countries and its ramifications on the Palestinian Cause (EX. The peace treaty with UAE, Bahrain, Sudan & Morocco).

The importance of this study is highlighted by its clarification to the dimensions of the deal of the century and its danger to the future of the Palestinian State and its sovereignty, in addition to its negative repercussions on the rights of the Palestinian people.

Furthermore, the Israeli-Palestinian Conflict is well known worldwide. A key player in the area is the USA. Their Pro-Israeli Foreign Policies are highly visible and they are not fearing to show their biased side of the story. Also, this study aims to clarify the role of Evangelical Christians, their religious beliefs and their relationship with the US Foreign Policies being implemented in the area.

Moreover, the tools that the Evangelicals use to dominate and shape the USA policy will be mentioned through this research. Their literal interpretation of the Bible, including the belief that the Jewish people were given the land of Israel by God himself, supported the Jewish Zionist Movement at the turn of the century and developed their name into Christian Zionists around the 1980s. Moving the USA Embassy to Jerusalem, signifying the official acceptance of Jerusalem as the Capital of Israel and the following change of discourse about the Palestinians by proposing the deal of the century, are clear pieces of evidence of the successful effect of the Evangelical Church on the USA External Policies towards the conflict between Israelis and the Palestinians. That is why it is very important to understand the factors that played a key role in proposing the deal of the Century by Trump's Administration.

#### **A. Research Justifications & Research Significant**

The title and topic of this thesis have been chosen very carefully, because it is a new and very sensitive topic. Additionally, it is a very important topic specially for the Palestinians, because it has been proposed as an attempt to resolve the Palestinian-Israeli conflict. Also, the legal and political ramifications of the deal of the century on the Palestinians must be clarified. We as Palestinians, should understand the background of the deal and the factors that played a key role in proposing it.

Furthermore, if this deal is applied, there will be no peace and stability in the region for a long-term. Israel will have a Free Occupation for the Palestinians Territories, which means that they will not be responsible or accountable for their occupation and its ramifications.

Moreover, this deal will terminate all the previous agreements signed between both parties including the two-state solution. As well as, the deal of the century means that Israel can legally annex more and more from the Palestinian land being occupied in 1967.

Finally, this deal is not complying with the International Law and Norms of the Security Council Resolutions, the International Humanitarian Law, most important it terminates all the previous agreements, that were signed between the two parties like Oslo Agreement.

This research is an academic bonus, includes rich information to the field of social sciences regarding to the Palestinian Case.

## **B. Research Problem**

According to the conflict resolution Theories & Strategies, while there is a conflict between two parties, they have to find a common ground to achieve the best solution for this conflict or dispute. Moreover, there have to be a commitment and willing from the parties or the states to resolve the issue. The research relayed on the international theories of conflict resolution to achieve the above- mentioned status.

Moreover, it is very clear now that Israel and the USA have changed their political discourse towards the Palestinians. Proposing the deal of the century means that Israel and the USA has shifted their strategy from what they agreed on before (OSLO Agreement) to another whole new strategy, which they have presented in the proposal of the deal of the century.

After proposing the deal of the century, it's clear that there is a whole new American position towards the Palestinian Cause, as proposing the deal of the century means also dismissing the two-state solution with the Palestinians. Furthermore, there were other regional factors like the Arab Spring Movement, which left the Arab Countries destroyed and separated. It's fair to say that the Arab spring transformed the attention from the Palestinian Cause to other regional issues, like for example invading Iraq, Arab Spring Movement, invading Syria, collapse of Lebanon & Libya, and finally the problem of Terrorism in the Middle East Area.

Indeed, the interests and relationships between Arab Countries are very complicated, such thing led to wide differences between them on the political level. It was a key role, which participated in shifting Arab Countries attention away from the Palestinian Cause. This is noticeable in normalizing the relationships between some Arab Countries and Israel. Furthermore, the Palestinian internal situation which concluded a separation between Gaza and the West-Bank played a key role in changing the equation towards Israel and the USA interests.

From this point of view, the study will examine the above-mentioned changing policies and strategies towards the Palestinians as an attempt to clarify how it could affect the Palestinian Cause, and especially after proposing the deal of the century. That is why, a subject like this should be studied and analyzed in order to understand the legal & political ramifications of the deal of the century on the Palestinian Cause.

Finally, the research problem could be expressed through this central and main question:

**What are the expected legal and political ramifications of the deal of the century on the Palestinian Cause? What was the background that led to the launch of the deal of the century?**

### **C. Research Objectives**

This research paper aims to achieve and understanding the following objectives:

#### **◆ > Main Objectives:**

- Clarifying the expected legal and political ramifications of the deal of the century on the Palestinian Cause.
- To evaluate the Biased Mediators Theory on the Palestinian Case using conflict resolution styles.
- To clarify the reasons behind proposing the deal of the century (Background of the deal) and to explain the Evangelical View.
- To point out the major reasons for the failure of the Palestinian-Israeli Negotiations through a period of 25 years.
- To introduce the reader on the future vision of the deal of the century, through the analysis that the researcher will provide through this research

◆ > **Secondary Objectives:**

- Clarify the dimensions of normalizing the relationships with Arab Countries and its ramifications on the Palestinian Cause.
- Understanding the legal dimensions of recognizing Jerusalem as the Capital of Israel and moving the USA Embassy to Jerusalem.

**D. Research Questions**

During this research, several key questions will be examined as shown below :

- What are the main expected legal and political ramifications of the deal of the century? And Is it true that the deal of the century will bring a long-lasting peace for both Palestinians and Israelis?
- From conflict resolution Theories & Strategies perspective, What are the main reasons behind the failure of more than 25 years of negotiations between the Palestinians and Israelis?
- What are the major reasons in US internal policy that led to propose this deal? And what are the possible scenarios on the future Palestinian state if this deal is applied?
- Is it legal for the US to recognize Jerusalem as Capital of Israel and to move its embassy to it?
- What are the dimensions of normalizing the relationships between Israel & Arab Countries? Does this step affect the Palestinian Cause?

- Being as a biased mediator, will the USA be able to reach a final lasting and permanent solution for the Palestinian-Israeli Conflict?

### **E. Research Methodology**

In this research paper, the qualitative research methodology will be used to analyze the official texts of the deal of the century. The descriptive analytical method is an academic research method, which relay on analyzing specific and trusted information related to the subject matter within a known time frame, in order to find the best practical solutions for the subject matter.

### **F. Research Tools**

This study will be based on reading and analyzing the official text of the deal of the century, that was published online for the public and contains 181 pages. Above on that, this study will rely on different sources like journals, official news which monitors the implementation of the plan on the ground and follows the annexation of the Jordan River, which is taking place on the ground. Additionally, the study will relay on reading and analyzing Books regarding to the Palestinian Israeli Conflict (1993-2020) , also, Previous Academic Researches concerning the subject matter will be used in order to extract the needed information.

### **G. Study Obstacles**

- The limited information available about the deal of the century, as it is a fresh and new topic and has not been dealt with before.

- Inability to make interviews with the Israeli policy and decision makers in order to understand their view regarding the subject matter.
- Inability to use the Israeli libraries as it has sufficient information regarding to the subject matter
- Due to the Covid-19 Pandemic, I was not able to make any interviews with any policymakers and I relayed on analyzing the situation from their official statements.

## **H. Boundary of Research**

### **1. Time Frame (1993-2020)**

The reason for choosing this time frame because there were a huge number of important events happened within this time frame such as: (Oslo Accords 1993-1995, and Camp David Peace Process 2000), in order for the researcher to achieve the best practical solution and a better understanding of the subject. He have to present a review on what has happened within the above mentioned time frame as it clarifies the reasons beyond the deal of the century and how did it reach to this complex point.

### **2. Place Frame**

Palestinian State under Occupation, AAUP, Ramallah Branch

### **3. Objective Frame**

Legal and Political International Level

## Chapter Two

---

### Theoretical Framework & Previous Studies

#### Introduction

This chapter is divided into three sections and will be dedicated to define the concepts and the terms that went through this study. Through this chapter many Theories, conflict resolution models, tools & mechanisms will be discussed as the main pillars to provide a rich and strong debate on the issue of conflict resolution, especially with regard to the Palestinian - Israeli Conflict.

At the end of this chapter, the ideas and opinions contained in the previous studies, and literature review, that have been presented, analyzed and explained will be taken in consideration.

#### A. Section One : Definitions of Terms & Concepts

##### I. Definition of Terms

During this study, all terms of reference will be addressed as an additional attachment.

##### II. Definition of Concepts

According to Cambridge Dictionary, in one hand, the linguistic definition of the deal is “an agreement or an arrangement, especially in business”.<sup>1</sup> on the other hand, the century linguistically means “a period of 100 years”<sup>2</sup> but idiomatically it means to

---

<sup>1</sup> “DEAL: Meaning in the Cambridge English Dictionary.” Cambridge Dictionary. Accessed January 24, 2021. <https://dictionary.cambridge.org/dictionary/english/deal>.

<sup>2</sup> “CENTURY: Meaning in the Cambridge English Dictionary.” Cambridge Dictionary. Accessed January 24, 2021. <https://dictionary.cambridge.org/dictionary/english/century>.

resolve the last longest conflict between Palestine & Israel which lasted for more than 70 years and nobody before had the boldness to impose such a resolution, which dismiss all the basic rights of the Palestinian People.

Additionally, Trump's Administration defined the deal on the USA Embassy's official website in Israel idiomatically as "Peace to Prosperity is a vision to empower the Palestinian people to build a prosperous and vibrant Palestinian society. It consists of three initiatives that will support distinct pillars of the Palestinian society: the economy, the people, and the government."<sup>1</sup>

## **B. Section Two: Theories**

### **I. Conflict Resolution Theories & Negotiating Theories**

According to the Thomas-Kilmann Conflict Mode Instrument (TKI),<sup>2</sup> used by Human Resource Professionals around the world, there are five major styles of conflict management: (collaborating, competing, avoiding, accommodating, and compromising).<sup>3</sup> Additionally, Touvals offers another side theory, which contradicts with the above-mentioned conflict resolution styles to achieve a just and durable peace in the region.

---

<sup>1</sup> U.S. Mission Israel | 22 June, 2019 | Topics: Events. "Peace To Prosperity: The White House." U.S. Embassy in Israel, June 24, 2019. <https://il.usembassy.gov/peace-to-prosperity-the-white-house/>.

<sup>2</sup> \*K. Thomas and R. Kilmann, An Overview of the Thomas-Kilmann Conflict Mode Instrument (TKI), Kilmann Diagnostics, on the internet at [www.kilmanndiagnostics.com/overview-thomas-kilmann-conflict-mode-instrument-tki](http://www.kilmanndiagnostics.com/overview-thomas-kilmann-conflict-mode-instrument-tki).

<sup>3</sup> Kilmann, R.H. and K.W. Thomas. 1977. Developing a forced-choice measure of conflict-handling behavior: The 'Mode' Instrument. *Educational and Psychological Measurement* 37, P : 309-325.

- **Competing (Assertive and Uncooperative)**

Competing occurs when one person seeks to satisfy his or her own interests, regardless of the needs or feelings of the other parties to the conflict. The person places his own goals and needs at a high priority and is not overly concerned with preserving relationships.

- **Collaborating (Assertive and Cooperative)**

Collaboration occurs when a mutually beneficial agreement is found. Those with a tendency to collaborate seek to explore the interests of everyone concerned to determine what is fair. They place goals and the preservation of relationships at an equal level.

- **Compromising (Moderately Assertive and Moderately Cooperative)**

Compromise occurs when a party is willing to give up on some goals or make concessions, provided the other party is prepared to do the same. Their view is that if they give up a little bit then they will most likely get a little bit.

They strive to achieve their goals, but will not do so at the sacrifice of the relationship. Ex: Based on the International Law and the Relevant UN Resolutions, the Palestinian Peace Initiative of 1988 marked a historic and painful compromise by accepting Israel's right to exist on 78 % of the Historic Palestinian Land, with the State of Palestine on the remaining 22 %, comprised of the West Bank, including East Jerusalem, and the Gaza Strip.

Unlike Israel, which continues to create illegal facts on the ground and to violate both international law and the signed agreements.

**- Accommodating (Unassertive and Cooperative)**

Accommodation occurs when a person is prepared to meet another person's needs and goals and give up on their own. For a person who accommodates, the preservation of a relationship is paramount and the achievement of goals secondary.

**- Avoiding (Unassertive and Uncooperative)**

Avoidance occurs when a person feels that it is better to leave the conflict alone altogether and not to raise it. Their assumption is that it is not possible to preserve relationships or achieve goals in the dispute at hand, so they ignore the dispute completely.

## **II. The Seven Elements of Negotiations - Harvard School of Negotiations**

The Seven Elements framework describes the essential tools needed to identify mutual goals, prepare effectively to minimize surprises, and take advantage of opportunities as they arise in negotiation process.<sup>1</sup>

---

<sup>1</sup> Seven Elements of Effective Negotiations December 2008 – Jerome Slavik ,Adapted from Getting To Yes – Negotiating Agreements Without Giving In, R. Fisher and W. Ury [https://hms.harvard.edu/sites/default/files/assets/Sites/Ombuds/files/HMS.HHSD\\_.HSPH\\_.OmbudsOffice.SEVEN%20ELEMENTS%20OF%20EFFECTIVE%20NEGOTIATIONS.pdf](https://hms.harvard.edu/sites/default/files/assets/Sites/Ombuds/files/HMS.HHSD_.HSPH_.OmbudsOffice.SEVEN%20ELEMENTS%20OF%20EFFECTIVE%20NEGOTIATIONS.pdf)

**- Alternatives**

Before entering into negotiations, both parties must be aware of the expected results of those negotiations, it will be either reaching the Best Alternative to a Negotiated Agreement “BATNA” or reaching the Worst Alternative to a Negotiated Agreement “WATNA”. They be able to clearly identify the issues that are to be negotiated. BATNA is the best result that the negotiator can get without a negotiated settlement. Comparing the negotiations against this standard protects the negotiator from accepting unfavorable terms, and enables him to look for and accept creative solutions. WATNA refers to the worst that could happen if negotiations fail. BATNA and WATNA provide excellent yardsticks to measure any negotiated settlement options.

**- Relationship**

Relationship dynamics become all the more important when having an ongoing negotiation, relationships may hang in the balance. Strengthen the relationship by taking time to build rapport and by meeting with high ethical standards throughout the process

**- Options**

In negotiations, options refer to any available choices that parties might consider to satisfy their interests, including conditions, and contingencies. Because options tend to capitalize on parties’ similarities and differences, they can create value in negotiation and improve parties connection.

**- Communication**

Open and honest communication is essential and involves sharing the information necessary to lead to a mutually agreeable outcome.

**- Interests**

During negotiations, it's important for the parties to focus on interests, not positions. Positions often obscure what the parties really want. The negotiators should strive to clearly express their underlying interests in the issue being negotiated. Uncovering and underlying interests is the key to a mutually acceptable resolution.

**- Legitimacy**

Parties should keep in mind that their interests and options need to be legitimate. By measuring their points against some form of legitimate criteria, the probability of success will increase.

**- Commitment**

This final step and the most important step of a negotiation involves, committing to key options that are achievable, fair and sustainable. Negotiators should ensure that the options generated are measured against some objective standard. Focusing on objective criteria such as market value, independent research, law or custom helps negotiating parties focus on a fair solution and not deferring to one position or another.

### III. The Supply of a Side Theory of Mediation (Biased Third-Party Intervention)

“Mediators are more attractive to disputants when they remain impartial” (Wall and Lynn 1993)<sup>1</sup>. Similarly, Fisher (1995)<sup>2</sup> and Young (1967)<sup>3</sup>, finds that successful mediators are fair and impartial.

While Kydd (2003) argues that a mediator biased in favor of one disputant is more likely to be successful than neutral mediators because it has an advantage in credibly signaling information to its favored state.<sup>4</sup>

Furthermore, the scholarly architecture of “biased mediation” was developed in the 1970s by the Israeli Professor Sadia Touval, who argued that the biased mediator could be a helpful asset in conflict resolution and would be more successful. The argument is that a party enjoying bias would be prone to take advice from its trusted ally acting as mediator.

A biased mediator could also be counted on to offer superior insights into the parties in conflict, who might lack information about each other or suffer from jaundiced eyes. And because the favored party would theoretically try to preserve its special status, it would therefore prove forthcoming.<sup>5</sup> As a researcher, I used Sadia

---

<sup>1</sup> Wall, James A., Jr. and Ann Lynn. 1993. “Mediation: A Current Review.” *Journal of Conflict Resolution* 37(1) P:160-194.

<sup>2</sup> Ronald J. Fisher 1990. *The Social Psychology of Intergroup and International Conflict Resolution*. New York, P: 213-233.

<sup>3</sup> Young. Oran R. 1967. *The Intermediaries: Third Parties in International Crises*. Princeton: Princeton University Press, P : 2-5.

<sup>4</sup> Kydd, Andrew. 2003. “Which Side Are You On? Bias, Credibility, and Mediation.” *American Journal of Political Science* 47(4) P:597-611.

<sup>5</sup> Touval, Sadia, *The Peace Brokers: Mediators in The Arab Israeli Conflict (1948-1979)*, 1982, p : 3-19.

Touval Theory of Biased Third Party Intervention in Mediations because of the following reasons :

- The theory was mentioned in the Zionist Israeli Scholar Sadia Touval's Book "The Peace Brokers: Mediators in The Arab Israeli Conflict,1948-1979" which was published in 1982.
- The book, it's ideas and theories must be a highly important and attractive subject to the community of conflict resolution in Palestine.
- Touvals Theory was approved and lunched by the U.S Mediators which in turn, affected the resolution of the conflict because the U.S Mediators were overtly biased towards the Israeli side. Moreover, this form of Biased Third Party Intervention was noticed in the mediation process from 2014-2017 and in the Armistice Line Negotiations as mentioned in Touval's Book "The Peace Brokers: Mediators in the Arab Israeli Conflict, 1948-1979" p.(71-72). Additionally, Touval says "After the assassination of the UN Swedish mediator for Arab-Israeli conflict (Count Folk Bernadotte) in September 1948 by a Jewish extremist, Dr. Ralph Bunche became acting mediator. This Bunche was almost assisted by the energetic efforts of the U.S diplomatic mission, acting under orders from Washington in close cooperation with Bunche"
- The biased side of the USA Administration led to the declaration of numerous of colonial polices towards the Palestinians, including, expanding colonial settlement enterprises, moving the US Embassy to Jerusalem, Recognizing Jerusalem as the

United Capital of Israel, and finally proposing the so called “Deal of the Century” despite the basic rights of the Palestinian People.

### **C. Section Three: Literature Review & Previous Studies**

Shortly, this study will cover the legal and political ramifications of the deal of the century on the Palestinians and the future of the Palestinian State. “Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People,” which was published officially by the White House. Basically, the study will be based on analyzing the sensitive parts of this official text. This means that, through this study, the official text of the deal of the century will be analyzed and debated on using other previous resources and theories, that explained the scientific methods of resolving a conflict between two parties.

Moreover, in order to add an extra knowledge to the scientific research in this field, this study will go deep to uncover the roots that the deal came from. This study will go beyond using previous resources regarding the USA internal and external policy behaviors, and its relationship with the Evangelicals which support Israel regardless to the Palestinian Rights due to religious beliefs. In order to understand the Evangelicals Theology and the history of Evangelicals, the study will use previous resources and studies for scholars like Ayşe Tekdal Fildiş (2018), the Palestinian Scholar, Haija, Rammy M. (2006), the German Scholar Hornsttra W. (2007), and Ice, Thomas D. (2009).

Above on that, the study will use other previous resources in order to monitor the USA voting behaviors and its direct relationship with the Evangelicals, Scholars like Sizer, Stephen R. (2002), Campbell, David. (2006), Leigh A. Bradberry, (2016). The previous resources were added to the study, in order to prove the direct link between the Evangelicals and proposing the deal of the century.

Theoretically, this study will make a theoretical comparison using two basic theories in the scientific field of conflict resolution and mediation. On one hand, a supply side theory of mediation (Biased Third-Party Intervention) or (Biased Mediation Theory) which was developed in the 1970s by the Israeli Professor Saadia Touval.

This theory indicates that the third-party intervention in a conflict, have to be biased to one of the conflict parties in order to resolve the conflict effectively and in an efficient way.

Above on that, Touval mentioned his theory clearly in his book “The Peace Brokers: Mediators in the Arab-Israeli Conflict 1948-1979” which will be used as a major resource to build the theoretical framework and to make a rich debate. Furthermore, the opinions of other scholars that support the opinion of Touval like Kydd (2003) will be used theoretically to make a debate. On the other hand, in order to make a rich debate in the study, this study will use the opposite opinions to biased mediation theory from previous resources and studies for scholars like Wall and Lynn (1993), Fisher (1995) and Young (1967), which finds that successful mediators are fair and impartial. The study aims to prove theoretically that the biased mediation Theory is a wrong method to resolve a conflict between two parties.

Historically, the study aims to cover the period extending between 1993-2020 in relation to the Palestinian-Israeli Conflict. Many resources and previous studies will be used to cover the subject.

Due to the fact that the era of 1993-2000 was a very important period for the Palestinians, because it comprised the signature of many agreements and negotiation attempts, for the purpose of resolving the conflict between the two parties.

Because of the significance of this period, official previous resources and studies will be used from politicians and officials who were directly involved in the negotiations process.

We provide here some of the previous studies related to the Palestinian-Israeli Conflict such as:” Confrontation & Peace in the Middle East”, “The Final Stage of Negotiating and the Palestinian State” written by the Egyptian Ambassador to Tel Aviv in that period (Ambassador\ Taher Shash),” The Full Palestinian Narrative, Oslo & the Road Map Written by the Palestinian Official Dr. Ahmad Qrai’ who was directly involved in the signing of Oslo Agreement in 1994.

Above on that, for covering the period of 2000-2020, many previous studies for Dr. Saeb Erekat will be used to cover the subject. Studies like, “The Dangerous Junction, and How to Keep Our National Project Alive”,” The New Stage: President Trump & Imposing the Solution”.

Finally, from the legal point view, the study will commit to the official legal texts related to the issue. Many official legal texts and resolutions will be discussed

through this study like, the United Nations General Assembly and Security Council Resolutions, the Hague Regulations of 1907, Advisory Opinions from the International Court of Justice regarding the Palestinian Issue, Reports of Special Rapporteurs of the UN, United Nations Charter (1945), International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights and the official agreements signed between the Palestinians and Israel.

Moreover, Dr. Raed Abu Badawia's Book (The Palestinian Refugees and the Peace Process in the Middle East, 2019) will be used in order to extract further legal information regarding the Palestinian Refugees.

## Chapter Three

---

### The Palestinian Israeli Conflict

#### Introduction

On November 15, 1988, the Palestinian Liberation Organization (PLO) declared Palestine's independence on all the Palestinian lands, located within 1967 borders, representing constituting 22% of Mandate Palestine. In 1993, the Palestinian Liberation Organization reaffirmed its historic compromise by signing the Declaration of Principles and interim agreements (The Oslo Accords) under which it recognized the State of Israel.

The Oslo Accords followed by negotiations to reach a final status agreement on permanent status issues, including borders, Jerusalem, and refugees, concluded by 1999.<sup>1</sup> However, these negotiations failed to reach a final status due to Israel's refusal to accept basic international law tenants and the Palestinian basic rights. Until now, Palestinians in the West Bank, including East Jerusalem and the Gaza Strip, remain under continued Israeli military and colonial occupation, and the interim period of five years has lasted for the past 26 years. So far, Israel has failed to fulfill the vast majority of its obligations under the previous agreements. Israel continues its colonization project in the Occupied Palestinian Territories, in gross violation to the International Law and the previous agreements.

---

<sup>1</sup> قريع، احمد، الرواية الفلسطينية الكاملة للمفاوضات من اوسلو الى خارطة الطريق: مفاوضات اوسلو ١٩٩٣ ، بيروت: مؤسسة الدراسات الفلسطينية (٢٠٠٥)، ص: ٢٣٩-٢٥٩.

In this chapter, negotiations and mediation process between the two parties will be examined, to figure out which party to be blamed for failing the peace process since 1993.

Furthermore, the major issues of the conflict will be presented to understand the core of the conflict between the two parties. Above that, this chapter will present a summary and analyzing of the text for the so-called deal of the century, in addition to thorough analysis of the American internal policies. This chapter will try to prove that the background of proposing the deal of the century, has a direct link to religious beliefs for both (Zionists & Evangelicals). Finally, at the end of this chapter, the deal of the century's expected political ramifications will be addressed, and normalizing the relations with Arab countries will be discussed as a political threat to the Palestinian Cause.

## **A. Section One: Major Issues of the Conflict (1993-2020)**

### **I. Jerusalem**

For decades, Jerusalem has been the political, administrative, and spiritual heart of Palestine. Given Jerusalem's economic, cultural, social, and religious importance, there can be no full sovereign Palestinian State without Jerusalem. Since 1967 Israel has systematically pursued policies aimed at ensuring exclusive control over the city with disregard to the rights of the original Christian and Muslim Palestinian populations living in the city of Jerusalem. Israel unilaterally is taking control over Jerusalem, which means that it can risk the possibility of a two-state solution between the Palestinians and Israel. The International Community, including the U.N. and the E.U., does not

recognize Israel's annexation of East Jerusalem. Also, the U.N. Security Council Resolutions (242,252,476) emphasized that all the acts that Israel did towards Jerusalem are not in compliance with the International Law.<sup>1</sup> The Israeli government has attempted to strengthen its control over Jerusalem by pursuing many policies such as: Establishing Settlements, Revoking Residency Rights, Denying Family Reunification, Imposing Closure policy, and Constructing the Separation Wall.

## **II. Refugees:**

Israel has denied the Palestinian Refugees the right to return, violating UNGA Resolution No. 194, while providing unfettered Jewish immigration to Israel. Palestinian Refugees lack the most basic human rights, suffer from inadequate international protection and assistance, and bear the brunt of Israel's ongoing conflict. A just resolution of the Refugees issue that recognizes the right of return and provides a range of meaningful choices to refugees is essential to a successful negotiated solution to the Israeli-Palestinian Conflict.

In response to the mass displacement of the Palestinian Refugees in 1948, the United Nations General Assembly passed Resolution No. 194, including paragraph 11, which endorsed the right of the Palestinian Refugees to choose whether to repatriate to what is now Israel or to be resettled elsewhere, and codified the accepted principles of

---

<sup>1</sup> “General Assembly Adopts Seven Resolutions, Including Texts on Middle East, Citing Illegality of Annexing Occupied Palestinian Territory | Meetings Coverage and Press Releases.” United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/press/en/2020/ga12292.doc.htm>.

customary International Law. It has been reaffirmed by the General Assembly every year.<sup>1</sup>

**Right of Return, is the key to the resolution of the refugee issue is Israel's recognition of the applicable principles and rights of the refugees, including refugees' right to return to their homes and lands. The right of return for refugees also is well-established under other international laws, including:**

- The Universal Declaration of Human Rights (adopted in 1948): " Everyone has the right to freedom of movement and residence within the borders of each state.", "Everyone has the right to leave any country, including his own, and to return to his country" (Art. 13(1,2)).<sup>2</sup>
- The International Covenant on Civil and Political Rights states that: "No one shall be arbitrarily deprived of the right to enter his \ her own country" (Art. 12(4)).<sup>3</sup>
- The UN Sub-Commission on Human Rights Principles on Housing and Property Restitution for Refugees and Displaced Persons.<sup>4</sup>

---

<sup>1</sup> See A/RES/194 (III) of 11 December 1948. (n.d.). Retrieved October 22, 2020, from <https://unispal.un.org/UNISPAL.NSF/0/C758572B78D1CD0085256BCF0077E51A>

<sup>2</sup> See Universal Declaration of Human Rights. (n.d.). Retrieved October 22, 2020, from <https://www.un.org/en/universal-declaration-human-rights/>

<sup>3</sup> See International Covenant on Civil and Political Rights. (n.d.). Retrieved October 22, 2020, from <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

<sup>4</sup> See Principles on housing and property restitution for refugees and displaced persons ("Pinheiro Principles") - CHR Sub-Comm. - Sp. Rapporteur special report - Question of Palestine. (n.d.). Retrieved October 22, 2020, from <https://www.un.org/unispal/document/auto-insert-182804/>

### **III. Political Prisoners**

Because of the wide of Israel's definition of "security," Palestinians can be arrested for doing any type of public activity, regardless of whether they present any "security threat" or not. The implication of these wide-defined offenses is the criminalization of many sides of Palestinian civil life. EX., the political parties that comprise the Palestine Liberation Organization are still considered illegal organizations. Even though Israel has been engaged in negotiations with the Palestinian Liberation Organization since 1993 and coordinates security aspects with the Palestinians. EX. Carrying a Palestinian flag is a crime under the Israeli military regulations. Participation in a demonstration is a disruption of public order.<sup>1</sup>

### **IV. Borders (1967)**

The commitment to the implementation of the agreed-upon borders are central to reaching an end of the conflict, based on the two-state solution. The State of Palestine based on Pre-June 4th 1967 border with East Jerusalem as its Capital. However, since 1988, in the interest of achieving peace and ending the conflict, the Palestinian Authority limited the national aspirations to statehood of 22 % of mandate Palestine, seeking a state in the West Bank and Gaza Strip, only, with East Jerusalem as its capital (that is, all of the territory being occupied by Israel in 1967).<sup>2</sup> Still, despite this, Israel continues to create and change "facts on the ground" by constructing the Separation Wall, building and expanding illegal settlements, confiscating and grabbing the

---

<sup>1</sup> "Born Without Civil Rights." Human Rights Watch, December 18, 2019. <https://www.hrw.org/report/2019/12/17/born-without-civil-rights/israels-use-draconian-military-orders-repress>.

<sup>2</sup> "Background: The Question of Palestine." UNCTAD. Accessed January 24, 2021. <https://unctad.org/topic/palestinian-people/The-question-of-Palestine>.

Palestinian Land, demolishing Palestinian homes, all in violation of the International Law.

According to the United Nations Office for the Coordination of Humanitarian Affairs, Israel has been constructing the Separation Wall in the Occupied Palestine since 2002, holding approximately 9.4% of the West Bank land to annex the occupied land unilaterally.<sup>1</sup> Israel has de-facto annexed all the land that falls between the 1967 border and the Separation Wall by restricting the Palestinian access to these areas, while at the same time facilitating Israeli access to them. In October 2003, Israel announced all the land spaces that are located between the 1967 borders and the Separation Wall in the northern West Bank as closed zones, requiring the Palestinians to obtain Israeli permits to continue to live there, or otherwise access, their land in these areas. In its Advisory Opinion, issued on July 9, 2004 the International Court of Justice concluded that Israel is in breach of the International Law, as an occupying force by building the Wall and Settlements inside the Occupied Palestinian Territories.<sup>2</sup>

The 1967 border, which was defined as the 1949 Armistice Line and all legal modifications thereto up to June 4, 1967, is the internationally-recognized border between Israel and the occupied State of Palestine. A basic principle of international law is that no state may acquire territory by force. Israel has no valid claim to any part of the territory it occupied in 1967. The international community does not recognize Israeli

---

<sup>1</sup> "West Bank Barrier." United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory. Accessed January 10, 2021. <https://www.ochaopt.org/theme/west-bank-barrier>.

<sup>2</sup> ICJ advisory opinion on the legal consequences of the construction of a wall in the OPT - full text - question of Palestine. (n.d.). Retrieved April 09, 2021, from <https://www.un.org/unispal/document/auto-insert-178825/>.

sovereignty over any part of the occupied State of Palestine, including East Jerusalem. Additionally, the U.N. Security Council Resolution No. 242 of (1967) states and emphasizes that "the inadmissibility of the acquisition of territory by war" and calls for the "withdrawal of Israel armed forces from the Occupied Territories in the recent conflict."<sup>1</sup>

## **V. Water Issue**

Since 1967, Israel took control over all the Palestinians water resources, thus depriving them of their right to access and use one of their essential natural resources. Discriminatory measures adopted by the Israeli authorities, which includes; Restricting drilling of new water wells; Restricting pumping or deepening of existing reservoirs; Denying access to the Jordan River; Restricting access to areas with fresh water springs; Limiting the ability to utilize runoff water; and Limiting the ability to develop water and sewage infrastructure.<sup>2</sup>

## **VI. Breaching the International Law**

Israel has in many occasions has breached & blackmailed the International Laws in applying discriminative policies including, impediment right to self-determination for the Palestinians. Moreover, damages caused by the Colonial Israeli Settlement activities, including:

---

<sup>1</sup> S/RES/242 (1967) of 22 November 1967. (n.d.). Retrieved April 09, 2021, from <https://unispal.un.org/unispal.nsf/0/7D35E1F729DF491C85256EE700686136>

<sup>2</sup> "Israel's Violations of Human Rights Regarding Water and Sanitation in the OPT - Report by Al-Haq and EWASH to CESCR - Non-Un Document - Question of Palestine." United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/auto-insert-195880/>.

- Construction of the Separation Wall's, Checkpoints and Borders to divide the West Bank into small and isolated Cantons.<sup>1</sup>
- Reduction and illegal exploitation of the Palestinians Natural Resources, including water, natural gas, and the electromagnetic spectrum, and the failure to develop these resources for the benefit of the Palestinian people.<sup>2</sup>
- Damage to the environment due to the Israeli Procedures and the failure to enact and enforce adequate legal protection.
- Losses arising from the Israeli misuse of the financial resources of the Palestinian Government, including taxes and customs duties, and the failure to use such resources for the benefit the Palestinian population. But instead, Israel has used the financial resources as a blackmail tool against the Palestinians. As a result of the Israeli procedures the Palestinian Revenue Losses during the of 2000 – 2017 mounted at estimated value of US \$ 48 Billion.<sup>3</sup>
- Loss and damage to the Cultural Property, which requires complete and unqualified restitution of all artifacts and other cultural property that has been illegally removed from the Occupied State of Palestine. As mentioned in a study titled “The Impact of the Israeli Occupation on the Conservation of Cultural Heritage Sites in the

---

<sup>1</sup> “Impact of Israel's Separation Barrier on Affected West Bank Communities - OCHA Update Report #3 - Question of Palestine.” United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/auto-insert-207980/>.

<sup>2</sup> “The Economic Costs of the Israeli Occupation for the Palestinian People: The Unrealized Oil and Natural Gas Potential.” UNCTAD. Accessed January 26, 2021. <https://unctad.org/webflyer/economic-costs-israeli-occupation-palestinian-people-unrealized-oil-and-natural-gas>.

<sup>3</sup> “\$48 Billion Is the Estimated Revenue Loss by Palestine from 2000-2017 Due to Occupation.” UNCTAD, December 2, 2019. <https://unctad.org/news/48-billion-estimated-revenue-loss-palestine-2000-2017-due-occupation>.

Occupied Palestinian Territories” in 2009, “ In 2000, during Al-Aqsa Uprising, Palestinian heritage was destroyed by the military operations of the Israeli army. They deliberately demolished the historic centers of Nablus and Hebron, and subsequently constructed the Apartheid Wall inside the OPT, causing unprecedented and irreversible damage to the Palestinian Heritage”.<sup>1</sup>

- Violations of international human rights and humanitarian law, including the rights to equality, life, liberty, personal security, dignity, property and effective remedy, freedom from torture, arbitrary arrest and exile, targeted assassinations, freedom of movement, and collective punishment techniques applied by the Israeli Government.
- Various U.N. Security Council Resolutions, including 452, 465, 2334 446, 471, and 476, considered the Settlements to have "no legal validity" under the Fourth Geneva Convention.

## **B. Section Two: Negotiations, Mediation & Peace Process Analysis (1993-2020)**

Since 1993, and during the multiple rounds of negotiations that have followed Oslo Accords (1993 to 2001),<sup>2</sup> the negotiation attempts made significant progress towards reaching a consensus on a permanent agreement’s parameters. In parallel, the Palestinians were engaged in the State-Building, including Establishing Ministries and Public Institutions; Providing Social Services; Building Infrastructure; and Taking

---

<sup>1</sup> Ahmed A Rjoob (2009) The Impact of Israeli Occupation on the Conservation of Cultural Heritage Sites in the Occupied Palestinian Territories: The Case of 'Salvage Excavations', Conservation and Management of Archaeological Sites, 11, P :3-4, 214-235, DOI: 10.1179/175355210X12747818485367.

<sup>2</sup> قريع، احمد، الرواية الفلسطينية الكاملة للمفاوضات من اوسلو الى خارطة الطريق: مفاوضات كامب ديفيد (طابا و استوكهولم) ١٩٩٥-٢٠٠٠ ، بيروت: مؤسسة الدراسات الفلسطينية، الطبعة الثانية، (٢٠٠٧) . ص:١٥٥-١٧٠.

Responsibilities over a wide range of Civil and Security Responsibilities in the Palestinian Cities and Towns occupied by Palestinian people. However, no final status agreement has yet been reached, despite nearly two decades of persistent efforts to achieve it.

Also, Israel has refused to engage in a credible negotiation process. Instead, as the occupying power, Israel has taken unilateral arrangements to maintain and solidify its permanent presence in the Occupied Palestinian Territories. Such unilateral procedures do not lead to peace agreements. Rather, these unilateral Israeli actions are considered as a human rights violation and have only eliminated the possibility of achieving a just peace in the area.<sup>1</sup>

In 2003, the peace proposal of the Road Map was launched. The Road Map is a peace proposal, which was presented by the Quartet Committee, which includes the United States, Russia, the European Union and the United Nations.<sup>2</sup> The plan did not provide a final settlement for the Israeli-Palestinian Conflict, but rather suggested strategies to solve the conflict. Earlier to the Road Map Initiative, the US President, George W. Bush delivered on June 2002 a very important speech, where he called for the establishment of a Palestinian State. The statement proposed a tiered timetable based on the establishment of security before a final settlement is reached.

---

1 ثابت، احمد، الحصاد المر للتفاوض: اختزال قضية فلسطين، عمان: دار وائل للنشر، الطبعة الاولى (٢٠٠٣). ص: ١١-٢٠.

<sup>2</sup> S/2003/529 of 7 May 2003. (n.d.). Retrieved March 29, 2021, from <https://unispal.un.org/UNISPAL.NSF/0/6129B9C832FE59AB85256D43004D87FA>

## - Road Map Phases

**Phase I:** Both sides should issue statements that support the Two-State Solution. On the other hand, the Palestinians have to end violence and confront "all those involved in terrorism," and prepare a Constitution and Organize Elections, with the Israelis stopping Settlement Activities and Exercising Restraint during the implementation of military operations.

**Phase II:** Establishing a Palestinian State with "Temporary Borders" at an International Conference.

**Phase III:** Discussions on Final Agreements.

**The road map has not been implemented. Its timetable called for final agreements to be reached in 2005, these final agreements were never reached.**

In 2007, the negotiations resumed when the Palestinian President, Mahmoud Abbas and the Israeli Prime Minister, Ehud Olmert attended the US-Sponsored Annapolis Conference. The conference concluded with a Joint Understanding which both parties agreed to launch direct negotiations and reach a peace treaty by the end of 2008.<sup>1</sup>The Annapolis Conference marked the first time that the Palestinian Liberation Organization and Israel were engaged in real negotiations on the ground. However, the Annapolis talks did not reach a final agreement by the end of 2008, due to the Israeli unrelenting, illegal colonization of the Occupied Palestinian Territories. Furthermore, in

---

<sup>1</sup> See U. (n.d.). Chronological Review of Events/November 2007- DPR review - Question of Palestine. Retrieved October 22, 2020, from <https://www.un.org/unispal/document/auto-insert-196659/>

December 2008, Israel launched a large-scale military attack on the Gaza Strip. During this attack, Israel has killed more than 1,400 Palestinians. Such attack has resulted in ending and eventually eliminating the possibility of continued negotiations with the Palestinians.<sup>1</sup>

In 2010, Palestine Launched an internationalization strategy, that aims to correct the failed bilateral track and strengthen the negotiations process with the International Community's involvement to realize the long-overdue inalienable rights of the Palestinian people. The International Community is obliged to ensure the rights of the Palestinian people. These rights are realized by ending the Israeli Occupation to the Palestinian Land. It is a right that awaited implementation for nearly 70 years. By the end of 2013, U.S. Secretary of State, John Kerry launched a new initiative for the resumption of negotiations between the Israel and the Palestinians.

Negotiations intended to be over a nine months period. Unfortunately, the Israeli Negotiators refused to provide a comprehensive position on the Israeli vision for a Two-State Solution.<sup>2</sup> In April 2014, weeks before the end of this 9 months period, the Israeli government left negotiations, stating that a Palestinian national consensus government's announcement precluded Israel's cooperation from negotiating. Moreover, due to these

---

<sup>1</sup> See Report of the United Nations Fact-Finding Mission on the Gaza Conflict A/HRC/12/48 / 25 September 2009 <https://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>

<sup>2</sup> Erekat, S., 2015. Israeli-Palestinian Relations: Point of No Return, Palestine-Israel journal, Vol. 20 No. 2 , 2015 <https://pij.org/journal/84>

Israeli policies to strengthen its belligerent occupation and colonization of Palestine with full international impunity, negotiations efforts have failed.<sup>1</sup>

Regarding the New U.S. Administration position, through a series of unilateral decisions, and since it recognized Jerusalem as the Capital of Israel in late 2017,<sup>2</sup> the Trump Administration has been undermining the permanent status negotiations mainly regarding the core issues, including: borders, Jerusalem, and the question of the Palestinian Refugees.

Overall, the plan denies Palestinians' Sovereign Statehood, recognizes Jerusalem as the Capital of Israel, violates the historic status quo of Al-Aqsa Mosque Compound by imposing time and location divisions inside the compound for different faiths, legalizes the annexation of all Israeli Settlements, and categorically dismisses the rights of Palestinian Refugees. By allowing Israel to expand and perpetuate its Colonial-Settlement Enterprise, the plan negates the Palestinian right to self-determination. It proposes an alternative to the international terms of reference for negotiations between Israel and Palestine, all in violation of the International Law, UNSCR Resolutions, International Consensus, and the previously signed agreements. Engaging with this plan means legitimization of Israel's acquisition of territory by force and perpetuation of its superiority and domination over the land and lives of the Palestinians.

---

<sup>1</sup> R. (n.d.). Commentary: The Kerry Negotiations. Retrieved October 22, 2020, from <https://oldwebsite.palestine-studies.org/jps/fulltext/164336>

<sup>2</sup> See United Nations Position on Jerusalem Unchanged, Special Coordinator Stresses, as Security Council Debates United States Recognition of City | Meetings Coverage and Press Releases. (n.d.). Retrieved October 22, 2020, from <https://www.un.org/press/en/2017/sc13111.doc.htm>

### C. Section Three: Summary of the Deal of the Century

This part of the thesis will focus on the analytical side of the official text of the deal of the century, which was officially published by the White House. Following to the careful analytical process of the official text of the deal, the next step will include examining, debating and explaining the most sensitive points towards achieving a just solution to the Palestinian Israeli Conflict. The sensitive points mainly include the final permanent status negotiations as was mentioned in the Palestinian Initiative for the Promotion of the Global Dialogue and Democracy: The Palestinian Experts Conference for final and permanent status negotiations in September 1999.<sup>1</sup> The text of the deal of the century mainly focused on two basic issues, mainly the Economic & Political Topics.

The first part of the century's deal is the Political Framework, which covers the issues of Jerusalem, Refugees, Political Prisoners, Borders, Security, International Relations, U.N. Security Council Resolutions, Sovereignty, and State. The second part of the deal focused on the Economic Framework. The Economic Issue occupied the largest share of the text of the deal. On the Economic Level, the deal offered 1 million new jobs over 10 years, US \$ 50 billion for investments over 10 years, for the purpose of Reducing the Poverty Rate by 50%, and to Double the GDP Rate.

At the first look, the international community will think that this deal is great for the Palestinians and will give them a better and prosperous life. Nevertheless, the

---

<sup>1</sup> مؤتمر الخبراء الفلسطينيين حول قضايا الوضع الدائم : المبادرة الفلسطينية لتعميق الحوار العالمي و الديمقراطية "مفتاح" (٢٠٠٠)، رام الله: مطبعة رام الله، ص: ٨١-٢١٠.

Palestinians will be granted only limited autonomy over their homeland in the West Bank and Gaza. Furthermore, Israel will continue to retain its security policies over the Palestinians and keep full control over borders, airspace, aquifers, maritime water, fishing space, water resources, and electricity. That means that the Palestinians will have a country without any sovereignty over it. Moreover, Israel will be legally annexing Jerusalem and the Jordan Valley.

The strange part of the deal is that it attempts to terminate the Palestinians' historical issue. Considering these abnormalities, the deal is bound to face illegalities that may justify its rejection by the Palestinians. According to International Laws, the deal appears to be illegal. The deal is not complying with the Security Council Resolutions 242, 338, and 193, which calls for the Israel to withdraw from the Palestinian Land, that occupied in 1967 to enhance the peace process between the two parties.

The Future Palestinian State, as proposed by the USA Administration under Trump's Leadership, consists of small pieces of territory, fragmented, without continuity, and often without contiguity and would be connected by a series of roads and bridges which separates the Palestinians away from the Israelis, and inevitably bring back to the mind the Bantustans of the apartheid policy that was applied in South Africa.

Moreover, On the legal level, the deal contains an annexation plan over the Palestinian Territories. Annexation's definition is the forcible acquisition of territory by one State at the expense of another; it presupposes the territory's effective occupation

and clearly intends to appropriate it permanently. It is strictly forbidden under the International Law, and its illegality is noticed from the Charter of the United Nations, Article 2 (4), which prohibits the "threat or use of force against the territorial integrity or political independence of any state. Annexation also affects the right to self-determination, a peremptory norm of the International Law, imposing an obligation on all States to ensure this right's enjoyment.

Since Trump's recognition of the Israeli annexation to Jerusalem and the Occupied Syrian Golan, the annexation process of other Occupied Palestinian Territories has increased. In fact, the annexation of the occupied territory has been on the Israeli Government's agenda since the beginning of the colonial occupation in 1967. It is reflected in the Israeli formal annexation of the Occupied East Jerusalem in 1967 and the Occupied Syrian Golan in 1981.

Today, The International Community can observe the Israeli intent to annex through its Colonial Settlement Enterprise's entrenchment instead of overt annexation. Israel's annexation of the Occupied West Bank Territories has been a slow and steady process, defined by a group of policies and practices which are made to terminate the Palestinian Right to Self-Determination.

“On June 27, 1967, the Israeli Knesset amended the Law and Administration Ordinance of 1948. This amendment added to section 11 the declaration that the "law,

jurisdiction and administration of the State of the Israeli Government shall extend to any area of 'Eretz Israel' it so orders.”<sup>1</sup>

Israel officially annexed East Jerusalem through two formal declarations in different stages. First, Israel issued a Government Decree in 1967, announcing the annexation through the extension of the Israeli Law, administration, including jurisdiction to the Occupied East Jerusalem and neighboring villages included in the city's expanded municipal boundaries. The second declaration came through in 1980 when the Israeli Knesset passed the quasi-constitutional law titled Basic Law: Jerusalem, Capital of Israel, which declared Jerusalem complete and united" as the Capital of Israel.<sup>2</sup>

Trump's Plan explicitly suggests the annexation of the Occupied West Bank's entirety through its stipulation in section seven, page 21 that “Upon signing the Israeli-Palestinian Peace Agreement, the State of Israel will maintain overriding security responsibility for the State of Palestine, with the aspiration that the Palestinians will be responsible for as much of their internal security as possible, subject to the provisions of this Vision.”

The Plan accepts the existing illegal facts created by Israel in the Occupied Palestinian Territories, including the Israeli Separation Wall is compatible with the new borders. It draws a conceptual map, which corresponds with the Israeli early annexation

---

<sup>1</sup> Palestinian Academic Society for the Study of International Affairs. 100 Years of Palestinian History: A 20th Century Chronology. Jerusalem: PASSIA, December 2001. (p. 121)

<sup>2</sup> See Database, E. (n.d.). Basic Law: Jerusalem, Capital of Israel (1980). Retrieved October 22, 2020, from <https://ecf.org.il/issues/issue/92>

maps of 1967 designed to exclusively allow Israel to control all the lands located to the West of the Jordan River until the Mediterranean. The Plan denies the right of the State of Palestine to share an international eastern border with Jordan. Israel will be able to control all the border crossings, including the Arab Republic of Egypt. It envisions a Palestinian State divided into discontinued and isolated areas, and it will be connected together through a transport network of bridges and tunnels, subject to the Israeli security measures and checks. This colonial vision clearly means that the Israeli Occupation of the Palestinian land, airspace, and sea will be permanent and that Israel will continue to control the Palestinian people's fate.

❖ **The Deal Includes the Following Unjust Proposals:**

**I. Empowering Occupation & the Rejection of Palestinian Rights**

The plan states that upon signing the Palestinian-Israeli Peace Agreement, the State of Israel will retain the security in the State of Palestine with the aspiration that the Palestinians would be responsible for their internal security under the terms of this vision.

In case, if the State of Palestine fails to meet any of the security measures, Israel will have the right to increase its security presence in all parts of the State of Palestine. This means the continuation of the Israeli occupation under the name of Israeli security, and the control over all lands located at the West of the Jordan River up to the Mediterranean Sea. Indeed, these security measures will grant Israel the right to dominate the Palestinian Authority's security performance, and that the Israeli security control will remain forever upon the Palestinians.

## **II. Jerusalem**

The plan states in page 15 that Jerusalem is the united and undivided capital of the State of Israel. Moreover, the plan provided three options for the Jerusalem residents: (to become citizens of the State of Israel, become citizens of the State of Palestine, or maintain their status as permanent residents of Israel). The plan legitimized the vision of Israel and occupation (divide Al-Aqsa Mosque spatially and temporally).

## **III. Annexation of the Jordan Valley, Settlement Areas in the West Bank, and the No-Man's Land Areas in Jerusalem**

The conceptual map attached to the plan indicates that Israel will retain sovereignty over the northern Dead Sea and the Jordan Valley as part of the Greater Israeli Colonial Project. In addition to all the areas on which the Settlements are built, including in the Occupied East Jerusalem. The White House has confirmed, through several statements, its agreement in principle that Israel will begin annexing the valley.

## **IV. Israeli Sovereignty over the Settlements in the West Bank**

The plan legitimizes the Israeli Sovereignty over all Settlements located in the West Bank, with the geographical contiguity linking most of these Settlements, containing around 97% of the West Bank Settlers. Israel will link the isolated Settlements housing the remaining 3% portion of Settlers, through a transportation network of tunnels and bridges, to be exclusively controlled by the Israeli Army.

Furthermore, the Settlements and the roads leading to them will be decided due to negotiations conducted by a joint Israeli-American Committee without consultation

with the Palestinians. Israel and the USA agreed to form a joint American-Israeli Committee to discuss the annexation process and to the prepare maps & the future visions.

## **V. Geographical Form of the Palestinian State**

- The proposed map is designed to respond to the security measures of the State of Israel, whereby security control remains in the hands of Israel, in addition to its complete control over the entire air and sea spaces.
- The plan proposes a Palestinian State lacking sovereignty, divided into several regions, and constituting isolated cantons that are not connected geographically, linked by a transportation network through bridges and tunnels, subject to the Israeli security measures.
- According to the plan, the State of Palestine does not share neither an international eastern border with Jordan nor southern borders with Egypt's Arab Republic. Security control remains in the hands of Israelis overall the crossing borders. (See Section 8 Crossings page 24).
- The plan claims that if the Palestinians fulfill various Israeli security measures, the Palestinian State's area will be roughly equal to the Israel's area being annexed from the Palestinian land being occupied in 1967. However, if we consider the Jordan Valley's annexation and the Settlements, the area will be much less, and will not exceed 50% of the West Bank.

- The alternative areas include the desert located to the south of the Gaza Strip and to the south of Hebron). Moreover, transferring the Triangle areas lands and residents in Israel means denying their rights and revoking their Israeli Nationality.
- The geographical link via safe passage between the West Bank and the Gaza Strip is a foggy proposal that falls under the Israeli Sovereignty.

## **VI. The Concept of the Palestinian State According to the Deal**

The plan sets certain criteria that considers certain conditions for the establishment of a Palestinian State. It considers that Israel and the United States will decide whether these conditions have been met, in order to establish the Palestinian State. Among these conditions: a constitution that recognizes the basic principles of human rights, transparent financial administration, reform of the educational sector, and hostility towards neighbors. When these measures are implemented, the United States will encourage the rest of the worldwide countries to welcome the State of Palestine as a full member of the International Organizations. Nevertheless, the State of Palestine cannot join any International Organization if the membership is not in compliance with its obligations to stop the political and legal war against Israel.

In practice, this means forming a Palestinian State according to the Israeli-American Standards, with the right to monitor and evaluate the Palestinian performance. That is, a state established according to the Israeli-American Standards, even in its internal policy. Not only a Palestinian state lacking sovereignty over the land, but lacking sovereignty over its internal affairs also.

## **VII. Refugees**

The plan states that the Palestinian-Israeli peace agreement is a termination of all claims related to the refugee's status. The plan proposes that individuals who have already settled in a permanent place are eligible for resettlement and only eligible for reparations as described in the plan's options and reparations section. Moreover, upon signing the Israeli-Palestinian Agreement, the deal of the century will terminate Palestinian Refugees' legal status, and UNRWA will shut down. Israel will remove the camps. Countries who are hosting Palestinian Refugees will establish permanent status for them. This means denying and terminating all the rights of the Palestinian Refugees worldwide. Furthermore, completely denying their right to return.

## **VIII. Rationalizing the Plan**

Rationalizing the plan came from the vision, that the historic land of Palestine, is the historical homeland of the Jewish people, and the Palestinian human presence on this land was an urgent existence. The 1967 war was defensive. This means that countries that seize land in a defensive war have the right to keep it. Furthermore, The Palestinian-Israeli Conflict can't be resolved through international decisions, but only by negotiation and agreement between the both parties. The Palestinian rights granted by the resolutions of the International Legitimacy are an Israeli concession, and only Israel could choose which right to provide to the Palestinians.

Additionally, the plan claimed that the Palestinians have no state and that Palestine is a future state that does not currently exist, but they desire to govern themselves and determine their destiny. The plan also claimed that the USA & Israel

vision aims to achieve maximum self-determination for Palestinians. Above that, the American recognition of the Israeli legitimacy, which claims that the West Bank is part of the Jewish People's Historical Homeland, contradicts all the International Standards and the historical facts. Such statement is derived from a biblical religious vision, which is explained and clarified in this thesis.

The U.N. partition resolution considered the West Bank as part of the Arab State of Palestine. The State of Palestine already exists, as the United Nations overwhelmingly recognized Palestine as a non-member state in Resolution No. (67/19)<sup>1</sup>, and it has the recognition of 139 countries of the world. Moreover, the right of self-determination is not an aspiration or hope. Rather, it is an inalienable right recognized by the United Nations by decisions that are voted on by 175 countries out of 193 countries every year, and it is an absolute right for everyone.

According to the Human Rights Law, which is the founding principle of all other human rights. In the case of national conflicts on the ground, countries' right to self-determination is determined either by consensus among themselves or by international resolutions expressed by the United Nations or the International Law.<sup>2</sup> As the case in the former Yugoslavia and many African and former Soviet Union Countries.

---

<sup>1</sup> UN General Assembly, Status of Palestine in the United Nations : resolution / adopted by the General Assembly, 4 December 2012, A/RES/67/19, available at: <https://www.refworld.org/docid/50c5e6152.html> [accessed 20 October 2020]

<sup>2</sup> "Right of Peoples to Self-Determination - Special Rapporteur Study (Excerpts) - Question of Palestine." United Nations. United Nations. Accessed January 24, 2021. <https://www.un.org/unispal/document/auto-insert-186956/>.

The plan legitimizes the current facts on the ground in Palestine and demanded recognition of the alternative reality. Indeed, the current facts were imposed by the military occupation's reality without mentioning the real reasons that made Israel a reality established on the ground. Furthermore, the facts that are intended to be recognized are those that serve the interest of Israel. The de facto status of prayer rights in Al-Aqsa Mosque, as the plan calls for changing to include religions and prayers at certain times and places. This means changing the existing historical situation and dividing Al-Aqsa Mosque in time and place.

Moreover, the plan claims that Israel has withdrew from approximately 88% of the land it occupied and seized in 1967. This is a huge fraud attempt by Israel and the Trump Administration, because the lands which Israel withdrew from are the Egyptian Sinai Desert, under the Israeli-Egyptian Peace Treaty of 1979. It is clear that, through this plan, the United States recognizes the annexation of the territories seized by force.

The plan claimed that the conflict is old, arguments are weak, the parties have failed to achieve peace, and the two parties must have concessions to achieve a solution. There must be a disclosure of the party responsible for the failure to achieve peace for more than 25 years. Israel must explain the history of the Israeli rejection and failure of the peace plans, which includes the reservations of the 14th government of Ariel Sharon on the roadmap plan, then Netanyahu's project in 2009, which calls for: Empowering Settlements, no Arabs in Jerusalem, no Return to Refugees, and no International, Arab, or even American recognition to the Palestinian State, that does not recognize the Jewishness of the State of Israel.

In addition to the impossible preconditions that Israel puts in place before the talks, such as legitimizing and accepting Colonial Settlements, Recognizing Israel as a Jewish State, and Enforcing Palestinians to adopt the Zionist narrative of the conflict. Israel bears the responsibility for the political process's failure by not being a true partner for peace and not being ready to accomplish a reconciliation as they are the strong side.

The plan attempts to maintain the status quo, to take advantage from the situation on the ground. It tries to prevent any positive change, that would benefit both parties. Israel was the only side, who benefited from the status quo, when it greatly undermined the Two-State Solution based on the 1967 borders.

Exploiting the status quo for more than 25 years, and to feed it with new illegal facts on the ground, that ultimately made the final settlement a fait accompli also, accepts the Settlements and their annexation, annexation of Jerusalem and considering it the United Capital of Israel, annexing the Jordan Valley and empowering its control over the so-called "C" areas, separating the West Bank from the Gaza Strip and blockading it.

That is exactly what is meant by Israel's exploitation of the negotiation process, clearing its content, and use it as a cover for the international community to cover up its violations on the ground.

The plan states in page fourteenth that the Palestinian Refugees' Rights to immigrate to the State of Palestine are limited according to the security arrangements

and measurements. The rate of entry does not exceed the capacity to infrastructure and economy of the State of Palestine. The plan fully adopts the concept of the Israeli Security, which is an inclusive concept. It does not include only the threats that Israel faces from the so-called internal terrorism or the Palestinian people's resistance against the occupation. But also, every threat that Israel considers a threat to its existence as a "Jewish State," including the so-called demographic threat. The most prominent example of this is what is included in the plan regarding what it calls the immigration of the Palestinians to Palestine. It considers that exceeding a certain level for the number of the Palestinian population, even in Palestine, is a threat to Israeli security. This level is set by Israel alone, without any other party.

As a result of this concept of security, Israel's alleged need to protect its security and be justified by full control over the region located to the West Area of the Jordan River and over the air and electromagnetic space, crossings, borders, and the territorial waters of the Palestinian State, the plan proposes that upon signing the Palestinian-Israeli Peace Agreement, the State of Israel will maintain the supreme security responsibility of the State of Palestine.

The plan states in pages nine & thirty-one, concerning the Palestinian Refugees, that the Arab-Israeli Conflict caused a problem for both the Palestinian and the Jewish Refugees. It is practicing fraud on the International Community and it is an Israeli-American circumvention on the act of forced displacement practiced by the Zionist Groups towards the Palestinian people, who have settled in their lands for thousands of years. By equating it between the situation of the Palestinian Refugees, who were

systematically displaced from their homes, by force or by committing intimidating massacres or threatening to use force, and between the situation of the Jews from the Arab Countries, that the Zionist Movement carried out an organized campaign for their evacuation and resettlement in Israel, is similar to the campaign that was organized to attract immigrants from all over the world to Israel, which was considered one of the main pillars of Zionism. To legalize it, Israel enacted the so-called Law of Return, which gives every Jew the right to acquire Israeli Citizenship as soon as he sets his foot in the country.<sup>1</sup>

The International Community, represented by the General Assembly of the United Nations, did not announce Jewish refugees' cases. On the contrary, in light of the Nakba of the Palestinian people in 1948, the UNGA issued an essential resolution for the Palestinian refugees, Resolution 194,<sup>2</sup> of which Paragraph (11) explicitly states: “The necessity of the return of Palestinian refugees to their original homes and villages from which they were displaced, as they are a people and not a group of individuals affected by war, as in many cases”.

Most of the Arab Countries refused to deport their Jews, and some were forced to accept it due to the pressures and terrorist operations organized by the Zionist Movement, which is a terrorist campaign documented by the testimonies of many

---

<sup>1</sup> Israel: Law No. 5710-1950, The Law of Return , 5 July 1950, available at: <https://www.refworld.org/docid/3ae6b4ea1b.html> [accessed 20 October 2020]

<sup>2</sup> A/RES/194 UN General Assembly, 194 (III). Palestine - Progress Report of the United Nations Mediator 11 December 1948, A/RES/194, available at: <https://www.refworld.org/docid/4fe2e5672.html> [accessed 20 October 2020]

Jewish witnesses, who were displaced against their will, or under pressure from major countries such as the United States of America and Britain.

The Arab Countries have not taken any measures against the Jewish immigrants except as permitted by their laws within the natural limits of procedures, such as revoking immigrants' citizenship or freezing their property until a solution is found. This is also a procedure that many countries resort to in similar cases.<sup>1</sup>

Arab Countries have shown the willingness and welcoming of their Jews' return, such as Iraq, Morocco, and nowadays Egypt,<sup>2</sup> and promised to return their property upon their return. In return, Israel took sweeping measures to seize all the displaced Palestinian Refugees' properties and placed them at the state's disposal as absentee's property. They were disposed of without regard to their owners' interests as if their owners no longer exist. Even when Israel occupied the West Bank, some West Bank citizens became permanent residents of East Jerusalem, Israel did not recognize their property right. The Palestinians were collectively locked up to keep the conflict alive.

The claim that Arab States are forcibly detaining Palestinian Refugees is false. In most Arab Countries, Palestinian Refugees enjoy the same rights as citizens of the countries concerned, except for acquiring the nationality. This exception aims to preserve their status as Palestinian Refugees and keep their right to return, granted by U.N. Resolution No. 194. Consequently, this measure is completely in line with the

---

<sup>1</sup> Zamkanei, Shayna. "The Politics of Defining Jews from Arab Countries." *Israel Studies* 21, no. 2 (2016): 1-26. Accessed October 20, 2020. doi:10.2979/israelstudies.21.2.01.

<sup>2</sup> Israel Today, and Edy Cohen. "Arab Countries Say 'We Miss the Jews.'" *Israel Today*, Israel Today, 1 Jan. 2020, [www.israeltoday.co.il/read/arab-countries-say-we-miss-the-jews/?fbclid=IwAR336f1336wrHO42TzII6tYGPoydVXd9I04XBb2uO0fpvWkeughyw-yHTM4](http://www.israeltoday.co.il/read/arab-countries-say-we-miss-the-jews/?fbclid=IwAR336f1336wrHO42TzII6tYGPoydVXd9I04XBb2uO0fpvWkeughyw-yHTM4).

International Law, and it is a temporary situation, pending the implementation of the right of return, which Israel has committed to denying it.

The American Administration's vision calls for abandoning the definition of the refugees, on the pretext that the definition of "refugees," including their descendants, exacerbated the crisis. The problem in the Palestinian Issue, caused by the continued Israeli occupation, is that the refugee's status has lasted for more than 70 years, which led to doubling the number of refugees due to the natural growth. Moreover, the plan does not include refugees' return to the territories under the Israeli Sovereignty, but rather places restrictions on the refugees' return to the alleged Palestinian State's lands and links this to the Israeli approval due to its security considerations.

“The rate of the Refugees movement from outside Gaza and the West Bank into the State of Palestine, shall be agreed to by the parties and regulated by various factors, including economic forces and incentive structures, so that the rate of entry does not outpace or overwhelm the development of the infrastructure and the economy of the State of Palestine, or increase the security risks to the State of Israel. This rate of movement should be adjusted, as appropriate, with the passage of time (Section-Sixteen, Refugees, p.33).

The plan described refugees' return to their homeland as immigration for the reasons mentioned (fourth paragraph/security).<sup>1</sup>Furthermore, the plan proposes that

---

<sup>1</sup> Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People,” The White House, 28/1/2020, <https://bit.ly/2tnPcV7>

upon the signing of the peace agreement. The deal of the century will abolish the existence of the Palestinian refugee status," UNRWA" and refugee camps' existence.

Concerning the prisoners, the plan calls for the release of the Palestinian Prisoners and the Administrative Detainees, who are held in the Israeli Prisons, except for those convicted of murder, those convicted of conspiracy to commit murder, and the prisoners that hold Israeli Nationality. The basic principle in all conflicts asserts on the release of all prisoners upon ending the conflict, and the signature of an agreement. As for the rest of the prisoners, they will not be released until the Israeli Soldiers or their remains are returned to the State of Israel, and the release process will take place not immediately after the signature of the peace agreement, but it will be implemented through several phases.

“The Israeli-Palestinian Peace Agreement will provide for the release of the Palestinian Prisoners and the Administrative Detainees held in the Israeli Prisons, except (i) those who are convicted for murder or attempted murder, (ii) those convicted of conspiracy to commit murder (in each case murder includes murder by terrorism) and (iii) Israeli citizens. The release of prisoners (other than those described in clauses (i), (ii) and (iii)) will be conducted in two phases to allow for orderly transfer and resettlement. All prisoners who are released will become citizens of the State of Palestine. For the avoidance of doubt, prisoners described under clauses (i), (ii) and (iii) above shall not be released under the terms of the Israeli-Palestinian Peace Agreement.” (Section-Fifteen, Prisoners, p.30).

Above that, Israel controls the prisoner release process, including timing. Also, the plan commits a fundamental violation to the Human Rights Principles when it requires every prisoner released to sign an ideological formula, that talks about promoting opportunities for co-existence between the Israelis and the Palestinians and about acting in a way that provides a model for co-existence, and stipulates that prisoners who refuse to sign will remain in prison.

“Each prisoner who is released will be required to sign a pledge to promote within their community the benefits of co-existence between the Israelis and the Palestinians, and to conduct themselves in a manner, that model’s co-existence. Prisoners who refuse to sign this pledge will remain incarcerated. (Section-Fifteen, Prisoners, P.30)

Regarding water issues, the plan provides for granting Israel sovereignty over the Jordan Valley and the Dead Sea, which deprives the Palestinians of the riparian's right and what the International Law stipulates for the fair and rational allocation of water in international cross-border waterways. This prejudices the Palestinian sharing rights in the river, which is estimated at more than 250 million cubic meters of water, in addition to the loss of the coastal areas in the Dead Sea, which prejudices the Palestinian rights to their natural resources and contradicts the U.N. decisions that affirm the sovereignty of the Palestinian people over their natural resources. The plan also undermines granted Israel the Sovereignty over the No-Man's Land, and the Western Basin's water-richest area.

The plan calls for the Arab Countries in the region, who have not yet signed a peace agreement with the State of Israel, to immediately normalize their relations with it. In this way, it seeks to create a regional and Arab cover for implementing the plan unilaterally on Israel, with U.S. recognition, and regardless of the Palestinian side's opinion. In other words, de facto imposing the plan on Palestinians. This contradicts with the Arab Peace Initiative, which conditions the normalization with Israel in exchange of withdrawal from the Occupied Territories in 1967, the Independence of the Palestinian State, and resolving the refugee's issue under U.N.G.A Resolution 194.

“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. (Section-Two, The Approach, P.11)

The plan states, in a provocative manner, that the Arab countries "cease to revise initiatives that question the original roots of the Jewish people in the State of Israel," meaning that the Arabs must establish not only peace with Israel but also adopt the Zionist Ideology and the false narrative on which it is based. The plan also calls for Arab States, including the Gulf Cooperation Council, to "form the Organization for Security and Cooperation in the Middle East," including Israel. In other words, the deal will not impose surrender on the Palestinians only it will also impose surrender on the Arabs to ensure Israel's hegemony over the Arab Region.

The plan claims in the section on Holy Places in Jerusalem that (unlike many previous powers that ruled Jerusalem and destroyed the holy sites of other religions, the

State of Israel is commendable for protecting everyone's religious sites and maintaining the status quo)

The facts on the ground testify to the exact opposite, as Israel, the Occupying Power, was not a good "protector" of the holy places and violated all international laws and laws that guaranteed freedom of and access to the worship places. Not to mention the Hashemite Kingdom of Jordan's implicit accusation of its inability to protect Jerusalem's Holy Sites.

The Israeli Government continued to apply travel restrictions, that impeded access to particular places of worship in the West Bank and Jerusalem for both Muslims and Christians. The Israeli Government's strict closures, curfews, and permitting system hindered residents from practicing their religions at key religious sites, such as the Church of the Holy Sepulcher and the Al-Aqsa Mosque in Jerusalem, and the Church of the Nativity in Bethlehem".<sup>1</sup>

These violations are reflected in the many well-documented evidences in the record of the International, Israeli, and Palestinian Human Rights Institutions. The first is the Ibrahimi Mosque division by force,<sup>2</sup> passing through Israel's continuing aggression against the Christian and Islamic Holy Sites.<sup>3</sup>

---

<sup>1</sup> Religious Freedom Report, see, OCHA, Closure Update, May 2008; Working Group on the Universal Periodic Review, compilation of information contained in the reports of treaty bodies and special procedures, September 2008 (A/HRC/WG6/3/ISR/2); Report of the Working Group on the Universal Periodic Review, Israel, January 2009 (A/HRC/10/76).

<sup>2</sup> See Resolution A/49/35 Of 16 November 1994. [unispal.un.org/DPA/DPR/unispal.nsf/0/4E9E0481EA33606F85256117007D62D0](https://unispal.un.org/DPA/DPR/unispal.nsf/0/4E9E0481EA33606F85256117007D62D0).

<sup>3</sup> See Resolution A/49/PV.70 of 29 November 1994. (n.d.). Retrieved October 21, 2020, from <https://unispal.un.org/DPA/DPR/unispal.nsf/0/F081E2DF734665F78525618200760D6B>

Israel also continues to impose restrictions on access to the Christian Holy Sites, including the Holy Sepulcher Church, especially during Easter and Christmas. In addition to a long record of attacks on the Christian Holy Sites and Christian Believers, including the assault on the Christian Believers participating in the Palm Sunday Rally in Jerusalem, and the attack of the Gang of Paying the Price on the "Mount Zion" Church in the Occupied Jerusalem, and writing offensive words on the walls of the Religion Christianity, and the attack on the Cemetery of the Monastery of Jamal for the Salesian Monks located at the West of Jerusalem.

In addition to the initiation of a property tax law on the Churches Illegal Property belonging to it, and its efforts to seize properties belonging to the Churches, especially the Orthodox Patriarchate in Bab Hebron, according to legislation from the Israeli Supreme Court in favor of the Settlement Associations.<sup>1</sup>

#### **D. Section Four: The USA Internal Policy Towards the Deal (Evangelicals & Zionism)**

Dr. Thomas Ice defines Zionism as: "...the belief that the Jewish people have been given the land of Israel by covenant promise of God and have a current right to occupy that land. Christian Zionists are Christians who agree with this belief."<sup>2</sup>

For Evangelical Christianity, it accepts that Israel will be reestablished in the Holy Land, with Jerusalem as its United Capital. This stage will be followed by a period

---

<sup>1</sup> Ming, S. (2016, March 12). Freedom of Religion and Access Control in Israel. Retrieved October 21, 2020, from <https://www.e-ir.info/2016/03/07/freedom-of-religion-and-access-control-in-israel/>

<sup>2</sup> Ice, Thomas D., "Lovers of Zion: A History of Christian Zionism" (2009).(Abstract)

of upheaval known as Armageddon (Defined in Cambridge dictionary as “a final war between good and evil at the end of the world, as described in the Bible”<sup>1</sup>), which will bring the resurrection of Jesus Christ.

This is the reason for which Believers should support the State of Israel. Hornstra suggests that Christian Zionism is a global phenomenon with a political dimension, and it is not limited to theology in the obvious or narrow sense.<sup>2</sup> Evangelical Americans increasingly viewed Israeli security and prosperity as equal with USA security and prosperity and pushed for a much more warmth of USA–Israeli relations.

The illegal U.S. recognition of Jerusalem as the Capital of Israel further confirms the apparent role of fundamentalist religious groups in the current U.S. policy and decision making. Contrary to official U.S. positions and statements that the U.S. Administration has taken and made in the past, this decision to presumably "help the peace process move forward" represents a U.S. violation of its International obligations. It has been largely taken to enlist further support from religious fundamentalists, mainly from Christian Evangelicals or "Christian Zionists."<sup>3</sup>

Moving the US Embassy to Jerusalem, signifying Jerusalem's official acceptance as the United Capital of Israel, and the following change of discourse towards the Palestinians, are clear evidences of the Evangelical Church's successful

---

<sup>1</sup> “Armageddon.” Cambridge Dictionary. Accessed January 28,2021.<https://dictionary.cambridge.org/dictionary/english/armageddon>.

<sup>2</sup> Hornstra, W. (2007). Christian Zionism Among Evangelicals In The Federal Republic Of Germany, 2007 Oxford Centre for Mission Studies, Unpublished PhD Thesis,P : 1-3 .

<sup>3</sup> Diana Buttler Bass, “For Many Evangelicals, Jerusalem is about prophecy, not politics” May 14, 2018.<https://edition.cnn.com/2017/12/08/opinions/jerusalem-israel-evangelicals-end-times-butler-bass-opinion/index.html>.

effect on the USA external Policies towards the conflict between Israel and the Palestinians.

Moreover, the Christian Zionist used many tools and mechanisms to dominate the USA Policy in a way, that serves its interests and needs, regarding their religious narrative. Above that, Israel succeeded in dominating Evangelicals Voters' voting trends and behaviors, and they successfully affected the USA policy towards the Israeli Palestinian Conflict.

Officials within the Trump Administration have continued to advance an extremist agenda by exploiting religion for political purposes. The U.S. Vice President, Mike Pence is a known Christian Evangelical, while President Trump's Middle East Team is composed of hardcore religious Zionists, including Ambassador David Friedman and Envoy Jason Greenblatt. An example of the use of a religious narrative is Friedman's account of the U.S. decision to recognize Jerusalem as the Capital of Israel.

Now, the United States did not make Jerusalem the Capital of Israel. That was done by King David some 3,000 years ago under God's direction, But, I hope you will agree with me that it feels awfully good that for the first time in 2,000 years since the destruction of the Second Temple, the most powerful and moral nation on earth has made this important recognition of the primacy of Jerusalem to the State of Israel and the Jewish People.”<sup>1</sup>

---

<sup>1</sup> JPost, “Friedman: Trump has ‘slayed sacred cows’”, September 5, 2018. <https://www.jpost.com/Arab-Israeli-Conflict/Friedman-Trump-has-slayered-sacred-cows-566520> last accessed on November 21, 2018.

Sizer suggests that the foundation of the Christian Zionist Movement's Ideology is mainly attributed to E. Irving and J.N. Darby's Conferences held in England and Ireland at the beginning of the 19<sup>th</sup> Century.

Sizer (2002) mentions 6 key areas of the Christian Zionist Ideology, which concluded: First, Chosen People, and that means that they must bless Israel, Second Restorationism by facilitating Jewish Emigration, Third Eretz Israel by supporting the Settlement Program in the West Bank, Fourth, the sensitive issue, Jerusalem City, their strategy was lobbying for international recognition of Jerusalem as the Capital of Israel which was implemented on the ground, Fifth, The Temple by funding the rebuilding of the temple again in Jerusalem, Last, The Future which they consider to be by opposing the peace process, exacerbating relations in the Arab world and hastening Armageddon (The Big Battle followed by the second coming for Jesus, with prosperity for Israel which they consider a vital component in their religious belief).<sup>1</sup>

### **I. Theology of Christian Zionism**

There are two common approaches, which Christian Zionists usually justify support for 'Eretz Yisrael' (Land of Israel) and its 'people':

First, the belief found in the Book of Genesis 12-3, which states, "I will bless those who bless you, whoever curses you I will curse, and all peoples on earth will be blessed through you." Based on this biblical verse, many non-dispensationalist

---

<sup>1</sup> Sizer, Stephen R. (2002) The promised land: a critical investigation of Evangelical Christian Zionism in Britain and the United States of America since 1800. PhD thesis, Middlesex University, P : 36 - 51, 157 - 169 .

Christians feel compelled to embrace and provide help and assistance to Israel as a premise of faith and as an assurance, that blessings will be bestowed on those who ideologically and financially bless the 'God's Chosen People.

Second, Zionist Ideology is 'based on Dispensationalist Theology,' which states that we live in the last dispensation of the Book of Revelation, which essentially means that we are in the end-times. Within this theology, the Messiah's return is contingent upon a set of events transpiring, and among these, a Jewish State of Israel must be in existence. The dispensationalist theology is the guiding ideology for the Christian Zionist Movement.

## **II. Policy Domination Tools**

There were several organizations established with the sole purpose of supporting Israel. There are many and different names for the Christian Zionists Movement in the USA, such as Armageddon Lobby, the American Israel Public Affairs Committee "AIPAC", Christians United for Israel "UFI", and Christian Friends of Israeli Communities "CFOIC". 1979, Reverend Jerry Falwell & the Moral Majority, Littell established Christians Concerned for Israel "CCI". Christian Zionism established all of the mentioned organizations to serve & support Israel. These organizations played a key role in shaping the USA Policy in favor of Israel by establishing strong lobbying groups targeting the USA Congress Members. Haija (2006),<sup>1</sup> explains many examples of this kind of pressure groups activities like:

---

<sup>1</sup> Haija, Rammy M. "The Armageddon Lobby: Dispensationalist Christian Zionism and the Shaping of US Policy Towards Israel-Palestine." *Holy Land Studies: A Multidisciplinary Journal* 56, no. 1 (2006): P: 75-95 .

Following the Six-Day War of June 1967, Littell established Christians Concerned for Israel “CCI”, an organization designed ‘to reactivate the Pro-Israel spirit in the mainline Protestant Churches’. Littell’s mobilizations proved to be successful on two issues that were critical for Israel.

Through both efforts Littell was a major player in creating a Verdict in Israel’s favor. The first came in 1978 when the US was considering the sale of F-15s and other reconnaissance equipment to its Middle East ally, Saudi Arabia. Israel and the Israeli Lobby in the US applied heavy pressure on the Congress and President Jimmy Carter’s Administration to withdraw the sale commitment.

The Israeli persistent efforts, however, did not pay off until Littell helped to organize a considerable number of Christians to call on the Carter Administration to block the operation. Their efforts were successful and the US withdrew its offer to sell the reconnaissance planes and equipment.

The second issue came about during the mobilization in Washington against the sale of AWACS to Saudi Arabia. According to David Blewitt, there was an unexpectedly large turnout of concerned Christians and Christian Groups, that led to the organization of the NCLCI, with the CCI membership as its nucleus’.

The Aim was in promoting the Christian-Right Campaign to repeal UN Resolution No. 3379. While the initial call for action against UN Resolution No. 3379 came from the NCLCI, the efforts towards repealing the UN Resolution No.3379 have proved to be fruitful, as the resolution condemning Zionism was overturned in 1991.

The US Pressure to repeal the resolution was likely the key factor in the repeal of the UN Resolution No. 3379, because historically the UN Resolutions are rarely repealed. <sup>1</sup>

“In the late 1970s, there was a growing unrest among the Conservative Christians in the US over the lack of the political mobilization of their constituency. They felt that their agendas could be better applied if there was a recognized body from which they were proposed. In 1979, Reverend Jerry Falwell launched an organization known as the Moral Majority with the aiming ‘to mobilize the Christian Church on behalf of the moral and social issues and to encourage participation by people of faith in the political process’.

The organization mobilized thousands of churches and millions of registered voters to form a Christian Political Bloc, which is known nowadays as the Christian-Right. When political strategists began studying the importance of the Christian - Right to the American politics, it was found that this group was the largest social movement in the US, which comprises the largest voting bloc within the Republican Party.<sup>2</sup> Israel viewed the Moral Majority’s Constituency as an added dimension for promoting the Israeli interests to the US Government.

### **III. US Voting Behaviors**

Campbell (2006) analyzed evangelical voters responding to "Religious Threat," the concept is that the Evangelicals see themselves in tension or conflict with secular

---

<sup>1</sup> Repeated, Haija (2006)

<sup>2</sup> Repeated, Haija (2006)

society. Campbell used social identities and racial compositions of a given society to measure the given variables' the Evangelical voter response.

The group conflict effect was tested in an interactive sense, with the Evangelicals and the Secularist variables, where evidence found that the Evangelicals are more likely to identify stronger with a Republican Candidate, when they felt threatened.

The key finding in this research acknowledges that the Evangelicals as a group, "In contemporary elections the religious conflict in the American Politics has shifted again, as now we see the Evangelicals reacting to what they perceive as a hostile secular culture.<sup>1</sup>

Bradberry (2016) analyzed Republican Party candidate selections and religion in the 2008 and 2012 Presidential Elections. Bradberry moves on to two theories in how religion might influence the presidential primary voting.

First, the candidate may explicitly discuss the importance of his religion or faith. Or the candidate can explicitly and effectively label himself as a Christian. Additionally, a candidate can explicitly discuss political issues intimately connected to certain religious beliefs, which attract the religious voters' attention for those often-crucial issues.<sup>2</sup>

---

<sup>1</sup> Campbell, David. (2006). Religious "Threat" in Contemporary Presidential Elections. *Journal of Politics* 68 (1), P : 104-115.

<sup>2</sup> Leigh A. Bradberry, The Effect of Religion on Candidate Preference in the 2008 and 2012 Republican Presidential Primaries, Published: April 4, 2016, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0152037>.

Finally, the Evangelical Christian Constituency was a major factor in Jimmy Carter's election to the Presidency in 1976, Ronald Reagan's election in 1980, George W. Bush, and Donald Trump. Carter's concern for human rights for the Palestinians and his use of 'Palestinian Homeland' was one of the issues that changed most of the votes to Reagan. Moreover, Clinton lost the elections due to the Evangelical's vision for Trump and his policy towards Israel.<sup>1</sup>

#### **IV. The Role of Christian Zionism in US Policy**

Israel's centrality in the US Foreign Policies is evident, especially during the election speeches where no candidate swayed away from defending the Israeli position. This is usually explained by the fact that Israel is a strategic player in the area and a partner in the war against Terrorism in the Middle East, rather than shares the US same values. However, keeping in mind that Israel is becoming a liability to the USA, especially in developing Anti-American feeling in the Middle East. Moreover, it is noticeable that the US Foreign Policy is highly biased to Israeli. This phenomenal became clear after recognizing Jerusalem as the Capital of Israel, moving the US Embassy to Jerusalem, Legitimizing the Settlements & Legitimizing the Occupation without any duty towards the Palestinians. Above that, Proposing the Deal of the Century indicates the biased side of the US Policy towards Israel.

Christian Zionists exert influence on the US Foreign Policy towards Israel and the Middle East in an obvious way. Christian Zionism is a late arrival on the political

---

<sup>1</sup> Ayşe Tekdal Fildiş, New Role For Religion In American Politics: How The Evangelical Church Is Shaping The Middle-Eastern Politics In Particular In The Israeli Palestinian Conflict ,SİYASAL: Journal of Political Sciences, 27(2) P : 149–161.

scene, but we have to understand that nowadays there are over two hundred different Evangelical Organizations committed to the Christian Zionism in the USA. They are the major component of the USA's Pro-Israel Lobby, and they interact to shape the US Policy towards Israel. Moreover, the Christian Zionists' organizational skills and voting power made them extremely valuable and effective in shaping the US Policy towards Israel.

The US involvement in the Middle East and its obvious Israeli support focused on the Israeli strategic placement, economic power, the shared western values, and partly the guilt feeling about the Holocaust. Furthermore, according to the 2016 exit polls results, 80% of White Evangelical Christians voted for Trump, making the 2016 elections unlike any previous elections in the American History. Regarding the Evangelical Voters lobbying power. In the 2016 Presidential Elections, the Evangelical Voters were not focused solely on the conflicted personal background of Donald Trump, but instead they were reacting to the increasing pressure of the past, pending secular legislation, and the vacant SCOTUS seat. So, it is clear that there is an interest in intermarriage between the Evangelicals and the Israeli Zionist.<sup>1</sup>

Christian Zionism and Israeli Zionist Movement share the same interests and follow their strict religious beliefs despite the Palestinian people's rights. The Christian Zionists follow a religious bath, which considers that the second Jesus will begin just after establishing Israel, taking Jerusalem, supporting the Zionist Dream, and final big battle with the Arabs in the Middle East (Armageddon). This is an educator that the

---

<sup>1</sup> Michael J. Herbert The New Evangelicals: How Donald Trump Revealed the Changing Christian Conservative base, April 9 2017, Master Thesis, Bemidji State University , P : 3-16.

political events happening now are clear evidence of the Christian Zionist Movement's high power in shaping the US External and Internal Policies towards Zionist Israel. (Moving the Embassy, Legal Annexation of the West Bank and the Jordan Valley, and the Legal Settlements).

Furthermore, Christian Zionists supported Israeli Military Operations in the West Bank and the Gaza Strip and used their influence to extend it. It is clear that through the influence of the Christian Zionist Lobby, the Israeli objectives can be achieved, despite the International Law and Outcry, which can be indicated in the way that Israel has committed targeted assassinations, while USA has largely defended these crimes.

Despite studies and reports showing that most Israeli Citizens would prefer disengaging from the West Bank Settlements in exchange for peace. Christian Zionists are the most fanatical advocates for the proliferation of Settlements in the West Bank and increased violence against the Palestinians. Christian Zionism stands deaf to the desires of the people whose influence impacts and does not advocate measures of peace, but rather, it seeks the legitimization of all Israeli actions by any necessary means.

This violence and suffocation policy towards the Palestinians produces a dangerous byproduct, which will become clear years from now. It creates a new generation of hate among the Israelis and the Palestinians. The Christian Zionist's notion of a 'chosen people' will result in a catastrophe for the Palestinians, who became the forgotten victims of this alliance.

## **V. Normalizing the Relationships with Arab Countries**

This is the first time in which an Arab Country, who is not in a direct state of war with Israel, agrees on having normal relationships with Israel (Abraham Accords). In addition to this, the deal is encouraging to normalize the relationships between Israel and other Arab Countries. Rewarding the Occupying Power with normalization before resolving the issue of Palestine, through a just and comprehensive solution for the conflict.

This deal encourages Israel to continue rejecting the principle of "land for peace" and the two-state solution based on the pre-1967 borders and serves the "Greater Israel" colonial project extending between the Jordan River and the Mediterranean. Obviously, following the joint statement's release, PM Netanyahu labeled this deal as "peace for peace." In this way, Israel and the USA seek to build a regional alliance with some Arab Countries, especially Gulf Countries. At the same time, Israel aims to achieve two targets, mainly the effective undermining and sidelines of the Palestinian National Rights, and confronting dangers such as the threat of Terrorism and the Iranian Threat.

Additionally, this agreement shows the UAE acceptance of the Israeli Occupation and de-facto annexation of the Palestinian Lands, the Colonial Settlement Projects, and the Reality of the Apartheid it has created on the ground. Any deal that ignores this reality and legitimizes the continuation, rather than the end, of the Israeli Occupation will further consolidate the Israeli Colonial Project and its Oppressive Policies against the Palestinian people.

This will continue to undermine the entire region's security and the world and undermine the efforts to achieve peace and stability in the Middle East Region. The UAE's consent to resume direct diplomatic, trade, and security cooperation with Israel is a reward.

The Occupying Power will be exploited as a *carte blanche* to continue committing grave violations to the Human Rights, the International Law, and the International Humanitarian Law in Occupied Palestine, including East Jerusalem. Additionally, it represents an electoral favor for PM Netanyahu and President Trump, granting them a lifeline amidst their troubles.

The Arab Peace Initiative “API” of 2002 states that the advancement of peace in the Middle East Region and hence the normalization with Israel can only happen once Israel affirms a full Israeli withdrawal from all the lands being occupied since 1967, including the Occupied Syrian Golan and the remaining Occupied Lebanese Territories.

<sup>1</sup> Moreover, the achievement of a just solution to the Palestinian Refugees problem to be agreed upon under the U.N. General Assembly Resolution No. 194. This emphasizes the acceptance of establishing a Sovereign and Independent Palestinian State on the Palestinian Lands being occupied since June 4, 1967, in the West Bank and Gaza Strip, with East Jerusalem as its capital.

---

<sup>1</sup> “Arab-Israeli Conflict/Palestine Question - Resolution Adopted by the 19th Arab Summit/ Riyadh Declaration/Addresses - Letter from Saudi Arabia - Question of Palestine.” United Nations. United Nations. Accessed January 24, 2021. <https://www.un.org/unispal/document/auto-insert-179040/>.

Clearly, the UAE does not comply with the Arab Peace Initiative and its terms on this deal. The issue of Palestine remains unresolved till this date. The Israeli Occupation, Colonization, and Oppression of the Palestinian people continue to this date, with many International Law Violations, while the Human Rights are being perpetrated on daily basis.

For the Palestinians, the announcement of August 13, 2020, will also be remembered, as similar to the day when Israel launched airstrikes targeting several locations in the Gaza Strip, including an elementary school for UNRWA in Al- Shatea Refugee Camp. Also, on the same day, the Israeli Prime Minister declared that he intends to pursue his illegal annexation plans.

Normalizing the relations between Israel and Arab Countries will enable Israel to de jure annex the Palestinian Lands under its occupation, according to Netanyahu's Pledge. In this regard, it cannot be ignored, that following the announcement of the deal, PM Netanyahu blatantly said that: "I also said I would bring sovereignty to Judea and Samaria. There is no change in my plan to do so, in full coordination with the United States. I am committed to it. Nothing has changed."<sup>1</sup>

Unmistakably, the claim of 'suspending annexation' is simply a pretext to justify the UAE's deviation from the Arab and Islamic Consensus and misleads the Arab and the International Communities into seeing such a deal as serving the interests of the people of Palestine.

---

<sup>1</sup> "Israel and UAE Strike Historic Deal to Normalise Relations." BBC News. BBC, August 13, 2020. <https://www.bbc.com/news/world-middle-east-53770859>.

The reality is that such a deal can only facilitate the continued and gradual implementation of the Israeli Annexation Plans, while deflecting and undermining a response from the International Community. Israel's de-facto annexation of the Palestinian Lands is ongoing since the beginning of the Israeli Occupation and forceful seizure of the West Bank, including East Jerusalem and the Gaza strip, in 1967, such offensive policy continues till these days, regardless of the International Resolutions.

According to UNOCHA, around 52% of the Occupied West Bank's total area is subject to the Israeli control and restrictive security measures, including many designations, such as the declaration of the Palestinian Lands as an Israeli Land, military closed zones within the Palestinian Land. Israel also controls the natural reserves in the Palestinian Land, Settlements Areas, at the same time the Palestinian areas are isolated by the Israeli Separation Wall. Regarding the most recently new Settlement Announcements, the Israeli Government revealed two Israeli plans for the construction of around 3,500 Settlement House Units in the area planned for the Colonial Project named "E1", which will be located to the East of Jerusalem.<sup>1</sup>

According to the Israeli Organization "Peace Now", the objection validity against these plans would end on August 18, 2020. The Settlement and the Wall Resistance Commission reported that during 2020: the Israeli Government announced

---

60 Israeli Settlement Plans for the constructing of around 10,500 Israeli Settlement House Units on lands belonging to the Palestine.<sup>1</sup>

According to UNOCHA, until the end of July 2020, Israel carried out nearly two hundred demolition operations for the Palestinian Houses,<sup>2</sup> which was the reason for the demolition and confiscation of 388 Palestinian Homes and Structures, displacing and otherwise affecting over 2,300 Palestinians, who are considered to be Family Members. These facts cannot be ignored, and the International Community must not relent in its pressure on Israel to cease these illegal and destructive actions.

#### **E. Section Five: Political Ramifications of the Deal of the Century**

Trump's Plan indirectly informed that the choice of a Two-State Solution no more exists, because through its proposal to establish a de-sovereign Palestinian state, which is disordered, keeping with the Israeli right's trends, that considers an independent Palestinian State an existential threat.

The plan is therefore being launched to achieve a greater approach to the "Jewish State" and to prevent as many Palestinians as possible from being present in it, by giving the Palestinians "the most shrinking state" under the Israeli control, separated by "a sovereign state" to achieve a strategic goal to isolate Israel from the Palestinian demographic threat.

---

<sup>1</sup>“2,572 Settlement Housing Units in Tenders Are Published on the Eve of the Change in Government in Washington.” Peace Now, January 20, 2021. <https://peacenow.org.il/en/2572-settlement-housing-units-in-tenders-are-published-on-the-eve-of-the-change-in-government-in-washington>.

<sup>2</sup> West bank demolitions and displacement. (n.d.). Retrieved April 09, 2021, from <https://www.ochaopt.org/reports/west-bank-demolitions-and-displacement>

On February 2020, the United Nations Division for Palestinian Rights issued a Blue Bulletin regarding Trump's Plan, which expressed its regret at the biased approach of the plan, that fully adopts the Israeli narrative and endorses the annexation of vast areas of the occupied land of the State of Palestine, under the pretext of security for Israel.

The illegal occupying power, in flagrant violation of the principles of International Law, the inadmissibility of the acquisition of territory by force, the United Nations Charter, and the Relevant International Resolutions.” The Bulletin affirmed that “The US Administration’s Plan, announced by the President of the United States on January 28, 2020 lacks the minimum requirements of justice and destroys the foundations of peace, including the agreed legal and international terms of reference for a peaceful solution.

The Bulletin also emphasized on the need to respect and recognize the inalienable rights of the Palestinian people, including the right of national independence and the return of the Palestinian Refugees. It also clarified that the plan undermines the principles of the International Law, including the principle of inadmissibility of the acquisition of the territory of others by force, thus legitimizing colonialism and its implications as well as destabilizing and threatening international peace and security.”<sup>1</sup>

The U.S. Administration used the de facto policy to impose its perceptions without consulting the Palestinian Side, leaving the deal from being a Dispute Resolution Initiative to a Palestinians' Surrender Document. As Dr. Sania Al-Husseini

---

<sup>1</sup> United Nations Division for Palestinian Rights. “Blue Bulletin,” February 2020. [https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL\\_230320-1.pdf](https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL_230320-1.pdf).

(2018) mentioned “The United States totally supports Israel. All the previous U.S Administrations have a biased side for Israel, but the policies of the current US President Donald Trump's Administration are working to impose the Israeli policy on the Palestinians by force.

In the context of announcing Trump's intention to launch the deal of the century, the US Administration has already begun to impose the terms of that deal. Trump declared his support for the Settlement Policy in the Occupied Palestinian Territories, in defiance of the positions of previous US Administrations. He moved his country's Embassy to Jerusalem and recognized it as the capital of Israel, in a precedent that none of the previous administrations had made. The United States took the initiative to cut its aid to the United Nations Relief and Works Agency for Palestinian Refugees in an attempt to settle their case, and by questioning their preparation at times, and weaving conspiracies to resettle them. In addition, the US efforts to facilitate the policy of normalization between Israel and the Arab Countries have become no secret, to skip the Arab Peace Initiative, which requires resolving the Palestinian Issue before reaching the stage of normalization.”<sup>1</sup>

Focusing on the religious character of the conflict and the Israeli right to continue guarding the holy places, the deal creates an explosive situation in Al Aqsa Mosque by strengthening the activities of the Temple Mount Organizations, aimed at praying and dividing it in place and time, creating tension with Jordan, which has the

---

<sup>1</sup> Alhusseni, S. F. (2018, December 24). فلسطين وقرن من الظلم. Retrieved from <https://www.raialyoum.com/index.php>.

right to care for the holy places. Palestinian Muslims and Christians are denied access to holy places.

The practical implementation of the deal will deepen Israel's control of the West Bank and Jerusalem, creating a new complicating reality in its inability to secede from the Palestinians, thus placing Israel on the one-state option, which includes two possibilities: First, a state with equal rights for the Jews and the Palestinians, thus eliminating the idea of a Jewish state.

The second is a country without equal rights, which eliminates Israel's idea as a democratic and moral state and the risk of sliding toward one state with an Arab majority, threatening the Israeli State's continuity (This will be impossible to be implemented).

The deal lacks a comprehensive view of the complex historical dimensions of conflict, so it will not be more than a transitory event that will not establish a historical achievement, and the American Administration cannot succeed in leading a successful political process that will enable it to establish a permanent state of peace and stability, as a result of a range of challenges. The unilateral application of the deal will leave its negative and dangerous consequences to the main actors, and the situation will look more complicated in the future. Suppose the deal fails to settle the Palestinian Issue. In that case, it will give the regional powers the chance to move to undermine the legitimacy of the Arab States and accuse them of abandoning the Palestinians and Islamic Sanctuaries, and collecting points from the regional view, inciting Arab public opinion, and shipping opposition and extremist organizations against regimes.

The "deal of the century" offered no just solutions to end the occupation, or even to establish a Palestinian State with East Jerusalem as a capital, and solve the refugees problem, so it could not be considered as a "settlement project" but a plan to "sustain the conflict," for a future deal. It is concerned with serious geopolitical changes through which, the deal of the century will reconstitute the region, its concepts and demographic and historical composition reformulated, within the framework of the regional and Arab normalization with Israel to build a major economic system and a regional alliance against Iranian influence in the region.

Martin Indyk<sup>1</sup> mentioned in his article “Trump’s Unfair Middle East Plan Leaves Nothing to Negotiate - An Imposed, Unrealistic Solution Will Not Hold”<sup>2</sup>, that “The Trump plan, however, puts almost all of East Jerusalem’s Arab suburbs under the Israeli Sovereignty, leaving to the Palestinians one Arab suburb and a refugee camp on the eastern side of the wall, that Israel abandoned during the second intifada.” He also added that “The Trump Team simply resolved the issues by sleight of hand: it decided each of the final status issues—borders, security, Jerusalem, refugees, and mutual recognition—in Israel’s favor before the negotiations even begin”. Martin Indyk also

---

<sup>1</sup> Martin S. Indyk is distinguished fellow at the Council on Foreign Relations. Previously, he was the John C. Whitehead Distinguished Fellow in International Diplomacy in the Foreign Policy program at the Brookings Institution. From February 2015 to March 2018, he served as executive vice president of Brookings. Indyk served as the U.S. special envoy for the Israeli-Palestinian negotiations from July 2013 to June 2014. Prior to his time as special envoy, he was vice president and director of the Foreign Policy program and a senior fellow and the founding director of the Center for Middle East Policy at Brookings.

<sup>2</sup> Indyk, Martin. “Trump's Unfair Middle East Plan Leaves Nothing to Negotiate.” *Foreign Affairs*, February 6, 2020. [https://www.foreignaffairs.com/articles/israel/2020-02-04/trumps-unfair-middle-east-plan-leaves-nothing-to-negotiate?utm\\_medium=email\\_notifications&utm\\_source=reg\\_confirmation&utm\\_campaign=reg\\_guestpass](https://www.foreignaffairs.com/articles/israel/2020-02-04/trumps-unfair-middle-east-plan-leaves-nothing-to-negotiate?utm_medium=email_notifications&utm_source=reg_confirmation&utm_campaign=reg_guestpass).

wrote on his official account on twitter “Trump’s plan is clear. He supports an independent Palestinian State. The problem is that the plan offers a “state minus” just as Bibi defines it: minus contiguous territory, minus sovereignty, minus the Jordan Valley, and minus a capital in East Jerusalem.”<sup>1</sup>

The "deal of the century" would destabilize the region, especially as it would deprive the Palestinians of their national rights, lose hope for an independent state, which would strengthen their violent orientation, and put the region into conflict. The Human Rights Council stated in its Forty-Third session that:

“The Deal of the Century isolates and deprives the Palestinians rights of control and sovereignty. It confines them into small pockets of isolated, besieged and fragmented cantons, setting the grounds of an apartheid regime and preventing Palestinians from exercising their right to self- determination. Entrenching Israeli systematic policies against Palestinians, the deal legitimizes Israel’s control over the OPT and natural resources, and maintains Palestinians’ submission to full Israeli security control over their affairs and fundamental rights, most notably the right to freedom of movement. It also consolidates Palestinians’ submission to the Israeli permit regime and construction policies, ensuring full Palestinian dependence on the occupying Power.”<sup>2</sup>

---

<sup>1</sup> Indyk, Martin. “Trump’s Plan Is Clear. He Supports an Independent Palestinian State. The Problem Is That the Plan Offers a ‘State Minus’ Just as Bibi Defines It: Minus Contiguous Territory, Minus Sovereignty, Minus the Jordan Valley, and Minus a Capital in East Jerusalem. <https://t.co/1MGV5HgNPN>.” Twitter, January 30, 2020. [https://twitter.com/martin\\_indyk/status/1222898105919520773](https://twitter.com/martin_indyk/status/1222898105919520773).

<sup>2</sup> Forty-third session, Human Rights Council. United Nations , March 2020. [https://www.un.org/unispal/wp-content/uploads/2020/03/A.HRC\\_.43.NI\\_.2.pdf](https://www.un.org/unispal/wp-content/uploads/2020/03/A.HRC_.43.NI_.2.pdf).

## Chapter Four

---

### Deal of the Century & the International Law

#### Introduction

Before the deal of the century is published, the Trump Administration has already recognized Israeli illegal annexation of the Occupied Jerusalem and the Occupied Syrian Golan Heights. Furthermore, it has moved the US Embassy to Jerusalem,<sup>1</sup> and shut down both the U.S. Consulate in Jerusalem (established in 1844) and the PLO Mission in Washington by signing the law of “Taylor-Force-Act (2017)”,<sup>2</sup> which defined the PLO as a Terrorist Organization & considered the political prisoners as terrorists.

Additionally, the US Administration defunded the United Nations Relief and Works Agency (UNRWA), and it also suspended the US Aid to the Palestinian people and shifted US Policy regarding the Israeli Settlements, broke all the norms in the International Law. with the US Administration's support, Israel has been steadily implementing this annexationist plan well before its release.

Both the US and Israel are defying and threatening the International Law and order to replace them with a hegemonic, racist and exploitative new world order,

---

<sup>1</sup> U.S. Mission Israel | 7 December, 2020 | Topics: Exclude. “Statement by Former President Trump on Jerusalem.” U.S. Embassy in Israel, January 20, 2021. <https://il.usembassy.gov/statement-by-president-trump-on-jerusalem/>.

<sup>2</sup> Lamborn, Doug. “Text - H.R.1164 - 115th Congress (2017-2018): Taylor Force Act.” Congress.gov, December 7, 2017. <https://www.congress.gov/bill/115th-congress/house-bill/1164/text>.

serving their interests. As declared by Michael Lynk,<sup>1</sup> the UN Special Rapporteur on the situation of Human Rights in the Palestinian Occupied Territory since 1967: "This plan would turn the rules-based international order on its head and would permanently entrench the tragic subjugation of the Palestinians, that are already existing on the ground,". He added that: "The abandonment of these legal principles threatens to unravel the long-standing international consensus on the conflict, favoring realpolitik over rights, power over justice and conflict management over conflict resolution."<sup>2</sup>

## **A. Section One: Security Council Resolutions & Breaches of the International Law, Treaties and Conventions**

### **I. United Nations Security Council Resolutions “UNSCR “**

Since 1967, numerous UNSCR were passed through towards the Palestinian-Israeli Conflict. This part will be dedicated to explore the most important UNSCR related to the Palestinian-Israeli Conflict.

#### **- UNSCR Regarding Jerusalem**

UNSCR No. 242 of 1967 “Affirms that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East, which should

---

<sup>1</sup> Mr. Michael Lynk was designated by the UN Human Rights Council in 2016 as the Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967. The mandate was originally established in 1993 by the then UN Commission on Human Rights. Professor Lynk is Associate Professor of Law at Western University in London, Ontario, where he teaches labour law, constitutional law and human rights law. Before becoming an academic, he practiced labour law and refugee law for a decade in Ottawa and Toronto. He also worked for the United Nations on human rights and refugee issues in Jerusalem.

<sup>2</sup> “Special Rapporteur on the Situation of Human Rights in the OPt Alarmed by ‘Lopsided Trump Plan’, Says Will Entrench Occupation - Press Release - Question of Palestine.” United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/special-rapporteur-on-the-situation-of-human-rights-in-the-opt-alarmed-by-lopsided-trump-plan-says-will-entrench-occupation/>.

include the application of both the following principles; Withdrawal of Israel armed forces from the Occupied Territories; Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.

UNSCR No. 252 of 1968 “Deplores the failure of Israel to comply with the General Assembly Resolutions (concerning measures and actions by Israel purporting to affect the status of the city of Jerusalem)”<sup>1</sup>. In addition, UNSCR No. 267 of 1969 Reaffirms its resolution No. 252.<sup>2</sup>

UNSCR No. 298 of 1971” Deplores the failure of Israel to respect the previous resolutions adopted by the United Nations concerning measures and actions by Israel purporting to affect the status of the city of Jerusalem.”<sup>3</sup>

UNSCR No.338 of 1973 “Calls upon all parties of the present fighting to cease all firing and terminate all military activity. Calls upon the parties concerned to start immediately after the cease-fire the implementation of the Security Council Resolution No. 242 of 1967 in all of its parts.”<sup>4</sup>

---

<sup>1</sup> “S/RES/252 (1968) of 21 May 1968.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/46F2803D78A0488E852560C3006023A8>.

<sup>2</sup> “S/RES/267 (1969) of 3 July 1969.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/5932ECF53FF36A04852560C300656122>.

<sup>3</sup> “S/RES/298 (1971) of 25 September 1971.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/441329A958089EAA852560C4004EE74D>.

<sup>4</sup> “S/RES/338 (1973) of 22 October 1973.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/0/7FB7C26FCBE80A31852560C50065F878>.

UNSCR No. 478 of 1980, which states that “Changing in the character and status of the Holy City of Jerusalem, is an implication for peace and security. Calling Israel to stop acts.”<sup>1</sup>

#### - UNSCR Regarding Settlements

UNSCR No. 446 of 1979 which states that establishing Settlements in the Palestinian and other Arab Territories occupied since 1967 have no legal validity.<sup>2</sup> Furthermore, UNSCR No. 452 of 1979 Calls upon the Government and People of Israel to cease, on an urgent basis, the establishment, construction and planning of Settlements in the Arab Territories occupied since 1967.<sup>3</sup>

UNSCR No. 465 of 1980 Determines that all measures taken by Israel to change the physical character, composition, institutional structure or status of the Palestinian and other Arab Territories occupied since 1967 have no legal validity in the International law.<sup>4</sup>

UNSCR No. 471 of 1980 Expressing deep concern that the Jewish Settlers in the Occupied Arab Territories, who are allowed to carry arms thus enabling them to perpetrate crimes against the civilian population, calls for the immediate apprehension and prosecution of the perpetrators of these crimes and emphasis on stopping the

---

<sup>1</sup> “S/RES/478 (1980) of 20 August 1980.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/DDE590C6FF232007852560DF0065FDDB>.

<sup>2</sup> “S/RES/446 (1979) of 22 March 1979.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/BA123CDED3EA84A5852560E50077C2DC>.

<sup>3</sup> “S/RES/452 (1979) of 20 July 1979.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/db942872b9eae454852560f6005a76fb/0b7116abb4b7e3e9852560e5007688a0?OpenDocument>.

<sup>4</sup> “S/RES/465 (1980) of 1 March 1980.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/5AA254A1C8F8B1CB852560E50075D7D5>.

Settlements.<sup>1</sup>Moreover, UNSCR No. 476 of 1980 Reaffirms the overriding necessity to end the prolonged occupation of Arab Territories occupied by Israel since 1967.<sup>2</sup>

**- UNSCR Regarding Two-State Solution**

UNSCR No. 1397 of 2002 Affirming a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders, Stressing the need for all concerned to ensure the safety of civilians, stressing also the need to respect the universally accepted norms of the International Humanitarian Law.<sup>3</sup>

UNSCR No. 1515 of 2003 Recalling all its previous relevant resolutions, in particular resolutions No. 242 of 1967, No. 338 of 1973, No. 1397 of 2002, and the Madrid Principles, reaffirming its vision of a region, where Two States, Israel and Palestine, live side by side within secure and recognized borders, Emphasizing the need to achieve a comprehensive, just and lasting peace in the Middle East.<sup>4</sup>

UNSCR No. 1850 of 2008 Recalling all its previous relevant resolutions, in particular resolutions numbers 242, 338, 1397, and 1515 and the Madrid Principles,

---

<sup>1</sup> “S/RES/471(1980).” United Nations. United Nations, 1980. <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/399/64/PDF/NR039964.pdf?OpenElement>.

<sup>2</sup> “S/RES/476 (1980) of 30 June 1980.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/6DE6DA8A650B4C3B852560DF00663826>.

<sup>3</sup> “S/RES/1397 (2002) of 12 March 2002.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/0/4721362DD7BA3DEA85256B7B00536C7F>.

<sup>4</sup> “S/RES/1515 (2003) of 19 November 2003.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/71B2C135FCA9D78A85256DE400530107>.

also, reiterating its vision of a region where Two Democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders.<sup>1</sup>

Finally, UNSCR No. 2334 of 2016 “The Security Council, reaffirming its relevant resolutions, including resolutions No. 242 of 1967, No. 338 of 1973, No. 446 of 1979, NO. 452 of 1979, No. 465 of 1980, No. 476 of 1980, NO. 478 of 1980, NO. 1397 of 2002, No. 1515 of 2003, and No. 1850 of 2008, Reaffirming the obligation of Israel, the Occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention Relative to the Protection of Civilian Persons in time of war, issued on August 12, 1949.

Also, recalling the advisory opinion rendered on July 9, 2004 by the International Court of Justice condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of Settlements, transfer of Israeli Settlers, confiscation of land, demolition of homes and displacement of the Palestinian Civilians, in violation of the International Humanitarian Law and the Relevant Resolutions, Expressing grave concern that continuing Israeli Settlement activities are dangerously imperiling the viability of the Two-State Solution based on the 1967 Borders.”<sup>2</sup>

---

<sup>1</sup> “S/RES/1850 (2008) of 16 December 2008.” United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/7F7430A137000C4E85257523004CCADF>.

<sup>2</sup> “Resolution 2334 (2016) - Adopted by the Security Council at Its 7853rd Meeting, on 23 December 2016.” United Nations. United Nations, 2016. <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>.

However, till this date, Israel has failed to meet its obligation by not implementing any of these resolutions on the ground. On the contrary, Israel has violated almost all of the above-mentioned UNSCR regarding the Palestinian Issue. This includes resolutions endorsing the two-state solution, others considering Israeli Settlements as illegal, resolutions recognizing East Jerusalem as a part of the Occupied Palestinian Territories, and deeming any alterations to Jerusalem by Israel as null and void recognizing the rights of the Palestine Refugees to return.

## **II. Agreements & Standards (1993-2020)**

### **- Oslo Accords Declaration of Principles on the Interim Self-Government Arrangements (1993) (Oslo I) & Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip / 1995 (Oslo II)**

The Oslo Accords is an agreement signed on September 13, 1993, between the two parties. It was a conclusion of secret negotiations between the Palestinians and the Israeli Representatives under the Norwegian Government's Auspices. Oslo was preceded by letters between the Palestinian Liberation Organization and the Israeli Leaders providing for mutual recognition; Israel recognized the Palestinian Liberation Organization as the Representative of the Palestinian people, while the Palestinian Liberation Organization recognized Israel's right to exist.

According to the Peace Process of Oslo, " the timeline for the negotiations was set up to five years period. During this interim period of negotiations, Israel must provide increasing authorization to the Palestinian Authority to help build up the civil and governmental institutions and bodies, while the two sides craving commences on

negotiations regarding the final status issues in the conflict. In the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip,' Oslo II (1995), Israel and the Palestinian Liberation Organization agreed on the provisional arrangements for a package of civil and security issues that would be in high interest for both parties during the interim period.<sup>1</sup>

According to the Egyptian Ambassador in Israel Tahir Shaash, Gaza and Jericho were strategic areas for the PLO<sup>2</sup>. However, Israel has Failed to Implement the Third Phase of the Withdrawal – According to Annex I, Article I (9),<sup>3</sup> Israel was supposed to affect its third withdrawal by July 1997. Israel in fact, has never completed this phase of withdrawal. Israel continues to remain in almost exclusive control of the Occupied West Bank. Moreover, Israel Continued its Colonial Expansion and Settlements Construction.

Israel has failed to meet Oslo's various terms, including the final redeployment and the release of all the Political Prisoners. Additionally, Israel has violated more overarching requirements of the agreement to prejudge final status issues and engage in good-faith negotiations based on UNSC resolutions of 242 and 338. Furthermore, a significant reason of Oslo's failure was the Israeli impunity and its lack of any accountability mechanisms to implement what was negotiated on.<sup>4</sup>

---

1 شاش، طاهر، المواجهة و السلام في الشرق الاوسط : الطريق الى غزة اريحا، الطبعة الاولى ١٩٩٥، القاهرة: دار الشروق للنشر، ص ٢٦٦-٢٨٦.

2 شاش، طاهر، المواجهة و السلام في الشرق الاوسط : الطريق الى غزة اريحا، الطبعة الاولى ١٩٩٥، القاهرة: دار الشروق للنشر، ص: ٣٠٤-٣٠٨.

3 “The Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip: Annex I.” Oslo II Annex I. Accessed January 26, 2021. <https://www.jewishvirtuallibrary.org/oslo-ii-annex-i>.

4 شاش، طاهر، مفاوضات التسوية النهائية و الدولة الفلسطينية : التحديات و الآمال، الطبعة الأولى ١٩٩٩، القاهرة : دار الشروق للنشر، ص ٦٣-٦٧.

Moreover, several countries ignored their obligations under the International Law and the UN Resolutions for seeking the non-existent peace process. Those Countries, who have witnessed and hosted the Oslo Accords, including United States of America, the Russian Federation, Egypt, Jordan, Norway and the European Union. Instead of taking their responsibility to implement the Oslo Accords and ensure good-faith negotiations by Israel. Many countries have become complicit in permitting Israel's impunity. As a result, Israel continued to be rewarded, while more violations were being committed. The outcome of the Oslo Accords shows that peace could never be based on the Israeli impunity and injustice performances. On the contrary: the only way to achieve peace is to respect and comply with the International Law, UNSCR, and the basic Human Rights Principles.

Finally, Israel has failed to End the Occupation and commence a permanent status negotiation after more than 25 years of negotiating between both parties. Indeed, Israel has failed to show a real commitment and willingness to implement the agreement on the ground, and this contradicts with the conflict resolution styles and mechanisms. Additionally, Israel has failed to comply with the International Law and Norms, UNSCR, Fourth Geneva Convention, and the Universal Declaration of Human Rights.

#### - **Paris Protocol of 1994**

In April 1994, the Palestinian Liberation Organization and the Government of Israel signed a Protocol on the Economic Relations, known as the "Paris Protocol." Paris Protocol ended up with creating a quasi-customs union between Israel and the Palestinian Authority.

The standard external tariff and other commercial policy elements were those of Israel, though the Palestinian Authority was given some autonomy in policy making, which never happened. The Palestinian authority was allowed to set its tariff for a limited quantity of mostly consumer goods, traded primarily with Jordan, Egypt and other Arab and Islamic Countries and limited imports from other countries. The quantity was set according to the Palestinian internal needs to avoid leakage of cheaper goods into Israel. The second category of goods, which consisted mainly of infrastructure, production machinery, and unfinished goods, the Palestinian Authority was allowed to set its custom duty rates, without quantitative limitations for market use within the Palestinian Market, also for the purpose of avoiding leakage into the Israeli market from the Palestinian Territories.<sup>1</sup>

As mentioned in a research conducted by the United Nations Conference on Trade & Development in 2012, titled “The Palestinian Economy: Macroeconomic and Trade Policymaking under Occupation\*.”. The research stated that “The Paris Protocol presented the unusual appearance of offering specific advantages to the Palestinian economy.

The Paris protocol implementation was a host of Israeli restrictions (Israel's closure policy), which severely undermined the rate of the Palestinian Economic Growth. Additionally, Israel imposed closures and impeded access to the Occupied Palestinian Territories to present a severe impediment to the Sustainable Economic

---

<sup>1</sup> “THE ISRAELI-PALESTINIAN INTERIM AGREEMENT ON THE WEST BANK AND THE GAZA STRIP.” PROTOCOL ON ECONOMIC RELATIONS between the Government of the State of Israel and the P.L.O., representing the Palestinian people, April 9, 1994. <https://www.paltrade.org/upload/agreements/Paris%20Economic%20Protocol.pdf>.

Growth.”<sup>1</sup> More than that, Israel has violated most of the Paris Protocol clauses, including the transfer of taxes and customs, among various others. Finally, Israeli has imposed certain measures for the purpose of marginalizing and weakening the Palestinian Economy, such measures are considered to be a huge violation to the International Law, under the United Nations International Covenant on Economic, Social and Cultural Rights: Article 1 (1) states that: “. All peoples have the right of self-determination. By virtue of that right they can freely determine their political status and can freely pursue their economic, social and cultural development.”<sup>2</sup>

#### - **Peace Proposal of Camp David in 2000**

There must be two independent states living as equal neighbors for real and lasting peace between the Israeli and Palestinian peoples. The Israeli Camp David proposal, which was never outlined in writing, ignored the Palestinian State's Independence and Sovereignty by dividing the Palestinian Territory into four separate and isolated cantons, surrounded by the Israeli Military Borders, and therefore controlled by Israeli Security Measures. Furthermore, the Camp David proposal also denied the Palestinians Right to control their borders, airspace, and water resources, while legitimizing and expanding the illegal Israeli Occupation. Israel's Camp David

---

<sup>1</sup> “The Palestinian Economy: Macroeconomic and Trade Policymaking under Occupation\*.” United Nations Conference on Trade and Development. United Nations, New York and Geneva, 2012, 2012. [https://unctad.org/system/files/official-document/gdsapp2011d1\\_en.pdf](https://unctad.org/system/files/official-document/gdsapp2011d1_en.pdf).

<sup>2</sup> “International Covenant on Economic, Social and Cultural Rights.” OHCHR. Accessed January 27, 2021. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.

proposal presented a redeployment of military occupation, not an end to military occupation.<sup>1</sup>

The Camp David Proposal required Palestinians to surrender any claim to the occupied portion of Jerusalem. It also has forced recognition of Israel's annexation of East Jerusalem. Talks after Camp David suggested that Israel was prepared to grant the Palestinians Sovereignty over isolated Palestinian neighborhoods in East Jerusalem. However, such a resolution would leave the Palestinian neighborhoods surrounded by illegal Israeli Colonial Settlements. Furthermore, such a resolution will separate these neighborhoods not only from each other, but also from the rest of the Palestinian State. In consequence, such a proposal would create Palestinian Ghettos in the heart of Jerusalem.

Palestinians accepted the peace process on the perception that it would deliver concrete improvements to their lives during the interim period. Additionally, a permanent agreement would enforce the implementation of the United Nations Resolutions 242 and 338. However, the peace process provided none of these aspirations. Instead, the Palestinians suffered more restrictions on their movement and a sharp decline in their economic situation. Israeli Colonial Settlements expanded at an unprecedented pace. Also, the West Bank and the Gaza Strip became more fragmented with the construction of the Settler Apartheid By-Pass Roads and the Israeli Military Checkpoints. Basic rights for the Palestinians were repeatedly missed during the implementation of the agreements. In sum, Palestinians did not experience

---

<sup>1</sup> قريخ، احمد، الرواية الفلسطينية الكاملة للمفاوضات من اوسلو الى خارطة الطريق: مفاوضات كامب ديفيد (طابا و استوكهولم) ١٩٩٥-٢٠٠٠، بيروت: مؤسسة الدراسات الفلسطينية، الطبعة الثانية (٢٠٠٧)، ص: ٣١٩-٣٢٥، ٣٤٦-٣٥٧.

any "progress" in terms of their daily lives. Palestinians felt that they got betrayed by the Israelis, who had committed themselves at the beginning of the Oslo Accords to end this colonial occupation for the Palestinian lands according the U.N. Resolutions of 242 and 338.

## **B. Section Two: Legal Ramifications of the Deal of the Century**

### **I. Annexation Under the International Law**

Annexation is defined in the International Law as the forcible acquisition of Territory by one State at the expense of another; it presupposes the Territory's useful occupation and intends to appropriate it permanently.<sup>1</sup> It is strictly forbidden under the International Law and derives its illegality from the United Nations Charter, Article 2 (4), which forbids the threat or use of force against any state's territorial integrity or political independence.<sup>2</sup> Annexation also impedes the right of self-determination, a fundamental norm of international law, imposing an obligation on all States to ensure this right's enjoyment.

Additionally, the International Legal Scholars have generally recognized two forms of annexation, which are: de jure and de facto annexation. De jure annexation is defined as an official act by stating that it asserts permanent sovereignty over other States Territory, that was forcibly acquired. De facto annexation has been generally defined as a term to describe the actions that a State takes to consolidate its control over a land on the political, legislative, institutional, or demographic levels, which form the

---

<sup>1</sup> R. Hofmann, "Annexation," in Max Planck Encyclopedia of Public International Law (Oxford University Press, 2013).

<sup>2</sup> UN Charter ,Article 2 (4) , (signed on 26 June 1945, entered into force 24 October 1945).

basis to indicate an intent to claim sovereignty over Territory acquired through force or war sometime in the future.<sup>1</sup>

Dr. Dalal Eriqat mentioned in her article "The 'Deal of the Century' from a Palestinian Perspective," which was published in the Israeli-Palestinian Journal that: "On the ground, we are witnessing de facto implementation of this Israeli-American vision of annexation. Trump's Team wished to make it de jure by getting Arab and European Governments to endorse the deal. Using the motto of the two-state solution, Trump and the Israeli Prime Minister Binyamin Netanyahu are not waiting for the Palestinian approval of this deal.

Its announcement gives short notice to the Palestinian people that the situation is shifting into a "one Jewish state" reality, where the Palestinian people will be treated as second-class citizens as already declared by the Knesset in its Nation-State Law. But one thing I am confident about is that the Palestinians will stay here and that the Palestinian will never accept such an annexation deal".<sup>2</sup>

History clarifies that Israel has officially annexed Occupied East Jerusalem through two official and formal declarations on two different stages. First, in 1967 Israeli Government issued a Governmental Decree announcing annexation through the extension of Israeli Law, regarding the administration, and jurisdiction of East Jerusalem and neighboring villages included in the city's expanded Municipal

---

<sup>1</sup> R. Hofmann, "Annexation," in Max Planck Encyclopedia of Public International Law (Oxford University Press, 2013), para. 1.

<sup>2</sup>, Iriqat, Dalal. "The 'Deal of the Century' from a Palestinian Perspective." PIJ.ORG. Palestine-Israel Journal. Accessed January 21, 2021. <https://www.pij.org/articles/2011/the-deal-of-the-century-from-a-palestinian-perspective>.

Boundaries. The second step came in 1980 when the Israeli Knesset enacted the quasi-constitutional law titled The Basic Law that recognized Jerusalem as the Capital of Israel and declared Jerusalem as a Complete and United Capital of Israel.<sup>1</sup>

Following each declaration of East Jerusalem's Annexation, the International Community condemned and did not recognize the annexation. This includes UNSCR No. 242 of 1967, which emphasized the "inadmissibility of the acquisition of territory by war," and called Israel to withdraw the armed forces and respect the sovereignty, territorial integrity, and political independence of all the affected States in the region.

Additionally, in 1980 the UNSCR denounced Israeli annexation using the strongest terms. Furthermore, UNSC declared that the Israeli Basic Law is a violation of the International Law. Also, Under UNSCR No. 478, described the Israeli measures to change the character and status of the Jerusalem City are illegal and null.<sup>2</sup> Since then, many United Nations Resolutions have reaffirmed the illegality and non-recognition of the formal Israeli annexation to East Jerusalem.<sup>3</sup>

Furthermore, many Israeli Policies and Practices in the Occupied Palestinian Territories have been defined as a process of ongoing de facto annexation of the Palestinian Territories. The term was used in the International Criminal Court of Justice Advisory Opinion (July 2004), which studied the Construction of the Separation Wall in the Occupied Palestinian Territories. Additionally, the advisory opinion stated that the

---

<sup>1</sup> Basic Law: Jerusalem, Capital of Israel (1980), available at, [https://www.knesset.gov.il/laws/special/eng/basic10\\_eng.htm](https://www.knesset.gov.il/laws/special/eng/basic10_eng.htm).

<sup>2</sup> United Nations Security Council Resolution 478 (2 August 1980) UN Doc S/RES/487.

<sup>3</sup> See UNSC 2334; UNGA 73/22 (30 November 2018); UNGA ES-10/19 (22 December 2017).

Separation Wall created "a 'fait accompli' on the ground that could become permanent status, and it would be tantamount to de facto annexation."<sup>1</sup>

Israel has, in fact, applied the de facto annexation of the Occupied Palestinian Territory, through its continued establishment of the Settlements and their association with the regime of checkpoints, roads, and the Separation Wall. Moreover, the transfer of Israeli Settlers into the Occupied Palestinian Territory and the displacement of the Palestinian people from their land; Additionally, the extension of the Israeli Laws into the Occupied West Bank; creating a discrimination legal system; and the exploitation of the Palestinian natural resources, among others. Through the implementation of these facts on the ground, Israel has exceeded the limits imposed by occupation law, and instead of merely administering the Occupied Territory, is unlawfully acting as the sovereign.<sup>2</sup>

## **II. Jerusalem Status**

### **- Legal Status of Jerusalem**

The deal targets to avoid the Holy City's physical division and to recognize Jerusalem as the capital of the State of Israel, which is in contrary to the United Nations Resolutions which confirmed that East Jerusalem is a part of the Palestinian State. It is

---

<sup>1</sup> Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), International Court of Justice, (2004), para 121.

<sup>2</sup> Article 43 of the Hague Regulations of 1907 defines the responsibilities of the occupying power, stating: "The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country." Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 1907, (hereinafter the Hague Regulations).

also in contrary to the partition plan drawn up by the United Nations in 1947, that legitimizes the establishment of Israel. Furthermore, the United Nations recognizes East Jerusalem as an Occupied Territory (subject to the Fourth Geneva Convention) and refuses to recognize the Sovereignty of Israel over it.

The Security Council Resolution No. 252 of 1968 affirmed that, “all the Israeli policies in Jerusalem are illegal and represent a flagrant violation to the Geneva Convention.”<sup>1</sup> There is no doubt that the "Deal of the Century" has almost violated all the Security Council and General Assembly Resolutions of the United Nations towards the Palestinian-Israeli Conflict.

**- Recognizing Jerusalem as the Capital of Israel and Moving the US Embassy to Jerusalem**

By recognizing Jerusalem as the Capital of Israel and moving the US Embassy to Jerusalem, such unilateral act is illegal, because it does not comply with United Nations Security Council Resolutions, including the Resolution No. 478, and other Relevant UN Resolutions, and the International Court of Justice's advisory opinion. Furthermore, as the UNSCR No. 478 asserted, all attempts to change Jerusalem's special status are illegal and have no legal validity. Following this, UNSCR 478 forbids all States from establishing diplomatic missions in the city.

This move also contradicts the long-standing US Policy towards Jerusalem's Status, as exposed out in James Baker's 1991 Letter of Commitment to the Palestinian

---

<sup>1</sup> “S/RES/252 (1968) of 21 May 1968.” United Nations. United Nations. Accessed January 26, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/46F2803D78A0488E852560C3006023A8>.

Liberation Organization before the Madrid Conference,<sup>1</sup> and was also reaffirmed in the Oslo Accord's designation of Jerusalem as a Final Status Issue. Regardless of the US or Israeli Arrangements, the UNSCR No. 478 and the International Laws are clear: Jerusalem's Legal Status can't and will not be changed, as a result of unilateral policies.

Additionally, this move indicates a clear breach of the International Law Principles, Values, and Norms. By admitting Jerusalem as a part of Israel and the construction of the US Embassy in the Jerusalem Holy City (which includes the illegally annexed East Jerusalem), means that the US recognizes Israel's illegal annexation of East Jerusalem and the Settlement Colonial Enterprise there.

### **III. Annexation of the Jordan Valley**

According to the Palestinian Academic Society for the Study of International Affairs (PASSIA), Jordan Valley comprises about 28.5% of the Occupied West Bank and contains significant land reserves for the Palestinian towns and cities' natural expansion.<sup>2</sup> It is the home for the most natural resources of the Occupied Territories, including fertile land and one-third of the underground water reserves in the West Bank. It also has enormous potential for the Palestinian Economy, specifically in the agricultural, industrial, and tourism industries.

Since the beginning of its military Occupation in 1967, Israel has systematically appropriated Palestinian land for the establishment and expansion of Israeli Settlements

---

<sup>1</sup> The Madrid Peace Conference Source: Journal of Palestine Studies, Vol. 21, No. 2 (Winter, 1992), Published by: University of California Press on behalf of the Institute for Palestine Studies Stable p. 117-149, URL: <http://www.jstor.org/stable/2537235>.

<sup>2</sup> "ISRAELI ANNEXATION OF THE JORDAN VALLEY." PASSIA. Accessed January 28, 2021. <http://www.passia.org/maps/view/74>.

in the Jordan Valley.<sup>1</sup> Unlawfully exploited the Palestinian natural resources in the area, including vital water resources; and enforced oppressive policies and practices against the Palestinian Inhabitants, aimed at creating a coercive environment leading to the forcible transfer,<sup>2</sup> thereby facilitating Israel's de facto annexation of the region.

Trump's Plan suggests the annexation of the Occupied West Bank's entirety. This was mentioned in section seven by stating that Israel will maintain control over the Palestinian State's security responsibility. Additionally, the Plan accepts the already existing illegal facts created by Israel in the occupied Palestinian Territories, including Israel's Separation Wall, which remains compatible with the new borders.

The Plan puts onward a conceptual map and diagram, which corresponds with the Israeli early annexation maps drawn-up since 1967. These maps were designed to enable the full Israeli control over all the lands from the Jordan River up to the Mediterranean Area.

The Plan denies the Palestinian right to share or use the International Eastern Borders with Jordan. Also, Israel will be allowed to control all the Palestinian Borders, including the Borders with Arab Republic of Egypt.

---

<sup>1</sup> Most recently, in October of 2019, the Civil Administration Supreme Planning Council approved the construction of 182 housing units in the Jordan Valley. Ben Kimon, Elishe, "Supreme Planning Council approves construction of 182 housing units in Jordan Valley," Ynetnews.com, 10 October 2019, available at <https://www.ynetnews.com/articles/0,7340,L-5605353,00.html>.

<sup>2</sup> This includes an array of movement restrictions and a discriminatory building permit regime that leads to the demolition of Palestinian structures.

The Plan envisions a Palestinian State divided into discontinued and isolated Cantons. These discontinued Ghettos will be connected through a transport network of bridges and tunnels, subject to Israeli security measures.

This colonial illusion means that the Israeli Occupation of the Palestinian land, sea, and airspace will be permanent, and that Israel will continue to determine the fate of the Palestinians.

#### **IV. The Palestinian Self-Determination Right**

The "Deal of the Century" violates one of the most basic principles of the International Human Rights Law, which is the right to self-determination, as it transformed the occupation from being a temporary occupation to a permanent occupation by stipulating the establishment of a Palestinian Entity, under the full Israeli control.

The deal did not stipulate any Independent Palestinian State, and did not allow the Palestinians to determine their destiny and gain independence from the Israeli control.

The United Nations General Assembly has recognized the Palestinian people's right to self-determination in dozens of resolutions, including UNSCR No. 3089 of 1973,<sup>1</sup> and UNSCR No. 3236 of 1974.<sup>2</sup>

---

<sup>1</sup> "A/RES/3089(XXVIII)A-E of 7 December 1973." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/eed216406b50bf6485256ce10072f637/a4ef7786b95e1750852560de005596d1?OpenDocument>.

<sup>2</sup> "A/RES/3236 (XXIX) of 22 November 1974." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/025974039ACFB171852560DE00548BBE>.

## V. The Principle of the Temporary Nature of the Occupation

The term of the "deal of the century" states that the Palestinian State will be established according to this deal (such State will be without sovereignty and will be subject to the Israeli control, such measure could be considered as a law of legislation and a guarantee for the permanent military occupation of Israel to the Palestinian Territories).

Article No. (42) of the ground war regulation annexed to the Fourth Hague Convention of 1907, stipulates that "the land of the state is considered occupied when it is under the effective authority of the enemy's army, and the occupation only includes the lands in which this power can be exercised after its establishment."<sup>1</sup>

Additionally, the "Deal of the Century" has transformed the Israeli Occupation from a temporary occupation to a permanent one. According to the provisions of the International Law, the occupation cannot be permanent in any way. It is an actual situation created by force major, and it is a reality that is not based on law.

The "Deal of the Century" is an explicit violation of the provisions of the Fourth Geneva Convention of 1949, which prohibited changing the demographic character and the legal status of the Occupied Territories. Among the most important articles that the provisions of the deal violate are the text of Article No. (49) of the agreement, which

---

<sup>1</sup> "LAWS AND CUSTOMS OF WAR ON LAND (HAGUE,IV) , 18 October 1907." Hague Convention , n.d. <https://www.loc.gov/law/help/us-treaties/bevans/m-ust000001-0631.pdf>.

prohibits the individual or collective forcible transfer of residents of the occupied territories.<sup>1</sup>

## **VI. Chances of the Two-State Solution**

The "Deal of the Century" contradicts dozens of the UN General Assembly Resolutions related to the Palestinian Issue, as it included texts that eliminated the International Resolutions and Draft Solutions. The most dangerous thing is that it challenged the International Legitimacy, that set clear Paths and Resolutions for the Palestinian Cause and the Two-State Solution.

Among the most significant resolutions, which supported the Two-State Solution and were contradicted by the plan, were the UNSCR No. 1397 of 2002, UNSCR No. 1515 of 2003, UNSCR No. 1850 of 2008, and UNSCR No. 2334 of 2016, in which the UN affirmed a vision of a region having two States, Israel and Palestine, living side by side within secure and recognized borders.

## **VII. Legalization & Considering Settlements as Part of Israel**

The deal stipulated the legalization of the Settlements by stating that Israel is not obligated to uproot or demolish any Settlement and it should annex them in neighboring Israeli Lands. Those Colonial Settlements will remain inside the Palestinian Territories, because annexing those Settlements to Israel will turn the Palestinian Lands into small scattered and isolated cantons, without any possibility of a Palestinian Geographic Unity.

---

<sup>1</sup> "GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR OF 12 AUGUST 1949." United Nations, n.d. [https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33\\_GC-IV-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf).

Article 8 (B-viii) of the Rome Statute of the International Criminal Court, issued in 1988, stated "the direct or indirect transfer of parts of its civilian population by the occupying power to the land it occupies" as a war crime, criminalized by the International Criminal Court.<sup>1</sup>

Additionally, the Resolution N0. 465 issued by the UN Security Council in 1980 states that "Israel's policy and actions to settle part of its population and new immigrants in the Palestinian and other Arab lands occupied since 1967, including Jerusalem, constitute a flagrant violation to the Fourth Geneva Convention on the Protection of Civilians in the time of War.

It constitutes a serious obstacle towards achieving a comprehensive, just and lasting peace in the Middle East. "This resolution also called on Israel to "dismantle the existing settlements."

Finally, the American Administration has decided to legalize the Colonial Settlement Process without any legal status. On the contrary, there is nobody in the world that could legalize colonial settlements projects. This is the direct reason for considering the occupation itself as a temporary state and will never last forever.

According to Geneva Conventions, the Hague Treaty, and the United Nations Charter, the occupier, despite the reason of occupation, He is not permitted to reside his people and military forces in the country which he occupies. Therefore, how dare President Trump's Administration legislate Settlement Activities in this Plan?

---

<sup>1</sup> Rome Statute of the International Criminal Court. Article 8 (B-viii)ICC. Accessed January 31, 2021. <https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx>.

### VIII. The Palestinian Refugees Issue

Following the Palestinian Nakba, the United Nations General Assembly issued a special resolution for the Palestinian Refugees' Return. The Palestinian Refugees Issue was based on such Resolution, which granted them the legitimacy and their right to return to their homes, from which they were displaced in 1948.

The GA Resolution No. 194,<sup>1</sup> explicitly states the need for the Palestinian Refugees to return to their original homes and villages from which they were displaced, as they are a population, who have been expelled from their lands and have the right to return.<sup>2</sup>

The Resolution did not only affirm the right of return, but it went beyond to be the basement of establishing an International Institutions for the Palestinian Refugees Cause, which were the establishment of the United Nations Relief & Works Agency for Palestinian Refugees (UNRWA), & the United Nations Consolation Commission for Palestine (UNCCP), such organizations will exist until a just and lasting solution to the refugees Cause is found and implemented according to the GA Resolution number 194.<sup>3</sup>

---

<sup>1</sup> "A/RES/194 (III) of 11 December 1948." United Nations. United Nations. Accessed January 31, 2021. <https://unispal.un.org/UNISPAL.NSF/0/C758572B78D1CD0085256BCF0077E51A>.

<sup>2</sup> The United Nations General Assembly adopts resolution 194 (III), resolving that "refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible."

<sup>3</sup> ابو بدوية ، رائد. اللاجئين الفلسطينيين و عملية السلام في الشرق الأوسط في ميزان القانون الدولي. رام الله : دار الرعاة للنشر، الطبعة الأولى (٢٠١٩). ص : ٥٩-١٣٠.

The Plan stipulates that there will be no right to return for any Palestinian Refugees to the State of Israel, and upon signing the Israeli-Palestinian Peace Agreement, the Palestinian Refugees Status will cease to exist, and the UN Relief and Works Agency for Palestine Refugees (UNRWA) will be terminated and its responsibilities transferred to the concerned Governments.

## **Chapter Five**

---

### **Conclusions & Future Vision**

#### **Introduction**

This chapter will be divided into two sections.

Section one will comprise a number of future scenarios, which will be presented to examine the legal and political ramifications of the deal, in case if it is going to be implemented.

The main target of this study is to address the legal and political ramifications of the deal of the century, in case if it is implemented.

Section Two will be dedicated to present the final outcomes and recommendations of the study.

**A. Section One: The Possible Scenarios of the Palestinian State after the Deal  
of the Century**

**I. Scenario 1: The Economic Side of the Deal**

**Could it be possible for the Economic Part of the Deal of the Century to become an  
Alternative to the Comprehensive, Just and Lasting Peace?**

The State of Palestine has the right to exercise its Sovereignty, and to act through an independent financial and monetary plan, control over its imports and export policies, as well as access to its borders and natural resources, including water, minerals, natural gas, and oil resources.

It is only through a just lasting peace and fair resolutions that can ensure for the Palestinians the independence, prosperity, and sustainability of their economy, starting from putting an end to the Israeli Occupation and the fulfillment of the Palestinians Inalienable Rights.

According to the various economic studies, Palestine has great economic opportunity and the obstacle to achieve that opportunity is the Israeli Occupation. For example, in 2013, a World Bank Report estimated that if Israeli restrictions on Area C of the West Bank were lifted it “could bring about significant expansion of many sectors of the Palestinian Economy,” which will be able to generate approximately US \$ 2.2 billion a year in value added terms.

According to the report: “The bulk of this would come from agriculture and the Dead Sea minerals exploitation.” The Dead Sea, is a strategic area for Palestine, but it was donated to Israel by Trump’s Plan. The economic portion of the plan is a failure attempt to cover up the prolongation of the Israeli Occupation and the theft of the Palestinian Land and Resources.<sup>1</sup>

## **II. Scenario 2: Rejecting the Deal**

### **Could it be Possible to Consider the Process of Rejecting the Deal as a Sufficient Reason Towards its Failure?**

Rejecting Trump's deal is not enough. The Palestinian Authority has to go through a clear political strategy towards Israel, which includes changing Palestinian Politics and making decisive decisions that define relations with Israel, such as withdrawing recognition of Israel, stopping security coordination, economic dependence, dissolving the Palestinian Authority, activating the PLO, including factions that are still outside it, in conjunction with the Palestinian Popular and Political Movements, according to this scenario, there are two possibilities:

- The first possibility is to dissolve the Palestinian Authority. Hold Israel and the International Community accountable for their legal and political responsibilities towards the Palestinian people and ending the occupation. This option will have serious consequences, the most important of which is the destruction of the

---

<sup>1</sup> “Report No. AUS2922 WEST BANK AND GAZA Area C and the Future of the Palestinian Economy October 2, 2013 , Poverty Reduction and Economic Management Department Middle East and North Africa Region.” The World Bank, 2013. <http://documents1.worldbank.org/curated/en/137111468329419171/pdf/AUS29220REPLAC0EVISION0January02014.pdf>.

Palestinian Authority as an Official Internationally Recognized Political-Legal Representative for the Palestinian People. (WATNA)

- The second possibility is to change the Palestinian Authority's function: The Declaration of the Palestinian State as an Occupied State, accordingly such a decision may lead to a comprehensive intifada in the West Bank and the Gaza Strip, which will finally lead to the collapse of the Authority. On the ground, the Palestinian Territories were divided into four areas: the Gaza Strip, the Northern Area of the West Bank (Nablus and Jenin), the Central Area (Ramallah), and the Southern Area (Hebron & Bethlehem), a catastrophic possibility that aggravates the problem of the Palestinians and their National Movement. (BATNA)

### **III. Scenario 3: Security Measures & the Two-State Solution**

In 2019, the Israeli Institute for National Security Studies (INSS) published a study, which concluded some possible scenarios for the Palestinian State according to the Israeli Security Measures. Most scenarios demonstrate that the existence of a responsible, stable, functional Palestinian Authority, with which Israel can cooperate on security matters is critically essential, because both Israel and the Palestinian Authority have a shared interest in combatting Terrorism, mainly Hamas Movement. The research also demonstrates that strengthening statehood components of the Palestinian Authority will serve as a restraint in future security contexts. Overall, the scenarios leads to two possible conclusions: two states (with full Palestinian Sovereignty or limited Palestinian Sovereignty) or one state (with full rights for all or without full rights for all). The probability is high that preserving the current situation or annexing territories would



Administration is looking forward for more normalization treaties with other Arab Countries.

This scenario will lead us to an open question which will need a further investigation in the future:

- Is it possible that the New US Administration, headed by Biden will be able to reach a comprehensive and just peaceful solution for the Palestinian-Israeli Conflict?
- Would it be possible that the Deal of the Century could be presented again by another New U.S. Administration in the future? (2024-2028 Elections)

## **B. Section Two: Conclusion & Recommendations**

### **- Conclusion**

The deal of the century is a clear aggressive plan against the Inalienable Rights of the Palestinian people, which were endorsed by the United Nations to enable them to exercise their right to self-determination, national independence, sovereignty, and the right of the refugees to return. The plan undermines the International Law and the United Nations' role and hence constitutes a direct threat to the Palestinian people and their just cause and the International Law-based system as we know it. Furthermore, the plan considers all the Israeli Settlements as legal, including those in East Jerusalem, which is a part of the Occupied Palestinian Territories. This indicates that the deal of the century was proposed as an attempt to legalize what Israel has already done on the ground by changing the facts and realities.

What the United States and the Israeli Occupation did by announcing this deal unilaterally and without relying on any legal references, including the International Legitimacy Decisions, puts them in confrontation with the world and the Palestinians, given that the whole world shares the Principles of the International Law that regulate state relations and Conflicts Management. On the contrary, the plan grants the Palestinians the opportunity to coordinate and cooperate with the International Community to prevent the prosecution and implementation of the plan, for the sake of protecting the International Order and Stability in the region and the entire world.

If the plan is being implemented on the American way, it will result in destroying the entire region, and draw back the conflict in the region to zero point (Regional Conflict, War & Unstable Security).

Furthermore, the announcement of the deal by the United States, at this time, while ignoring the regional parties who are involved in the conflict, and without regard to the Existing Agreements, the International Law, and the International Legitimacy Decisions, represent a reversal not only in the International Law and the International Conflict Management & Resolution but rather a coup in the International Politics and the International Conflicts Management, dragging the world in to a juncture of chaos that will lead to an international clash in the face of the policies of the influential countries that are in conflict over their interests in the world.

The Deal will lead to the establishment of a Racist State of discrimination, and the splitting of the proposed Palestinian State into isolated cantons, looks much like the apartheid model applied in South Africa. The Palestinians will be granted limited

autonomy within a Palestinian homeland that consists of multiple non-contiguous enclaves scattered throughout the West Bank and Gaza. What the Palestinians need is to have the right to govern themselves and to be able to choose their political system and future freely. This right is only applicable if the Palestinian people can live on their entire land uninterruptedly and permanently without occupation.

Regarding the Conflict Resolution Theories and Mechanisms, for achieving a comprehensive and just solution for the conflict, all relevant UN Resolutions and the International Law, must be endorsed as basis for the solution. Additionally, the Arab Peace Initiative (API) must be accredited as the foundation formula which can achieve diplomatic relationship with Israel in exchange for ending the occupation for all Arab Territories, including the Lebanese Sheba'a Farms, Arab Syrian Golan Heights, and the Occupied Palestinian Territories, additionally, achieving a just and comprehensive solution to the question of the Palestinian Refugees.

Moreover, it's clear that the USA has shifted its strategy from conflict management strategy to conflict resolution strategy. The conflict management strategy that the USA used in the Obama & Bush Administrations was a major reason for affecting the conflict (Conflict Management Strategy provided Israel with the needed time to establish realities on the ground, and this played as a key role in terminating the two-state solution) . Furthermore, the deal of the century came to find a permanent resolution for the Palestinian-Israeli Conflict, but this resolution is an imposed resolution on the Palestinians and could never be in compliance with the conflict resolution strategies.

There is no doubt that, recognizing the realities on the ground after more than 70 years of occupation, the U.S. President is pressuring the Palestinians to accept the Israeli Apartheid Regime. This move also impedes the peace efforts and demonstrates the Israeli Occupation's, according to the American incorrect understanding as a religious conflict, which agitates and exacerbates the region's already volatile situation and around the world. Moreover, moving the embassy violates more than 70 years of accepted international practice and norms related to the Holy City of Jerusalem and U.N. Security Council Resolution 478, which prohibits establishing diplomatic missions in the Holy City.

Palestinians do consider the New U.S. Embassy, which is located in the Occupied Territory of Jerusalem as similar to the Israeli illegal Settlements. such as 'Beit El,' 'Maale Adumim," Areal,' and others. All settlements remain illegal; they are all considered as a stumbling block to achieving a durable & just peace.

These realities demonstrate that the deal of the century violates several issues including the right of the Palestinian people to self-determination, the principle of the temporary nature of the occupation, the provisions of the Fourth Geneva Convention of 1949, the Resolutions of the United Nations General Assembly and the Security Council resolutions, the International Law regarding the issue of Jerusalem and its legitimacy of settlements, forced relocating of populations and annexation of the Jordan Valley, which will lead to the loss of the sovereignty of the Palestinian State and consequently the absence of any border crossing with the neighboring countries and finally the termination of the issue of Palestinian Refugees in the diaspora.

Additionally, the annexation of the Occupied Palestinian Territory is manifested illegal, according to the International Law and deems a crime of aggression under Rome Statute Article No. 8-bis-3/2(A). Furthermore, the discriminative activities are recognized as a crime against humanity under the Rome Statute, Article 7-A (J).<sup>1</sup>

For time-being there are more than 200 different Evangelical Organizations committed to the Christian Zionism in the USA. These organizations are considered as a significant component of the Pro-Israel Lobby in the USA. Such Christian Zionists (Evangelicals) do exert great influence on the USA's Foreign Policy towards the Palestinian-Israeli Conflict and the Middle East.

As was mentioned and proved by other previous studies and analysis, Christian Zionism has shaped the USA's Foreign Policies during Republican Presidencies. According to the 2016 Exit Polls Results, 80% of White Evangelical Christians voted for Trump. This indicates that there is a direct relationship between Evangelicals and the US Elections of 2016. Their influence could be noticed through different measures like Recognizing Jerusalem as the United Capital to Israel, Moving the USA Embassy to Jerusalem, and proposing the deal. Indeed, the Biased side of the United States towards Israel and its relationship with Evangelicals will need further investigation and research.

#### **- Recommendations**

To achieve peace is fundamentally based on a vision and commitment to the end of the Israeli Occupation to the Palestinian Territories and Lands. An independent

---

<sup>1</sup> Rome Statute of the International Criminal Court. ICC. Accessed January 31, 2021. <https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx>.

Palestinian State can only be achieved on the basis of complete sovereignty over territory and resources; control over borders, airspace; and, most importantly, self-determination: the ability to freely determine the shape of the Palestinian political, civil, economic, cultural, and social sectors.

The correct approach towards finding resolution for the Palestinian-Israeli Conflict in the future, should be in adherence with the International Law and the justice system and accountability that the international legal system is designed to preserve and protect people. Any plan that disregards the International Law and the United Nations Resolutions, and legitimizes the illegal land theft and annexation could never be considered as a peace plan at all.

That is why the recent Palestinian Peace Initiative of February 2018, as proposed by President Mahmoud Abbas at the United Nations Security Council,<sup>1</sup> underpinned by several concrete requirements to address the problems that had consistently undermined efforts towards achieving peace.

He called for mutual recognition between the States of Palestine and Israel based on 1967 borders and to form an international mechanism to assist in negotiations to resolve the permanent status issues as defined in the 1993 Oslo Accord.

Furthermore, the presented peace initiative by President Mahmoud Abbas requires all parties to refrain from unilateral actions during the negotiation period

---

<sup>1</sup> “Palestinian President Presents Plan to Relaunch Peace Talks with Israel, Says New Multilateral Mechanism Should Guide Process, in Briefing to Security Council | Meetings Coverage and Press Releases.” United Nations. United Nations. Accessed January 28, 2021. <https://www.un.org/press/en/2018/sc13213.doc.htm>.

(Expanding Settlements, Annexation, Moving the USA Embassy to Jerusalem, and Proposing the Deal of the Century despite the rights of the Palestinian People).

Indeed, the international community, including the United Nations and the Security Council, must assume their responsibilities in maintaining the International Peace and Security and ensuring international protection for the Palestinian people. As an occupying power, Israel should be held accountable for the ongoing and systematic crimes against the Palestinians and its flagrant international law violations.

It is crucial to form an Official Fact-Finding Mission to the Occupied Palestinian Territories, open a transparent investigation into recent events in the area, and allow the International Criminal Court to expedite its investigation into the Israeli crimes in the Palestinian Occupied Territories. It is the time for the international community to choose between the interest of peace and stability through the implementation of international law and the downfall of illegal acts, occupation, and international chaos. In this regard, on February 4, 2020, High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell issued the following statement on the "Peace to Prosperity" plan (US Peace Plan):

“The European Union is fully committed to the transatlantic partnership and values all efforts to help find a peaceful resolution to the Israeli-Palestinian Conflict. The EU recalls its commitment to a negotiated two-State solution, based on 1967 Borders, with equivalent land swaps, as may be agreed between the parties, with the State of Israel and an independent, democratic, contiguous, sovereign and viable State

of Palestine, living side by side in peace, security and mutual recognition – as set out in the Council Conclusions of July 2014.”<sup>1</sup>

Moreover, to pave the way for future resolution of the conflict between the two parties, all claims arising out of the conflict should be settled. Reaching a comprehensive and sustainable peace agreement requires that the illegal measures being committed during the conflict are addressed and redressed.

A just, comprehensive, and lasting peace in the entire Middle East Region can only be achieved through the vision of a Two-State Solution, which has been neglected by the deal of the century. A deal like this gives the occupation the needed power to continue its occupational project. Indeed, a deal like this did really legitimize the occupation. What has failed is a US-led peace process that is biased towards Israel.

The facts indicate that the Third-Party, who acts a mediator in a bilateral negotiations, must be fair, impartial and unbiased in favor of one party at the expense of the other party of the conflict.

---

<sup>1</sup> EU HIGH REPRESENTATIVE ISSUES STATEMENT ON THE US INITIATIVE ,United Nations Division for Palestinian Rights. “Blue Bulletin, p 3-4” February 2020. [https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL\\_230320-1.pdf](https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL_230320-1.pdf).

## Bibliography

### Journals

1. Iriqat, Dalal. "The 'Deal of the Century' from a Palestinian Perspective." PIJ.ORG. Palestine-Israel Journal. Accessed January 21, 2021. <https://www.pij.org/articles/2011/the-deal-of-the-century-from-a-palestinian-perspective>.
2. Alhusseni, S. F. (2018, December 24). فلسطين وقرن من الظلم. Retrieved from <https://www.raialyoum.com/index.php>.
3. Erekat, S., 2015. Israeli-Palestinian Relations: Point of No Return, Palestine-Israel journal, Vol. 20 No. 2 , 2015 <https://pij.org/journal/84>
4. Ayşe Tekdal Fildiş, New Role For Religion In American Politics: How The Evangelical Church Is Shaping The Middle-Eastern Politics In Particular In The Israeli Palestinian Conflict ,SİYASAL: Journal of Political Sciences, 27(2) P : 149–161
5. The Madrid Peace Conference Source: Journal of Palestine Studies, Vol. 21, No. 2 (Winter, 1992), Published by: University of California Press on behalf of the Institute for Palestine Studies Stable p. 117-149, URL: <http://www.jstor.org/stable/2537235>
6. Wall, James A., Jr. and Ann Lynn. 1993. "Mediation: A Current Review." Journal of Conflict Resolution 37(1):160-194. <https://www.social-mediation.org/wp-content/uploads/2018/06/Mediation.pdf>
7. Ice, Thomas D., "Lovers of Zion: A History of Christian Zionism" (2009). Article Archives. 29. [https://digitalcommons.liberty.edu/pretrib\\_arch/29](https://digitalcommons.liberty.edu/pretrib_arch/29)
8. Leigh A. Bradberry, The Effect of Religion on Candidate Preference in the 2008 and 2012 Republican Presidential Primaries, PLoS ONE Journal, 11 (4),Published: April 4, 2016, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0152037>
9. Campbell, David. (2006). Religious "Threat" in Contemporary Presidential Elections. Journal of Politics.68.104-115. 10.1111/j.1468-2508.2006.00373.x.

10. Haija, Rammy M. "The Armageddon Lobby: Dispensationalist Christian Zionism and the Shaping of US Policy Towards Israel-Palestine." *Holy Land Studies: A Multidisciplinary Journal* 56, no. 1 (2006): 75-95. <https://www.-muse.jhu.edu/article/199773>.
11. Zamkanei, Shayna. "The Politics of Defining Jews from Arab Countries." *Israel Studies* 21, no. 2 (2016): 1-26. Accessed October 20, 2020. doi:10.2979/israelstudies.21.2.01.
12. Kydd, Andrew. 2003. "Which Side Are You On? Bias, Credibility, and Mediation." *American Journal of Political Science* 47(4):597-611
13. דקל, אודי, קובי מיכאל, על המחברים/ות אודי דקלמנהל המכון למחקרי ביטחון לאומי קובי מיכאלחוקר בכיר, and אודי דקלמנהל המכון למחקרי ביטחון לאומי קובי מיכאלחוקר בכיר. "תרחישים בזירה הישראלית-פלסטינית: האתגרים האסטרטגיים והמענים האפשריים." המכון למחקרי ביטחון לאומי- June 13, 2019. <https://www.inss.org.il/he/publication/scenarios-in-the-israeli-palestinian-arena-strategic-challenges-and-possible-responses/>.

### **Books**

#### **I. Books in English Language**

1. Fisher, Ronald J. 1990. *The Social Psychology of Intergroup and International Conflict Resolution*. New York. <https://link.springer.com/book/10.1007/978-1-4612-3288-9>
2. Fisher, Ronald J. 1995. "Pacific, Impartial Third-Party Intervention in International Conflict: A Review and an Analysis.", *Beyond Confrontation: Learning Conflict Resolution in the Post-Cold War Era*. Ann Arbor, MI: University of Michigan Press.
3. Kilmann, R.H. and K.W. Thomas. 1977. *Developing a forced-choice measure of conflict-handling behavior: The 'Mode' Instrument*. Educational and Psychological Measurement. <https://doi.org/10.1177%2F001316447703700204>
4. Touval, Sadia, *The Peace Brokers: Mediators in The Arab Israeli Conflict(1948-1979)*, 1982 .

5. Young. Oran R. 1967. The Intermediaries: Third Parties in International Crises. Princeton: Princeton University Press. [https://www.degruyter.com/princetonup/view/title/522196?language=en&tab\\_body=toc-79062](https://www.degruyter.com/princetonup/view/title/522196?language=en&tab_body=toc-79062)

## II. الكتب باللغة العربية

1. ابو بدوية ، رائد. اللاجئين الفلسطينيين و عملية السلام في الشرق الأوسط في ميزان القانون الدولي. رام الله : دار الرعاة للنشر، الطبعة الأولى. (٢٠١٩)
2. ثابت، احمد، الحصاد المر للتفاوض: اختزال قضية فلسطين ، عمان: دار وائل للنشر، الطبعة الاولى (٢٠٠٣).
3. شاش، طاهر، المواجهة و السلام في الشرق الاوسط : الطريق الى غزة اريحا، الطبعة الاولى ١٩٩٥، القاهرة :دار الشروق للنشر .
4. شاش، طاهر، مفاوضات التسوية النهائية و الدولة الفلسطينية : التحديات و الآمال، الطبعة الأولى ١٩٩٩، القاهرة : دار الشروق للنشر .
5. قريع، احمد، الرواية الفلسطينية الكاملة للمفاوضات من اوسلو الى خارطة الطريق: مفاوضات اوسلو ١٩٩٣ ، بيروت: مؤسسة الدراسات الفلسطينية. (٢٠٠٥)
6. قريع، احمد، الرواية الفلسطينية الكاملة للمفاوضات من اوسلو الى خارطة الطريق: مفاوضات كامب ديفيد (طابا و استوكهولم) ١٩٩٥-٢٠٠٠ ، بيروت: مؤسسة الدراسات الفلسطينية، الطبعة الثانية، (٢٠٠٧) .
7. مؤتمر الخبراء الفلسطينيين حول قضايا الوضع الدائم : المبادرة الفلسطينية لتعميق الحوار العالمي و الديمقراطية ”مفتاح“ (٢٠٠٠) ، رام الله: مطبعة رام الله.

## Thesis

1. Hornstra, W. (2007). Christian Zionism Among Evangelicals In The Federal Republic Of Germany, 2007 Oxford Centre for Mission Studies, Unpublished PhD Thesis,P(1-3). <http://gc.uofn.edu/files/journals/1/Resources/WillemHornstraPhDdissertation.pdf>
2. Michael J. Herbert The New Evangelicals: How Donald Trump Revealed the Changing Christian Conservative base, April 9 2017, Master Thesis, Bemidji State University , P : 3-16

3. Sizer, Stephen R. (2002) The promised land: a critical investigation of Evangelical Christian Zionism in Britain and the United States of America since 1800. PhD thesis, Middlesex University.,[https://eprints.mdx.ac.uk/6403/1/Sizer-promised\\_land.phd.pdf](https://eprints.mdx.ac.uk/6403/1/Sizer-promised_land.phd.pdf)

#### Legal Resources

1. The Universal Declaration of Human Rights. Retrieved October 22, 2020, from <https://www.un.org/en/universal-declaration-human-rights/>
2. The International Covenant on Civil and Political Rights. (n.d.). Retrieved October 22, 2020, from <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>
3. “GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR OF 12 AUGUST 1949.” United Nations, n.d. [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33\\_GC-IV-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf).
4. “Rome Statute of the International Criminal Court.” the International Criminal Court ISBN No. 92-9227-232-2, n.d. <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>.
5. “LAWS AND CUSTOMS OF WAR ON LAND (HAGUE,IV) , 18 October 1907.” Hague Convention , n.d. <https://www.loc.gov/law/help/us-treaties/bevans/must000001-0631.pdf>.
6. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion), International Court of Justice, (2004), para 121.
7. Basic Law: Jerusalem, Capital of Israel (1980), available at, [https://www.knesset.gov.il/laws/special/eng/basic10\\_eng.htm](https://www.knesset.gov.il/laws/special/eng/basic10_eng.htm)
8. “Special Rapporteur on the Situation of Human Rights in the OPt Alarmed by ‘Lopsided Trump Plan’, Says Will Entrench Occupation - Press Release - Question of Palestine.” United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/special-rapporteur-on-the-situation-of-human-rights-in-the-opt-alarmed-by-lopsided-trump-plan-says-will-entrench-occupation/>.

9. United Nations Division for Palestinian Rights. "Blue Bulletin," February 2020. [https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL\\_230320-1.pdf](https://www.un.org/unispal/wp-content/uploads/2020/03/MBFEB20FINAL_230320-1.pdf).
10. R. Hofmann, "Annexation," in Max Planck Encyclopedia of Public International Law (Oxford University Press, 2013), para. 1.
11. Forty-third session, Human Rights Council. United Nations , March 2020. [https://www.un.org/unispal/wp-content/uploads/2020/03/A.HRC\\_.43.NI\\_.2.pdf](https://www.un.org/unispal/wp-content/uploads/2020/03/A.HRC_.43.NI_.2.pdf).
12. "The Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip: Annex I." Oslo II Annex I. Accessed January 26, 2021. <https://www.jewishvirtuallibrary.org/oslo-ii-annex-i>.
13. "International Covenant on Economic, Social and Cultural Rights." OHCHR. Accessed January 27, 2021. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.
14. "The Palestinian Economy: Macroeconomic and Trade Policymaking under Occupation\*." United Nations Conference on Trade and Development. United Nations, New York and Geneva, 2012, 2012. [https://unctad.org/system/files/official-document/gdsapp2011d1\\_en.pdf](https://unctad.org/system/files/official-document/gdsapp2011d1_en.pdf).
15. "THE ISRAELI-PALESTINIAN INTERIM AGREEMENT ON THE WEST BANK AND THE GAZA STRIP." PROTOCOL ON ECONOMIC RELATIONS between the Government of the State of Israel and the P.L.O., representing the Palestinian people, April 9, 1994. <https://www.paltrade.org/upload/agreements/Paris%20Economic%20Protocol.pdf>.
16. UN General Assembly, Status of Palestine in the United Nations : resolution / adopted by the General Assembly, 4 December 2012, A/RES/67/19, available at: <https://www.refworld.org/docid/50c5e6152.html> [accessed 20 October 2020]
17. "S/RES/252 (1968) of 21 May 1968." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/46F2803D78A0488E852560C3006023A8>.

18. ["S/RES/267 \(1969\) of 3 July 1969."](https://unispal.un.org/DPA/DPR/unispal.nsf/0/5932ECF53FF36A04852560C300656122) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/5932ECF53FF36A04852560C300656122>.
19. ["S/RES/298 \(1971\) of 25 September 1971."](https://unispal.un.org/DPA/DPR/unispal.nsf/0/441329A958089EAA852560C4004EE74D) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/441329A958089EAA852560C4004EE74D>.
20. ["S/RES/338 \(1973\) of 22 October 1973."](https://unispal.un.org/unispal.nsf/0/7FB7C26FCBE80A31852560C50065F878) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/0/7FB7C26FCBE80A31852560C50065F878>.
21. ["A/RES/3089\(XXVIII\)A-E of 7 December 1973."](https://unispal.un.org/unispal.nsf/eed216406b50bf6485256ce10072f637/a4ef7786b95e1750852560de005596d1?OpenDocument) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/eed216406b50bf6485256ce10072f637/a4ef7786b95e1750852560de005596d1?OpenDocument>.
22. ["A/RES/3236 \(XXIX\) of 22 November 1974."](https://unispal.un.org/UNISPAL.NSF/0/025974039ACFB171852560DE00548BBE) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/025974039ACFB171852560DE00548BBE>.
23. ["S/RES/446 \(1979\) of 22 March 1979."](https://unispal.un.org/UNISPAL.NSF/0/BA123CDED3EA84A5852560E50077C2DC) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/BA123CDED3EA84A5852560E50077C2DC>.
24. ["S/RES/452 \(1979\) of 20 July 1979."](https://unispal.un.org/UNISPAL.NSF/db942872b9eae454852560f6005a76fb/0b7116abb4b7e3e9852560e5007688a0?OpenDocument) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/db942872b9eae454852560f6005a76fb/0b7116abb4b7e3e9852560e5007688a0?OpenDocument>.
25. ["S/RES/465 \(1980\) of 1 March 1980."](https://unispal.un.org/UNISPAL.NSF/0/5AA254A1C8F8B1CB852560E50075D7D5) United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/5AA254A1C8F8B1CB852560E50075D7D5>.
26. ["S/RES/471\(1980\)."](https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/399/64/PDF/NR039964.pdf?OpenElement) United Nations. United Nations, 1980. <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/399/64/PDF/NR039964.pdf?OpenElement>.

27. "S/RES/476 (1980) of 30 June 1980." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/6DE6DA8A650B4C3B852560DF00663826>.
28. "S/RES/478 (1980) of 20 August 1980." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/DDE590C6FF232007852560DF0065FDDB>.
29. "S/RES/1397 (2002) of 12 March 2002." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/unispal.nsf/0/4721362DD7BA3DEA85256B7B00536C7F>.
30. "S/RES/1515 (2003) of 19 November 2003." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/DPA/DPR/unispal.nsf/0/71B2C135FCA9D78A85256DE400530107>.
31. "S/RES/1850 (2008) of 16 December 2008." United Nations. United Nations. Accessed January 27, 2021. <https://unispal.un.org/UNISPAL.NSF/0/7F7430A137000C4E85257523004CCADF>.
32. "Resolution 2334 (2016) - Adopted by the Security Council at Its 7853rd Meeting, on 23 December 2016." United Nations. United Nations, 2016. <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>.
33. "Arab-Israeli Conflict/Palestine Question - Resolution Adopted by the 19th Arab Summit/Riyadh Declaration/Addresses - Letter from Saudi Arabia - Question of Palestine." United Nations. United Nations. Accessed January 24, 2021. <https://www.un.org/unispal/document/auto-insert-179040/>.
34. Resolution A/49/PV.70 of 29 November 1994. (n.d.). Retrieved October 21, 2020, from <https://unispal.un.org/DPA/DPR/unispal.nsf/0/F081E2DF734665F78525618200760D6B>
35. Resolution A/49/35 Of 16 November 1994. [unispal.un.org/DPA/DPR/unispal.nsf/0/4E9E0481EA33606F85256117007D62D0](https://unispal.un.org/DPA/DPR/unispal.nsf/0/4E9E0481EA33606F85256117007D62D0).
36. "Right of Peoples to Self-Determination - Special Rapporteur Study (Excerpts) - Question of Palestine." United Nations. United Nations. Accessed January 24, 2021. <https://www.un.org/unispal/document/auto-insert-186956/>.

37. Israel: Law No. 5710-1950, The Law of Return , 5 July 1950, available at: <https://www.refworld.org/docid/3ae6b4ea1b.html> [accessed 20 October 2020]

#### Reports

1. "Report No. AUS2922 WEST BANK AND GAZA Area C and the Future of the Palestinian Economy October 2, 2013 , Poverty Reduction and Economic Management Department Middle East and North Africa Region." The World Bank, 2013. <http://documents1.worldbank.org/curated/en/137111468329419171/pdf/AUS29220REPLAC0EVISION0January02014.pdf>.
2. "Israel's Violations of Human Rights Regarding Water and Sanitation in the OPT - Report by Al-Haq and EWASH to CESC - Non-Un Document - Question of Palestine." United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/auto-insert-195880/>.
3. "ISRAELI ANNEXATION OF THE JORDAN VALLEY." PASSIA. Accessed January 28, 2021. <http://www.passia.org/maps/view/74>.
4. "Impact of Israel's Separation Barrier on Affected West Bank Communities - OCHA Update Report #3 - Question of Palestine." United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/unispal/document/auto-insert-207980/>.
5. Palestinian Academic Society for the Study of International Affairs. 100 Years of Palestinian History: A 20th Century Chronology. Jerusalem: PASSIA, December 2001. (p. 121)
6. "2,572 Settlement Housing Units in Tenders Are Published on the Eve of the Change in Government in Washington." Peace Now, January 20, 2021. <https://peacenow.org.il/en/2572-settlement-housing-units-in-tenders-are-published-on-the-eve-of-the-change-in-government-in-washington>.
7. Ahmed A Rjoob (2009) The Impact of Israeli Occupation on the Conservation of Cultural Heritage Sites in the Occupied Palestinian Territories: The Case of 'Salvage Excavations', Conservation and Management of Archaeological Sites, 11, P :3-4, 214-235, DOI: 10.1179/175355210X12747818485367.
8. Religious Freedom Report, OCHA, West-Bank Closure Update, May 2008, <https://www.un.org/unispal/document/auto-insert-209731/>

9. United Nations General Assembly, Third session, A/HRC/WG.6/3/ISR/2; Report of the Working Group on the Universal Periodic Review.<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/163/34/PDF/G0816334.pdf?OpenElement>
10. Report of the United Nations Fact-Finding Mission on the Gaza Conflict A/HRC/12/48 / 25 September 2009 <https://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>
11. Relocation Of The United States Embassy To Jerusalem (Palestine v Nov 2018) I.C.J., 15 November General List No. 176 15 November 2018 Relocation Of The United States Embassy To Jerusalem (Palestine v. United States Of America) Order, p. 3, available at <https://www.icj-cij.org/files/case-related/176/176-20181115-ORD-01-00-EN.pdf>
12. “The Economic Costs of the Israeli Occupation for the Palestinian People: The Unrealized Oil and Natural Gas Potential.” UNCTAD. Accessed January 26, 2021. <https://unctad.org/webflyer/economic-costs-israeli-occupation-palestinian-people-unrealized-oil-and-natural-gas>.
13. “Born Without Civil Rights.” Human Rights Watch, December 18, 2019. <https://www.hrw.org/report/2019/12/17/born-without-civil-rights/israels-use-draconian-military-orders-repress>.

#### Online Resources

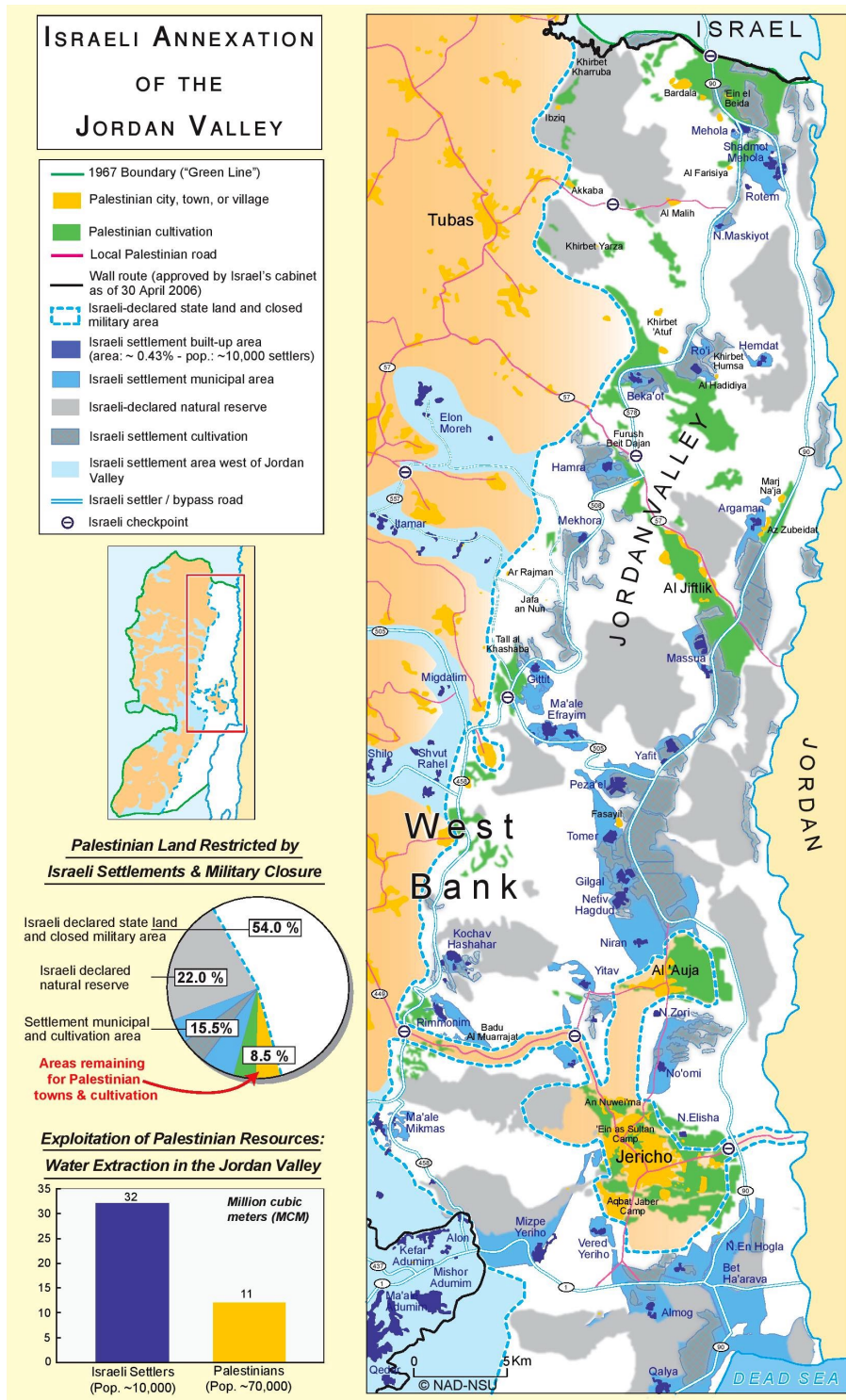
1. U.S. Mission Israel | 7 December, 2020 | Topics: Exclude. “Statement by Former President Trump on Jerusalem.” U.S. Embassy in Israel, January 20, 2021. <https://il.usembassy.gov/statement-by-president-trump-on-jerusalem/>.
2. S/2003/529 of 7 May 2003. (n.d.). Retrieved March 29, 2021, from <https://unispal.un.org/UNISPAL.NSF/0/6129B9C832FE59AB85256D43004D87FA>
3. Indyk, Martin. “Trump's Unfair Middle East Plan Leaves Nothing to Negotiate.” Foreign Affairs, February 6, 2020. [https://www.foreignaffairs.com/articles/israel/2020-02-04/trumps-unfair-middle-east-plan-leaves-nothing-negotiate?utm\\_medium=email\\_notifications&utm\\_source=reg\\_confirmation&utm\\_campaign=reg\\_guestpass](https://www.foreignaffairs.com/articles/israel/2020-02-04/trumps-unfair-middle-east-plan-leaves-nothing-negotiate?utm_medium=email_notifications&utm_source=reg_confirmation&utm_campaign=reg_guestpass).

4. Indyk, Martin. "Trump's Plan Is Clear. He Supports an Independent Palestinian State. The Problem Is That the Plan Offers a 'State Minus' Just as Bibi Defines It: Minus Contiguous Territory, Minus Sovereignty, Minus the Jordan Valley, and Minus a Capital in East Jerusalem. <https://t.co/1MGV5HgNPN>." Twitter. Twitter, January 30, 2020. [https://twitter.com/martin\\_indyk/status/1222898105919520773](https://twitter.com/martin_indyk/status/1222898105919520773).
5. "Israel and UAE Strike Historic Deal to Normalise Relations." BBC News. BBC, August 13, 2020. <https://www.bbc.com/news/world-middle-east-53770859>.
6. JPost, "Friedman: Trump has 'slayed sacred cows'", September 5, 2018. <https://www.jpost.com/Arab-Israeli-Conflict/Friedman-Trump-has-slayed-sacred-cows-566520> last accessed on November 21, 2018.
7. Diana Buttler Bass, "For Many Evangelicals, Jerusalem is about prophecy, not politics" May 14, 2018. <https://edition.cnn.com/2017/12/08/opinions/jerusalem-israel-evangelicals-end-times-butler-bass-opinion/index.html>
8. Ming, S. (2016, March 12). Freedom of Religion and Access Control in Israel. Retrieved October 21, 2020, from <https://www.e-ir.info/2016/03/07/freedom-of-religion-and-access-control-in-israel/>
9. Israel Today, and Edy Cohen. "Arab Countries Say 'We Miss the Jews.'" Israel Today, Israel Today, 1 Jan. 2020, [www.israeltoday.co.il/read/arab-countries-say-we-miss-the-jews/?fbclid=IwAR336f1336wrHO42TzII6tYGPoydVXd9I04XBb2uO0fpvWkeughyw-yHTM4](http://www.israeltoday.co.il/read/arab-countries-say-we-miss-the-jews/?fbclid=IwAR336f1336wrHO42TzII6tYGPoydVXd9I04XBb2uO0fpvWkeughyw-yHTM4).
10. United Nations Position on Jerusalem Unchanged, Special Coordinator Stresses, as Security Council Debates United States Recognition of City | Meetings Coverage and Press Releases. (n.d.). Retrieved October 22, 2020, from <https://www.un.org/press/en/2017/sc13111.doc.htm>
11. SEVEN ELEMENTS OF EFFECTIVE NEGOTIATIONS, December 2008 – Jerome Slavik ,Adapted from Getting To Yes – Negotiating Agreements Without Giving In, R. Fisher and W. Ury [https://hms.harvard.edu/sites/default/files/assets/Sites/Ombuds/files/HMS.HHSD\\_HSPH\\_OmbudsOffice.SEVEN%20ELEMENTS%20OF%20EFFECTIVE%20NEGOTIATIONS.pdf](https://hms.harvard.edu/sites/default/files/assets/Sites/Ombuds/files/HMS.HHSD_HSPH_OmbudsOffice.SEVEN%20ELEMENTS%20OF%20EFFECTIVE%20NEGOTIATIONS.pdf)

12. Chronological Review of Events/November 2007- DPR review - Question of Palestine. Retrieved October 22, 2020, from <https://www.un.org/unispal/document/auto-insert-196659/>
13. “\$48 Billion Is the Estimated Revenue Loss by Palestine from 2000-2017 Due to Occupation.” UNCTAD, December 2, 2019. <https://unctad.org/news/48-billion-estimated-revenue-loss-palestine-2000-2017-due-occupation>.
14. “West Bank Barrier.” United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory. Accessed January 10, 2021. <https://www.ochaopt.org/theme/west-bank-barrier>.
15. “Background: The Question of Palestine.” UNCTAD. Accessed January 24, 2021. <https://unctad.org/topic/palestinian-people/The-question-of-Palestine>.
16. “General Assembly Adopts Seven Resolutions, Including Texts on Middle East, Citing Illegality of Annexing Occupied Palestinian Territory | Meetings Coverage and Press Releases.” United Nations. United Nations. Accessed January 26, 2021. <https://www.un.org/press/en/2020/ga12292.doc.htm>.
17. United States Mission to the United Nations | 26 January, 2021 | Topics: Highlights. “Remarks at a UN Security Council Open Debate on the Situation in the Middle East (via VTC).” United States Mission to the United Nations, January 26, 2021. <https://usun.usmission.gov/remarks-at-a-un-security-council-open-debate-on-the-situation-in-the-middle-east-via-rtc-2/>.

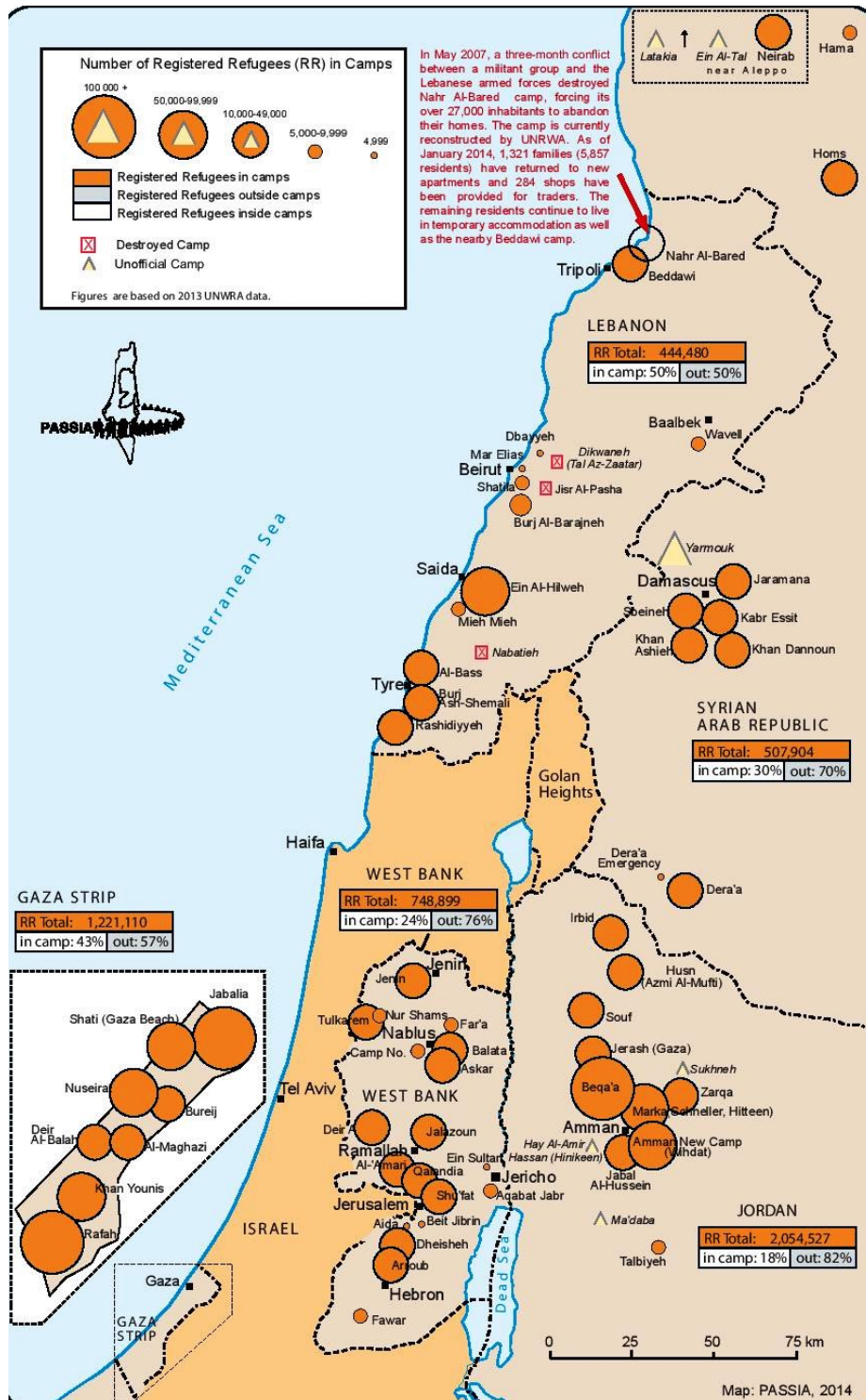
**Appendixes**

**1. Appendix (1) : Annexation of The Jordan Vally, PASSIA Organization <sup>1</sup>**



<sup>1</sup> "ISRAELI ANNEXATION OF THE JORDAN VALLEY." PASSIA. Accessed January 31, 2021. [http:// www.passia.org/maps/view/74](http://www.passia.org/maps/view/74).

2. Appendix (2): Palestinian Refugees, PASSIA Organization <sup>1</sup>



<sup>1</sup> "PALESTINIAN REFUGEES." PASSIA. Accessed January 31, 2021. <http://www.passia.org/maps/view/72>.

### 3. Appendix (3) Letter to Secretary of State Pompeo on Peace to Prosperity Proposal, February 3, 2020.<sup>1</sup>



#### *Committee on International Justice and Peace*

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3160  
WEBSITE: WWW.USCCB.ORG/JPHD • FAX 202-541-3339

February 3, 2020

The Honorable Michael R. Pompeo  
Secretary of State  
U.S. Department of State  
Washington, D.C. 20520

Dear Mr. Secretary:

President Trump's recently released "Peace to Prosperity" proposes a way forward to help resolve the decades old differences between the Israelis and Palestinians. Like so many attempts of the past decades, this merits serious consideration. There is much in this extensive proposal that needs to be examined and it is likely that some will find it substantially on target and many will not. In considering such a plan, a few fundamental truths need to be reiterated as the basis for much desired progress in negotiations.

First and foremost, the two principals - the Israelis and the Palestinians - are the only ones who can resolve the differences and agree on a common resolution to the chronic impasse. While acknowledging the significant role the United States plays, these principals must negotiate directly with each other with the support of the international community, that they may find a fair compromise, which takes into account the legitimate aspirations of the two peoples. With the Holy See, the United States Conference of Catholic Bishops (USCCB) has always encouraged and supported direct conversations between Palestine and Israel.

Second, the USCCB stands with the Holy See in continuing strong support for a two-state solution by the two principal actors. Our Conference is on record as supporting a two-state solution and "the right of the State of Israel to live in peace and security within the borders recognized by the international community. Equally that same right belongs to the Palestinian people, whose legitimate aspirations must be recognized, respected and implemented." ([Statement of the Holy See, November 20, 2019](#))

Intrinsic to a fruitful discussion is the necessity that each state recognizes and supports the legitimacy of each other. The future peace and flourishing of life in the Holy Land depend on such a mutual recognition that calls for concrete steps in mutual counsel and collaboration, before the fundamental agreements can be achieved. The United States and all other interested parties who offer their counsel and aid must do so as contributors to strengthen bilateral agreement between the two principal entities. As such, we are concerned 'Peace to Prosperity' makes propositions without these requisite conditions being met.

#### P.1

---

<sup>1</sup> "Letter to Secretary of State Pompeo on Peace to Prosperity Proposal, February 3, 2020." USCCB. Accessed January 31, 2021. <https://www.usccb.org/resources/letter-secretary-state-pompeo-peace-prosperity-proposal-february-3-2020-0>.

Letter to Secretary of State Pompeo  
February 3, 2020  
Page 2

Israelis and Palestinians have expressed concerns about real and perceived injustices from the other side. Honesty demands they be addressed and corrected but confidence building measures must take the place of mutual recriminations. The goal is twofold: the right both Israel and Palestine have to a state that is viable and that threats of violence and reprisal from the other cease. Israel has a right to her sovereignty with safe and secure borders. Palestine has a right to her sovereignty consistent with her legitimate aspirations for a homeland based on dignity and freedom.

The Catholic Church in the United States recognizes and supports the legitimate aspirations of both Israelis and Palestinians to build their nation on the cultural, social and religious values that underpin their society. Equally, we Catholic bishops stand in union with our brother bishops of the Catholic and other Christian traditions in support of the freedoms that all religious groups have a right to enjoy.

In this land so precious to Jew, Christian and Muslim, the leadership of both nations must guarantee that freedom to exercise and profess our faith both by Christians resident in the two states and by pilgrims who need free access to the shrines and holy places so dear to our common traditions. Each year, the [Holy Land Coordination](#) brings together Catholic bishops from countries with historic ties to this sacred land allowing us to be consistently engaged firsthand with all parties who struggle to find peace and justice in this land they call home. We stand in solidarity with the Christian minorities of the Holy Land and all those who desire lasting peace in the region.

Finally, we ask as bishops of the United States that the good offices of our nation assist Israel and Palestine to travel the road of mutual recognition and mutual legitimacy to its intended goal. As Pope Francis declared when he visited Israel in 2014, ‘The two-state solution must become a reality and not merely a dream.’ We shall be one in our prayers that both Palestinians and Israelis be able to live side by side with sovereignty, dignity, and peace.”

With assurance of my prayers for you, I remain,

Sincerely yours,

A handwritten signature in black ink that reads "+ David J. Malloy". The signature is written in a cursive, flowing style.

Most Reverend David J. Malloy  
Bishop of Rockford  
Chairman, Committee on International Justice and Peace  
United States Conference of Catholic Bishops

4. **Appendix (4) : Joint letter by 1.080 parliamentarians from 25 European countries to European governments and leaders against Israeli annexation of West Bank.<sup>1</sup>**

**Joint letter by 1.080 parliamentarians from 25 European countries\*  
to European governments and leaders  
against Israeli annexation of West Bank**

*23 June 2020*

**We, parliamentarians from across Europe committed to a rules-based global order, share serious concerns about President Trump’s plan for the Israeli-Palestinian conflict and the imminent prospect of Israeli annexation of West Bank territory. We are deeply worried about the precedent this would set for international relations at large.**

For decades, Europe has been promoting a just solution to the Israeli-Palestinian conflict in the form of a two-state solution, in line with international law and relevant UN Security Council Resolutions. Regrettably, President Trump’s plan departs from internationally agreed parameters and principles. It promotes effectively permanent Israeli control over a fragmented Palestinian territory, leaving Palestinians with no sovereignty and giving a green light to Israel to unilaterally annex significant parts of the West Bank.

In line with the Trump plan, Israel’s new coalition agreement states that the government can move forward with annexation as soon as 1 July 2020. Such a move will be fatal to the prospects of Israeli- Palestinian peace and will challenge the most basic norms guiding international relations, including the UN Charter.

We are profoundly concerned about the impact of annexation on the lives of Israelis and Palestinians, as well as its destabilizing potential in a region on our continent’s doorstep. These concerns are no less serious at a time when the world is struggling with the COVID-19 pandemic, the largest collective emergency we have faced for decades.

In appreciation of Europe’s long-term commitment to a peaceful resolution of the Israeli-Palestinian conflict, we ask European leaders to act decisively in response to this challenge. Europe must take the lead in bringing international actors together to prevent annexation and to safeguard the prospects of the two-state solution and a just resolution to the conflict.

European representatives, including EU High Representative Josep Borrell, have stated that annexation “could not pass unchallenged”. We fully support this: acquisition of territory by force has no place in 2020 and must have commensurate consequences. Failure to adequately respond would encourage other states with territorial claims to disregard basic principles of international law. The rules-based global order is central to Europe’s own long-term stability and security. We have a profound interest and responsibility to protect it.

A lasting solution to the conflict must meet the legitimate aspirations and security needs and guarantee equal rights of both Israelis and Palestinians. Europe has the diplomatic tools to promote this just goal, and we stand ready to support such efforts.

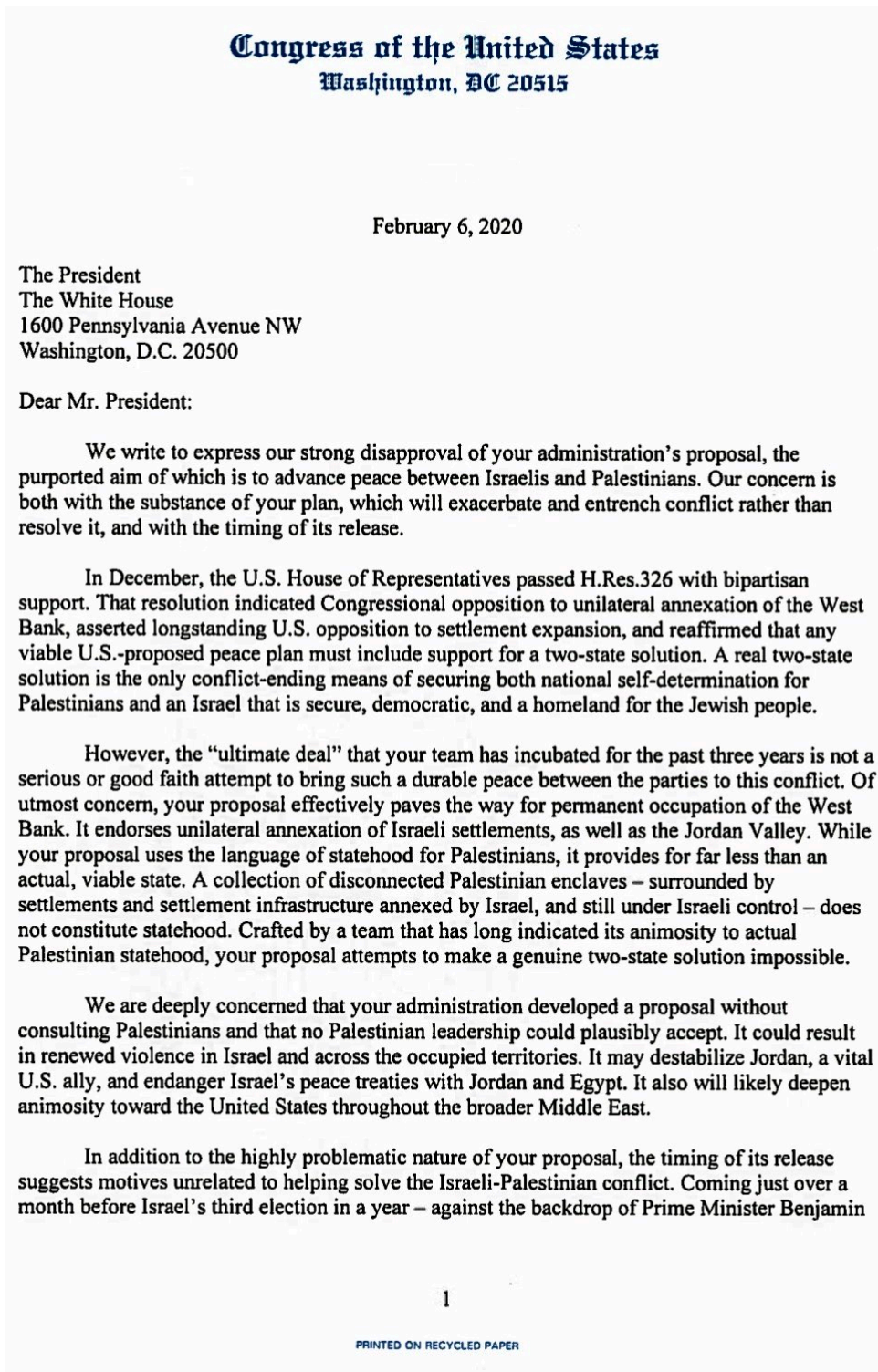
---

\* Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom

---

<sup>1</sup> Joint letter by 1.080 parliamentarians from 25 European countries to European governments and leaders against Israeli annexation of West Bank 23 June 2020.

## 5. Appendix (5): House Letter Expressing Disapproval of Trump Peace Plan.<sup>1</sup>



### P.1

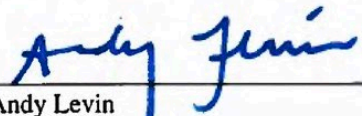
<sup>1</sup> USA Congress ,House Letter Expressing Disapproval of Trump Peace Plan, February 6, 2020. <https://www.jewishvirtuallibrary.org/house-letter-expressing-disapproval-of-trump-peace-plan>.


Netanyahu's indictments – releasing the plan now appears to be an inappropriate intervention in a foreign election.

A U.S. proposal that promotes unilateral annexation and jettisons a real two-state solution is bad for Israel, for the shared values that have historically undergirded the U.S.-Israel relationship, and for the bipartisan consensus in the U.S. on the importance of that relationship, which Israel has long understood to be a crucial strategic asset.


Your plan will hurt Israelis and Palestinians alike, pushing them toward further conflict. It does not have our support, and the Israeli government must not take it as license to violate international law by annexing all or portions of the West Bank.

Sincerely,

  
Andy Levin  
Member of Congress

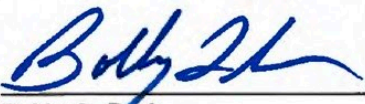
  
Alan Lowenthal  
Member of Congress

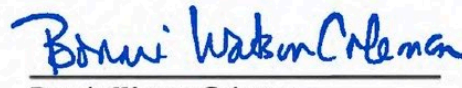
  
Peter Welch  
Member of Congress


  
James McGovern  
Member of Congress

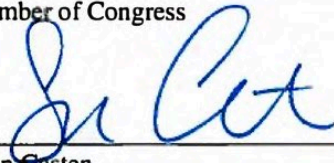
  
Barbara Lee  
Member of Congress

  
Steve Cohen  
Member of Congress

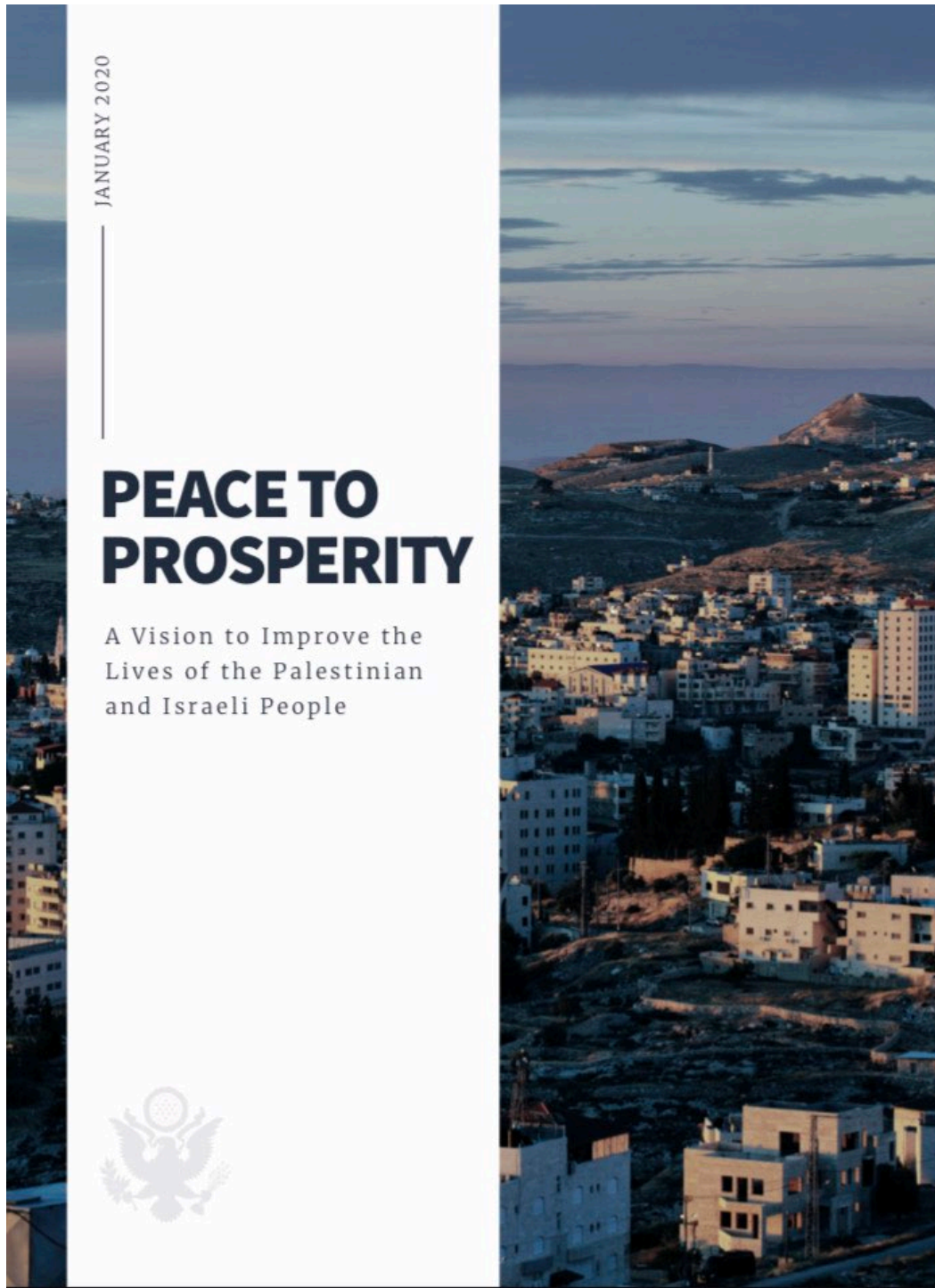
  
Bobby L. Rush  
Member of Congress

  
Bonnie Watson Coleman  
Member of Congress

  
Cedric L. Richmond  
Member of Congress

  
Sean Casten  
Member of Congress

6. Appendix (6): Excerpts from the Official Text of the Deal of the Century (Peace To Prosperity) <sup>1</sup>



**Cover**

---

<sup>1</sup> Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People,” The White House, 28/1/2020, <https://bit.ly/2tnPcV7>

SECTION ONE  
INTRODUCTION<sup>1</sup>

---

## BACKGROUND

Israelis and Palestinians have both suffered greatly from their long-standing and seemingly interminable conflict. For nearly a century, international leaders, diplomats, and scholars have debated the issues and attempted to resolve this conflict. The world has changed greatly during this period, as have the security challenges facing the Middle East. Many of the disputed issues have remained largely the same, and stubbornly intractable. The time has come to end the conflict, and unlock the vast human potential and economic opportunity that peace will bring to Israelis, Palestinians and the region as a whole. Over the decades, many proposals and ideas have been put forward, but elements of those plans were unachievable given the realities on the ground and in the broader Middle East. While no plan will give either side all of what it wants, what follows is our view of the best, most realistic and most achievable outcome for the parties.

Palestinians have aspirations that have not been realized, including self-determination, improvement of their standard of living, social betterment, and a respected place in the region, as well as among the nations of the world. Many Palestinians desire peace and recognize the enormous economic opportunities and social benefits that await them if relations with the State of Israel can be normalized. Gaza is a very complicated situation. It is under the control of Hamas, a terrorist organization, and, as a result of Hamas' policies, is approaching a humanitarian crisis. It is time to help the Palestinians achieve a hopeful and prosperous future and enable them to join the community of nations.

The State of Israel has made peace with two of its neighbors. It made peace with the Arab Republic of Egypt in 1979 and it made peace with the Hashemite Kingdom of Jordan in 1994, two countries with which the State of Israel had fought multiple wars and numerous border skirmishes. The State of Israel has also exchanged sizeable territories for the sake of peace, as it did when it withdrew from the Sinai Peninsula in exchange for peace with the Arab Republic of Egypt. While Israeli citizens have suffered greatly as a result of violence and terrorism, Israelis still desire peace. These two peace agreements, now 40 and 25 years old, have endured and bettered the lives of citizens in Israel, Jordan and Egypt.

The conflict between the State of Israel and the Palestinians has kept other Arab countries from normalizing their relationships and jointly pursuing a stable, secure, and prosperous region. One reason for the intractability of this problem is the conflation of two separate conflicts: a territorial, security and refugee dispute between Israel and the Palestinians and a religious dispute between Israel and the Muslim world regarding control over places of religious significance. The absence of formal relations between Israel and most Muslim and Arab countries has only exacerbated the conflict between Israelis and Palestinians. We believe that if more Muslim and Arab countries normalize relations with Israel it will help advance a just and fair resolution to the conflict between Israelis and Palestinians, and prevent radicals from using this conflict to destabilize the region.

---

<sup>1</sup> Capitalized terms used herein shall have the meaning ascribed to them in the Glossary.

## OSLO

In 1993, the State of Israel and the Palestine Liberation Organization reached the first of several interim agreements, known collectively as the Oslo Accords.

Prime Minister Yitzchak Rabin, who signed the Oslo Accords and who in 1995 gave his life to the cause of peace, outlined in his last speech to the Israeli Knesset his vision regarding the ultimate resolution of the conflict. He envisioned Jerusalem remaining united under Israeli rule, the portions of the West Bank with large Jewish populations and the Jordan Valley being incorporated into Israel, and the remainder of the West Bank, along with Gaza, becoming subject to Palestinian civil autonomy in what he said would be something “less than a state.” Rabin’s vision was the basis upon which the Knesset approved the Oslo Accords, and it was not rejected by the Palestinian leadership at the time.

One of the most significant understandings within those agreements provided for security cooperation between the Israel Defense Forces (the “**IDF**”) and the Palestinian Authority Security Forces (the “**PASF**”). While not perfect, and subject to periodic disputes and even suspension, the security cooperation in recent years has greatly enhanced the stability of the West Bank for both Palestinian and Israeli residents. The ability of the IDF and the PASF to work cooperatively together provides hope that security challenges can be bridged in a final Israeli-Palestinian Peace Agreement.

The Oslo Accords, however, left numerous key issues unresolved pending the completion of permanent status negotiations, including, among other items, borders, security, refugees and Jerusalem. Those agreements did not create an effective path for neutralizing the kinds of crises that emerged during the implementation of Oslo, including waves of terror and violence. Many intelligent and dedicated people have devoted lifetimes in search of the “ultimate deal,” but what is required, a comprehensive agreement has been elusive, and waves of terror and violence have set back the process significantly. Only a comprehensive agreement, coupled with a strong economic plan for the Palestinians and others, has the capacity to bring lasting peace to the parties.

## REALISTIC TWO-STATE SOLUTION

The principles set forth in this Vision for Peace, Prosperity and a Brighter Future (collectively, this “**VISION**”), are designed for the benefit of Palestinians, Israelis and the region as a whole. This Vision addresses today’s realities, and provides the Palestinians, who do not yet have a state, with a path to a dignified national life, respect, security and economic opportunity and, at the same time, safeguards Israel’s security.

A realistic solution would give the Palestinians all the power to govern themselves but not the powers to threaten Israel. This necessarily entails the limitations of certain sovereign powers in the Palestinian areas (henceforth referred to as the “Palestinian State”) such as maintenance of Israeli security responsibility and Israeli control of the airspace west of the Jordan River. This Vision creates a realistic Two-State solution in which a secure and prosperous State of Palestine is living peacefully alongside a secure and prosperous State of Israel in a secure and prosperous region.

SECTION TWO  
THE APPROACH

We do not believe that the parties in the region are fated to live in eternal conflict because of their different ethnicities and faiths. There have been many examples in history of Jews and Arabs, and Jews and Muslims and Christians, living in relative harmony in this region. Our hope is that this Vision inspires a future in which all the peoples in the region live together in peace and prosperity.

We have developed this Vision based on the belief that a peaceful and prosperous future can exist for Palestinians and Israelis alike. This Vision is intended for people to read, understand and imagine how its concepts will actually and dramatically improve their lives. We believe that both sides gain more than they give. Based on this approach, we encourage all to be intellectually honest, open to new ideas, willing to engage on this Vision and take courageous steps toward a better future for themselves and for future generations.

Learning from past efforts, and driven by pragmatic principles, we approach this conflict guided by the following points:

#### OVERVIEW OF UNITED NATIONS EFFORTS

- Since 1946, there have been close to 700 United Nations General Assembly resolutions and over 100 United Nations Security Council resolutions in connection with this conflict. United Nations resolutions are sometimes inconsistent and sometimes time-bound. These resolutions have not brought about peace. Furthermore, different parties have offered conflicting interpretations of some of the most significant United Nations resolutions, including United Nations Security Council Resolution 242. Indeed, legal scholars who have worked directly on critical United Nations resolutions have differed on their meaning and legal effect.
- While we are respectful of the historic role of the United Nations in the peace process, this Vision is not a recitation of General Assembly, Security Council and other international resolutions on this topic because such resolutions have not and will not resolve the conflict. For too long these resolutions have enabled political leaders to avoid addressing the complexities of this conflict rather than enabling a realistic path to peace.

#### CURRENT REALITIES

- Both Israelis and Palestinians have long-standing negotiating positions but also must recognize that compromise is necessary to move forward. It is inevitable that each side will support and oppose aspects of this Vision. It is essential that this Vision be assessed holistically. This Vision presents a package of compromises that both sides should consider, in order to move forward and pursue a better future that will benefit both of them and others in the region.

- A peace agreement will be forged only when each side recognizes that it is better off with a peace agreement than without one, even one that requires difficult compromises. Peace between Israelis and Palestinians will lead to significant social and economic improvements, stability, and security for Israelis and Palestinians alike.
- There are those who benefit from the status quo and, accordingly, seek to prevent change that would benefit both parties.
- Reciting past narratives about the conflict is unproductive. In order to resolve this conflict, the solution must be forward-looking and dedicated to the improvement of security and quality of life, while being respectful of the historic and religious significance of the region to its peoples.
- Limited framework agreements and vague proposals, which are heavily wordsmithed and include only high-level concepts, but leave the disagreements to be resolved later, have not worked. This Vision directly addresses all major issues in an attempt to genuinely resolve the conflict.
- Solving this conflict will not solve all the other conflicts in the region. However, resolving the Israeli-Palestinian conflict will remove a pretext used to stoke emotion and justify radical behavior by bad actors and have a positive impact that will increase stability, security and prosperity in the region.
- The Israeli-Palestinian Peace Agreement will deeply and profoundly impact Israelis and Palestinians. It is the Israelis and Palestinians who will have to live with the consequences of a peace agreement. Therefore, it is Israelis and Palestinians themselves, who must be satisfied with the benefits and compromises that a peace agreement entails. Israelis and Palestinians must weigh those benefits and compromises, which can create a far better future for themselves and future generations, against the continuation of the conflict for perhaps generations to come.
- The role of the United States as facilitator in this process has been to collect ideas from around the world, compile them, and propose a detailed set of recommendations that can realistically and appropriately solve the conflict. The role of the United States is also to work together with other well-meaning countries and organizations to assist the parties in reaching a resolution to the conflict. But only the Israelis and Palestinians themselves can make the decision to forge a lasting peace together. The final, specific details of the Israeli-Palestinian Peace Agreement, must be worked out directly between the parties.
- A main fault line in the Middle East today is between leaders who want to create economic opportunity and a better life for their peoples, and those who manipulate religion and ideology in order to foment conflict and excuse their failures. This Vision aims to be respectful of ideology, religious beliefs and historical claims, but is focused primarily on putting the interests and aspirations of the people first.
- We have entered a new chapter in the Middle East's history, in which courageous leaders understand that new and shared threats have created the need for greater regional cooperation. The Trump Administration has strongly encouraged this.

- Arab countries in the region have been held hostage to this conflict and recognize that it represents an uncapped financial liability to them if it remains unresolved. Many Arab countries are ready to resolve the Arab-Israeli conflict and want to partner with Israel and focus on the serious issues facing the region.

## LEGITIMATE ASPIRATIONS OF THE PARTIES

- While the Palestinians have never had a state, they have a legitimate desire to rule themselves and chart their own destiny. Any workable peace agreement must address the Palestinians' legitimate desire for self-determination. This Vision addresses these legitimate concerns through, among other things, the designation of territory for a future Palestinian state, strengthening Palestinian institutions of self-government, providing Palestinians with the legal status and international standing of a state, ensuring solid security arrangements, and building an innovative network of roads, bridges and tunnels that enables freedom of movement for the Palestinians.
- The State of Israel has a legitimate desire to be the nation-state of the Jewish people and for that status to be recognized throughout the world.
- This Vision aims to achieve mutual recognition of the State of Israel as the nation state of the Jewish people, and the State of Palestine as the nation-state of the Palestinian people, in each case with equal civil rights for all citizens within each state.
- This Vision aims to achieve the recognition by, and normalization with, those countries who do not currently recognize the State of Israel or have a relationship with the State of Israel.
- This Vision aims to achieve the recognition by, and normalization with, those countries that do not currently recognize the State of Palestine or have a relationship with the Palestinians.

## THE PRIMACY OF SECURITY

- Even if a comprehensive peace agreement is achieved between the State of Israel, the State of Palestine and additional Arab states, the reality is that there will always exist those who desire to undermine security and stability. This Vision always keeps this reality in mind.
- No government should be asked to compromise the safety and security of its citizens. This is especially true for the State of Israel, a country that since its establishment has faced, and continues to face, enemies that call for its annihilation. Israel has also had the bitter experience of withdrawing from territories that were then used to launch attacks against it.
- The State of Israel suffers from extraordinary geographic and geostrategic challenges. Simply put, the State of Israel has no margin for error. As dangerous as Gaza, run by Hamas, is to the State of Israel's safety, a similar regime

## Security Measures & Aspirations (P:7)

- Self-determination is the hallmark of a nation. This Vision is intended to maximize self-determination, while taking all relevant factors into account.
- Sovereignty is an amorphous concept that has evolved over time. With growing interdependence, each nation chooses to interact with other nations by entering into agreements that set parameters essential to each nation. The notion that sovereignty is a static and consistently defined term has been an unnecessary stumbling block in past negotiations. Pragmatic and operational concerns that effect security and prosperity are what is most important.

## REFUGEES

- The international community is struggling to find sufficient funds to address the needs of the over 70 million refugees and displaced persons in the world today. In 2020 alone, the United Nations has asked for over \$8.5 billion in new funding to help the millions of Syrian refugees and others around the world. Most of those refugees were expelled or fled from their homes in the recent past and face dire circumstances.
- The Arab-Israeli conflict created both a Palestinian and Jewish refugee problem.
- Palestinian refugees, who have suffered over the past 70 years, have been treated as pawns on the broader Middle East chessboard, and empty promises have been made to them and to their host countries. A just, fair and realistic solution to the Palestinian refugee issue is necessary to resolve the Israeli-Palestinian conflict.
- A similar number of Jewish refugees were expelled from Arab lands shortly after the creation of the State of Israel, and have also suffered. A just solution for these Jewish refugees should be implemented through an appropriate international mechanism separate from the Israel-Palestinian Peace Agreement.

## JERUSALEM

- Jerusalem is holy to multiple faiths and has religious significance for much of humanity.
- The issue of Jerusalem's holy sites, particularly the Temple Mount/Haram al-Sharif should be treated with the utmost sensitivity.
- The State of Israel has been a good custodian of Jerusalem. During Israel's stewardship, it has kept Jerusalem open and secure.
- Jerusalem should be a city that unites people and should always remain open to worshippers of all religions.

intractable conflict. Both parties must make significant and difficult compromises to achieve greater gains.

The peace agreement that will hopefully be negotiated on the basis of this Vision should be implemented through legally binding contracts and agreements (the “**ISRAELI-PALESTINIAN PEACE AGREEMENT**”).

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.

Each appendix attached to this Vision is an integral part of this Vision.

#### SECTION FOUR **BORDERS**

---

A conceptual map (the “**CONCEPTUAL MAP**”) is attached hereto based on the guiding principles set forward in this Vision.

The Conceptual Map has been designed to demonstrate the feasibility for a redrawing of boundaries in the spirit of UNSCR 242, and in a manner that:

1. Meets the security requirements of the State of Israel;
2. Delivers significant territorial expansion to the Palestinians;
3. Takes into account the State of Israel’s valid legal and historical claims;
4. Avoids forced population transfers of either Arab or Jews;
5. Enhances mobility for both Israelis and Palestinians within their respective states;
6. Provides pragmatic transportation solutions to address the needs of the Israeli and Palestinian enclaves that are described below;
7. Enhances the commercial viability and economic independence of the State of Palestine,
8. Provides for a potentially significant expansion of Gaza to enhance its development and success; and
9. Facilitates the integration of the State of Palestine into the regional and global economy.

The State of Israel and the United States do not believe the State of Israel is legally bound to provide the Palestinians with

SECTION SIXTEEN  
REFUGEES

---

The Arab-Israeli conflict created both a Palestinian and Jewish refugee problem. Nearly the same number of Jews and Arabs were displaced by the Arab/Israeli conflict. Nearly all of the Jews have since been accepted and permanently resettled in Israel or other countries around the world. The Arabs who were displaced have, in very significant numbers, been isolated and kept from living as citizens in the many Arab countries in the region. For example, after the Kuwaiti government returned, following liberation by the United States and its coalition, it began a systematic clearing of Palestinians from the country through violence and economic pressure. The population of Palestinians in Kuwait dropped from 400,000 before the invasion to about 25,000.

The Palestinians have collectively been cruelly and cynically held in limbo to keep the conflict alive. Their Arab brothers have the moral responsibility to integrate them into their countries as the Jews were integrated into the State of Israel. Keeping the Palestinian people in limbo is a widespread issue. For example, in Lebanon, Palestinians have been discriminated against and prevented from entering the labor market for decades, even those born in Lebanon. They are for the most part barred from owning property or entering desirable occupations, including law, medicine and engineering. To gain employment, Palestinians are required to receive government issued work permits, but remarkably few are ever given to Palestinian refugees.

We must recognize that of all the Arab countries, the Kingdom of Jordan has valiantly attempted to take care of the Palestinian people in Jordan.

Proposals that demand that the State of Israel agree to take in Palestinian refugees, or that promise tens of billions of dollars in compensation for the refugees, have never been realistic and a credible funding source has never been identified. In fact, the world struggles to find sufficient funds to support the over 70 million global refugees and displaced persons. Over the decades the United States has been committed to supporting the needs of Palestinian refugees, who have suffered greatly over the last 70 years. From 1950 until and including 2017, the United States contributed approximately \$6.15 billion to United Nations Relief and Works Agency (UNRWA). In the last 10 years alone, the U.S. contributed approximately \$2.99 billion (\$3.16 billion in 2017 terms), which accounted for 28% of all contributions to UNRWA. Unfortunately, Palestinian refugees have been treated as pawns in the broader Middle East chessboard, and empty promises have been made to them and to their host countries. A just, fair and realistic solution to the Palestinian refugee issue must be found in order to resolve the Israeli-Palestinian conflict.

The Jewish refugees who were forced to flee Arab and Muslim countries also suffered. Most settled in the State of Israel and some settled elsewhere. The Jewish refugee issue, including compensation for lost assets, must also be addressed. Additionally, the State of Israel deserves compensation for the costs of absorbing Jewish refugees from those countries. A just, fair and realistic solution for the issues relating to Jewish refugees must be implemented through an appropriate international mechanism separate from the Israel-Palestinian Peace Agreement.

foundational elements to give it a high probability of succeeding.

The following criteria are a predicate to the formation of a Palestinian State and must be determined to have occurred by the State of Israel and the United States, jointly, acting in good faith, after consultation with the Palestinian Authority:

- The Palestinians shall have implemented a governing system with a constitution or another system for establishing the rule of law that provides for freedom of press, free and fair elections, respect for human rights for its citizens, protections for religious freedom and for religious minorities to observe their faith, uniform and fair enforcement of law and contractual rights, due process under law, and an independent judiciary with appropriate legal consequences and punishment established for violations of the law.
- The Palestinians shall have established transparent, independent, and credit-worthy financial institutions capable of engaging in international market transactions in the same manner as financial institutions of western democracies with appropriate governance to prevent corruption and ensure the proper use of such funds, and a legal system to protect investments and to address market-based commercial expectations. The State of Palestine should meet the independent objective criteria to join the International Monetary Fund.
- The Palestinians shall have ended all programs, including school curricula and textbooks, that serve to incite or promote hatred or antagonism towards its neighbors, or which compensate or incentivize criminal or violent activity.
- The Palestinians shall have achieved civilian and law enforcement control over all of its territory and demilitarized its population.
- The Palestinians shall have complied with all the other terms and conditions of this Vision.

The United States, the State of Israel and all regional neighbors will work productively and in good faith with the Palestinian leadership to provide the necessary assistance to the achievement of the criteria listed above.

As it transitions to an era of state governance, the Palestinian leadership will benefit from international assistance in crafting the political and logistical instrumentalities of statehood.

The international community should mobilize a worldwide effort to assist the Palestinians to achieve proper governance. By virtue of territorial proximity, cultural affinity and family ties, the Hashemite Kingdom of Jordan is well placed to play a distinctive role in providing this assistance in fields such as law, medicine, education, municipal services, historic preservation and institution building. In a manner consistent with the dignity and autonomy of a future State of Palestine, the Hashemite Kingdom of Jordan will offer long-term, on-the-ground assistance in designing relevant institutions and procedures and training of relevant personnel. The objective of such assistance will be to help the Palestinians build strong and well governed institutions.

Other countries will be encouraged to provide assistance to the Palestinians in areas in which they have special experience

## SECTION NINETEEN

ISRAELI - ARAB RELATIONSHIPS;  
REGIONAL ECONOMIC PARTNERSHIPS

---

The decisions of the Arab Republic of Egypt and the Hashemite Kingdom of Jordan to sign peace treaties with the State of Israel were major historic breakthroughs. Nevertheless, significant and broader cooperation between these countries should be developed for the benefit of the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, and the State of Israel. The involvement of the Kingdom of Saudi Arabia in the Arab Peace Initiative increased the number of potential peace partners and introduced important concepts into the peace process. Much appreciation is owed to the Kingdom of Saudi Arabia for its role in the creation of the Arab Peace Initiative, which inspired some of the ideas contemplated by this Vision.

The goal of this Vision is to have the Arab states fully cooperate with the State of Israel for the benefit of all the countries in the region. For example, there should be flights between Arab countries and Israel to promote cross-tourism, and to better enable Arabs to visit Muslim and Christian holy sites in Israel.

The United States will strongly encourage Arab countries to begin to normalize their relations with the State of Israel and negotiate lasting peace agreements.

Economic ties between the State of Israel and its neighbors should be expanded in the interests of all sides, particularly given the interests of the Arab countries to move away from economies based on fossil fuels to economies based on new infrastructure and technology. By integrating their transportation infrastructure, the countries in the region can become a global hub for the movement of goods and services from Asia to Africa and Europe. Such integration between the State of Israel, the State of Palestine and the Hashemite Kingdom of Jordan will allow all three countries to work together to help move goods from Europe to the Persian Gulf and vice versa. The State of Israel and the Arab countries, including the State of Palestine, should establish strong economic partnerships and trade agreements. There should be a particular focus on significantly improving the economic and tourism sectors of the State of Palestine, the Hashemite Kingdom of Jordan and the Arab Republic of Egypt.

The emergence of this new reality of regional integration will require a fundamental change in international politics. In the diplomatic sphere, in particular, the Arab countries, along with the State of Palestine, should cease to support anti-Israel initiatives at the United Nations and in other multilateral bodies. In particular, they should not lend their support to any efforts intended to delegitimize the State of Israel. These countries are expected to end any boycott of the State of Israel and oppose the Boycott, Divestment, and Sanctions (commonly referred to as BDS) movement and any other effort to boycott the State of Israel. The United States views the BDS movement as destructive towards peace, and will oppose any activity that advances BDS or other restrictive trade practices targeting Israel.

Revisionist initiatives that question the Jewish people's authentic roots in the State of Israel should also cease. Those initiatives fly in the face of not only Jewish and Christian history, but Islamic history as well. An important goal of this Vision is for the State of Israel to be treated by all as a legitimate part of the international community.

## SECTION TWENTY-ONE

END OF CLAIMS / END OF CONFLICT

The Israeli-Palestinian Peace Agreement will end the conflict between Israelis and Palestinians, and end all claims between the parties. The foregoing will be proposed in (i) a new UN Security Council resolution, and (ii) a new UN General Assembly resolution.

## SECTION TWENTY-TWO

CONDUCT DURING NEGOTIATIONS

We hope that the parties will seize the opportunity, embrace this vision and begin negotiations. During the negotiations the parties should conduct themselves in a manner that comports with this Vision, and in a way that prepares their respective peoples for peace.

During the peace negotiations, the parties are expected to do the following:

**THE STATE OF ISRAEL**

In areas of the West Bank that are not contemplated by this Vision to be part of the State of Israel, Israel will not:

1. Build any new settlement towns, expand existing settlements or advance plans to build in those areas;
2. Expand any of the Israeli enclaves referred to in Section 4 or advance plans to expand those enclaves in those areas beyond their current footprint;
3. Demolish any structure existing as of the date of this Vision and secure the necessary legislative and/or legal decisions to ensure such an outcome. This moratorium does not preclude demolition of any illegal construction, where such construction was initiated following the release of this Vision. This moratorium does not apply to the demolition of any structure that poses a safety risk, as determined by the State of Israel, or punitive demolitions following acts of terrorism.

In Palestinian enclaves referred to in Section 4, the legal status quo will prevail and the State of Israel will enable the development of those Palestinian communities within their current footprint.



Appendix 1 : Conceptual Map (P:41)

## • الملخص

ستتناول هذه الدراسة المحاور الرئيسية لصفقة القرن " السلام من أجل الإزدهار: رؤية لتحسين حياة الشعبين الفلسطيني والإسرائيلي " ، التي قدمتها الإدارة الأمريكية رسمياً في عهد الرئيس ترامب (٢٠١٨) ، من ناحية ، ستقوم هذه الرسالة بدراسة التداخيات القانونية والسياسية لصفقة القرن على القضية الفلسطينية ، ومن ناحية أخرى ، ستستخدم هذه الدراسة نظريات وآليات حل النزاعات كأساس علمي لدراسة المراحل التي مر بها الصراع الفلسطيني الإسرائيلي و بالأخص في الفترة ما بين (1993-2020) بالإضافة إلى ذلك ، سيتم توضيح عملية المفاوضات ومحاولات تدخل الاطرف الثالثة و تحيزها و مدى تبعية ذلك و هذا لإظهار سبب فشل أكثر من 25 عامًا من عملية السلام بين الطرفين الفلسطيني و الإسرائيلي ، علاوة على ذلك ، ستبحث هذه الدراسة في صفقة القرن من منظور القانون الدولي ، الشرعية الدولية ، قرارات الجمعية العامة للأمم المتحدة ومجلس الأمن و الإتفاقيات و المعاهدات الدولية و ذلك لبحث موقف صفقة القرن قانونياً. و فوق ذلك ، ستتناول هذه الدراسة السياسة الداخلية للولايات المتحدة ، وتوضح كيف نجح الإنجيليون (الصهيانية المسيحيون) في تشكيل السياسة الخارجية الأمريكية لصالح إسرائيل و أيضاً إرتباطهم الواضح في الإعلان عن صفقة القرن .

خلال هذه الدراسة ، النقاط الأساسية ستكون قضايا الوضع النهائي التي تم التفاوض بشأنها و التي تعتبر شرطاً أساسياً لإحلال السلام في المنطقة (حدود 1967 ، القدس ، المستوطنات ، السجناء السياسيون ، اللاجئين ، المياه ، انتهاكات القانون الدولي وقرارات مجلس الأمن و الجمعية العامة ، ووضع معايير للعلاقة مع الدول العربية). ستتعقب الدراسة المنهج الكيفي ، وستعتمد على قراءة وتحليل الدراسات والموارد السابقة الأخرى باستخدام النهج الوصفي التحليلي. تنبع أهمية هذه الدراسة من أن صفقة القرن تعتبر مقترحاً مفروضاً على الفلسطينيين بشكل واضح، هذا بالإضافة إلى أن الصفقة تتجاهل أبسط الحقوق الأساسية للفلسطينيين ، وعلاوة على ذلك ، تجاهلت الصفقة بشكل واضح و صارخ أهمية قضايا الوضع النهائي التي تم التفاوض عليها من خلال الإجراءات الأحادية الجانب التي اتخذتها الإدارة الأمريكية ، و التي تتضمن نقل السفارة الأمريكية إلى القدس ، والاعتراف بالقدس كعاصمة موحدة لإسرائيل. و هذا يعتبر دليلاً واضحاً على تحيز الإدارة الأمريكية بقيادة ترامب تجاه إسرائيل. ليس هذا فقط ، بل أيضاً دليل واضح على أن تدخل الأطراف الثالثة بشكل متحيز في

الصراع الفلسطيني الإسرائيلي في الواقع، أعاق جميع جهود السلام المبذولة نحو تحقيق سلام عادل ودائم في المنطقة.

أخيراً ، أثبتت هذه الدراسة أن ما يسمى بـ "صفقة القرن" لن تجلب السلام للمنطقة أبداً لأنها تعتبر وثيقة استسلام للفلسطينيين ، وذلك بتجاهل حقوقهم الأساسية وزعزعة سيادة الدولة الفلسطينية بتقسيمها إلى مناطق معزولة تخضع لإجراءات وضوابط أمنية إسرائيلية مشددة. كما أن إضفاء الشرعية على المستوطنات والضم غير المشروع ودفن قضية اللاجئين وإنهاء جميع الحقوق و المطالب الأساسية المشروعة للشعب الفلسطيني يعتبر تحدياً صارخاً لجميع القوانين والأعراف الدولية بما فيها قرارات الشرعية الدولية المتعلقة بشأن الصراع الفلسطيني - الإسرائيلي، وهذا يدعو المجتمع الدولي لتحمل مسؤولياته تجاه تطبيق النظام القائم على القانون الدولي لإحلال العدل و السلام.