

144/2020

12 November 2020

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## *The Palestinian situation in the face of Israel's annexation of the occupied territories: an analysis of the agreements signed by Israel in 2020*

### *Abstract:*

*The "Abraham Agreement" signed by the State of Israel and the United Arab Emirates on August 13 opens up a new strategic landscape in the Middle East region: the normalisation of diplomatic relations between the Zionist state and the Arab states. In January 2020 the United States also presented the "Agreement of the Century" as a solution to the Palestinian-Israeli conflict in view of the disappearance of the Two-State Solution envisaged in the 1990s. This new paradigm opens the door to a change of position by the Arab states towards the Palestinian-Israeli conflict that could affect the survival of Palestinian self-determination.*

### *Keywords:*

*Palestine, Israel, annexation, United Arab Emirates, agreement, United States of America.*

### *How to quote:*

GARCIA PERUCHA, Almudena. *The Palestinian situation in the face of Israel's annexation of the occupied territories: an analysis of the agreements signed by Israel in 2020*. Opinion Paper. IEEE n./2020.

[http://www.ieee.es/Galerias/fichero/docs\\_opinion/2020/DIEEEO144\\_2020ALMGAR\\_territorios\\_cupados-ENG.pdf](http://www.ieee.es/Galerias/fichero/docs_opinion/2020/DIEEEO144_2020ALMGAR_territorios_cupados-ENG.pdf) and/or [link bie](#)<sup>3</sup> (accessed on the web day/month/year)

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## La situación palestina ante la anexión israelí de los territorios ocupados: un análisis de los acuerdos firmados por Israel en 2020

### Resumen:

El Acuerdo Abraham, firmado por el Estado de Israel y Emiratos Árabes Unidos el pasado 13 de agosto, abre un nuevo panorama estratégico en la región de Oriente Medio: la normalización de relaciones diplomáticas entre el Estado sionista y los Estados árabes. En enero de 2020, asimismo, Estados Unidos presentó el Acuerdo del Siglo como solución al conflicto palestino-israelí ante la desaparición de la solución de dos Estados planteada en la década de 1990. Este nuevo paradigma abre la puerta a un cambio de posición por parte de los Estados árabes para con el conflicto palestino-israelí que podría afectar a la supervivencia de la autodeterminación de Palestina.

### Palabras clave:

Palestina, Israel, anexión, Emiratos Árabes Unidos, acuerdo, Estados Unidos.

## Introduction

On 13 August 2020, the President of the United States, Donald Trump, made public on his Twitter account the agreement reached between the State of Israel and the United Arab Emirates whereby they would normalize their diplomatic relations and promote commercial and economic agreements between the two. The negotiations, under US auspices, surprised the international community. The basis of the agreement is not known for the time being, though it has been made public that part of it would be the sale of fighter planes to the Emirate.

This is in addition to the agreement signed in January of this year, the so-called "Deal of the Century", between the United States and Israel, which puts an end to the Two-State Solution, proposing the resolution of the Palestinian-Israeli conflict through the demilitarization of the Palestinian population and Israeli control over 80 percent of the territory. The Middle East region, which is in constant conflict owing to the disputes that plague it, has seen a change of paradigm towards a solution to the Palestinian-Israeli conflict in 2020 following the presentation of these two agreements.

This working document will be divided into the following parts. First, a brief historical introduction to the conflict from the creation of the Israeli state to the present day will be provided. This will be followed by a brief analysis of the "Agreement of the Century"<sup>1</sup> signed by the United States and Israel last February, as well as international reactions to it. And finally, the Abraham Agreement and its consequences on the strategic paradigm of the Middle East region will be studied, as well as the international community's response.

## State of play - Brief historical introduction to the conflict

### ***Proclamation of the State of Israel: a threat to the Arab States***

After the end of World War II, Britain's departure from the Middle East region was imminent and the Jewish problem needed a solution. When the League of Nations was

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<sup>1</sup> PEACE TO PROSPERITY, 28 January 2020. Official website of the White House. Retrieved from: <https://www.whitehouse.gov/peacetoprosperty/> Date of reference: 28 January 2020

dissolved in 1945, the UN Secretary General decided to set up a commission to solve the Palestinian problem (UNSCOP). In 1947, Resolution 181 was passed<sup>2</sup>, dividing the Palestinian territory into two parts: 55 per cent would go to the Jews, and the rest would go to the Palestinian people. The State of Israel was proclaimed on 14 May 1948 and occupied the corresponding part of the territory.

In 1949 the first war took place between neighboring Arab states and the State of Israel, when the latter joined forces to fight it. The mistrust between the different Arab armies and the difficulties they encountered in defending the Palestinian territory forced the Arab states to sign armistice with the Israeli state in the same year. It was then that Israeli expansion began: after the war, it was composed of 78% of the territory, and included a part of the city of Jerusalem. The other half was in the hands of the Egyptians (who would take care of Gaza) and the Transjordanians (who would do the same with the West Bank, the old city of Jerusalem and the Holy Places).

The project to install a Palestinian government and its Constituent Assembly failed, and the kingdom of Transjordan annexed the Palestinian territories under its control in 1949, changing its name to Jordan.

Between 1948 and 1951, Jewish immigrants who arrived in the State of Israel numbered more than half a million people, a figure very similar to that of expelled Palestinians. This would be the first diaspora of the Palestinian people<sup>3</sup>.

### ***The Six Day War: Israeli annexation begins***

At the Cairo Conference (January 1964), the new Palestine Liberation Organization (PLO) was founded and given a liberation army subordinate to the other Arab armies. This led to the first statement issued by the military branch of Fatah in January 1965 and the appearance of the Palestine Liberation Front on the eve of the Six-Day War, which recruited its militants from the Palestinian refugee camps.

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<sup>2</sup> A/RES/181 (29 November 1947), available at: [https://undocs.org/es/A/RES/181\(II\)](https://undocs.org/es/A/RES/181(II))

<sup>3</sup> FRASER, T. G.: El conflicto árabe-israelí, Madrid, Alianza Editorial, 2010.

The Six-Day War (June 1967) was the decisive event in the Israeli-Palestinian conflict. There was a climate of tension in the area, with armed incidents on the Israeli-Syrian border and the Egyptian blockade of the Straits of Tiran and the Israeli outpost of Eilat. Jordan, Egypt and Syria allied on 30 May and were armed by France, while the US advised them to be cautious. The fighting began on 5 June when Israel attacked Egyptian airports, preventing its planes from taking off. Two hundred and seventy-five thousand Israeli soldiers took part, while the Arab coalition numbered over 300,000. Egypt suffered 10,000 casualties; the Israelis scarcely reached 800.

Once the conflict was over, Israel annexed the Egyptian Sinai, the Golan Heights, the Palestinian territories controlled by Jordan (Gaza and the West Bank) and the reunification of the city of Jerusalem. In November 1967 the United Nations adopted Resolution 242, condemning the territorial conquests and demanding the withdrawal of Israeli forces from the occupied territories.

The defeat of the Arab states in the Six-Day War initiated a phase of disengagement with the Palestinian question, leaving the resistance to fend for itself. With the adoption of Resolution 242 by the United Nations Security Council, the Palestinians felt that their rights were being ignored by not specifically reflecting their right to self-determination<sup>4</sup>. This helped the radicalization of the movement. Fatah started its guerrilla actions in the West Bank and other resistance groups appeared.

### ***The state of play after the Six Day War: international agreements and Palestine in the face of the Israeli threat***

The strategy of the Palestinian liberation movements has been to carry out occasional attacks in order to keep the existence of the Palestinian problem alive in public opinion. To this end they had Soviet and Chinese support, obtaining the necessary weapons to carry out attacks in the West Bank and Gaza. This triggered an exaggerated response from Israel in the occupied territories.

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<sup>4</sup> RES. 242 (22 November 1967), available at: [https://undocs.org/es/S/RES/242%20\(1967\)](https://undocs.org/es/S/RES/242%20(1967))

It was not until the Rabat summit in 1974 that the PLO was appointed representative of the Palestinian territory. The Palestinian people understood that they needed a political strategy in addition to the armed strategy. Thus, this organization was invited to the United Nations in 1974 to participate in the deliberations on the Palestinian problem and was recognized as an observer.

In 1978, Egypt tried to push through an agreement between the Arab states and Israel to be able to sign the peace, so the latter decided to suspend diplomatic relations with Egypt. The Camp David agreements were based on Resolution 242 (which did not recognize the Palestinian right to self-determination), although it offered them self-government in the West Bank and Gaza through an Administrative Council that would change every five years. The signing of this agreement led to the expulsion of Egypt by the League of Arab States in 1979.

In December 1987, the first *intifada*<sup>5</sup> took place, carried out by the young people of the occupied territories. This was an instrument for the Palestinians in the interior to recover their role as historical actors, bearers of an autonomous project of national rebirth. It was a wake-up call for the PLO, forcing it to implicitly recognize the state of Israel for the first time and press for a definitive solution.

The Madrid Conference in October 1991, under the auspices of the USA and the USSR, was the first gesture made to compensate for the passivity with which the Israeli occupation of the Palestinian territories had been consented to. The governments of Israel, Syria, Lebanon and Jordan were invited, along with the Palestinians, who were part of the Jordanian-Palestinian delegation. Since this Conference, Israel has signed peace treaties with the PLO and Jordan. Secret meetings were held in Oslo between the two sides, and their security conclusions were ratified a few months later in Cairo. As a result, the Palestinian police were set up and the movement of Palestinians was strictly regulated<sup>6</sup>.

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<sup>5</sup> The term *intifada* refers to the revolts of the Palestinians in the Gaza Strip and the West Bank against the state of Israel.

<sup>6</sup> GRESH, A. and VIDAL, D.: 100 claves para comprender Oriente Próximo (100 keys to understanding the Middle East), Barcelona, Paidós, 2004.

The Taba Accords (which could be called Oslo II) regulated the models of withdrawal of the Israeli army in the West Bank, dividing the territory into large cities where Israel would control security but not civilian power; and, finally, strategic areas in which Israel would continue to exercise full control.

Since then, the State of Israel has maintained its policy of territorial expansion, reducing and fragmenting the integrity of the Palestinian territory. The use of indiscriminate force against the Palestinian people in areas such as the Gaza Strip has also been denounced. The Middle East Peace Process, for its part, has come to a standstill.

### **"Deal of the Century": annexation becomes possible**

The year 2020 began with the presentation of the "Deal of the Century" by the President of the United States, Donald Trump. Throughout his four-year term in the White House, Trump publicly stated on several occasions that he had a revolutionary plan that would put an end to the Palestinian-Israeli conflict, disregarding the Two-State Solution<sup>7</sup> adopted by the international community since the end of the 20th century.

On 28 January Donald Trump and the (then acting) Israeli Prime Minister Benjamin Netanyahu held a press conference to explain the details of the agreement, which was attended by the ambassadors of the United Arab Emirates, Bahrain and Oman. The agreement proposes the creation of a Palestinian state following the implementation of a system of government with a constitution or other system that respects the rule of law and ensures the fair and uniform application of the judiciary; the establishment of institutions to combat corruption; and the illegal use of state funds; the elimination of programs (including school programs) that incite hatred or reward criminal activity against the State of Israel; the disarmament of Hamas and the Islamic Jihad of Palestine and their explicit recognition of the State of Israel; and finally, the demilitarization of the population.

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<sup>7</sup> The Two-State Solution is the proposed solution to end the Palestinian-Israeli conflict. It consists of assigning to Palestine the former territory belonging to the British command, thereby forming two separate and independent states: on the one hand, the State of Israel and, on the other, the State of Palestine. It was accepted by the PLO in the 1970s.



As far as the city of Jerusalem is concerned, it would remain the capital of the State of Israel<sup>8</sup> and would maintain the physical barriers that already exist in the areas bordering the Arab quarters. These would establish the capital of the Palestinian state, but under no circumstances would Jerusalem become part of the Palestinian state, as had been claimed to date.

Although it is true that the text of the agreement states that the Israeli state will not build new settlements or expand existing ones, under no circumstances does it put a stop to the annexation of the Occupied Territories.

The arrival at a critical point in the conflict has caused the Two-State Solution to appear to be coming to an end, but it is not known what paradigm the Century Agreement may present. With this new agreement, the Trump Administration sought to raise the possibility of settling the conflict by pressuring Palestine to accept conditions that leave the state authorities and other players in the territory with their backs to the wall. The granting of land, settlements and Jerusalem as the capital of the State of Israel are just some of the counterpoints to the Two-State Solution. How, then, can Palestine be expected to accept conditions that would mean losing much of the rights provided for in public international law?<sup>9</sup>

The international reaction was not long in coming. The League of Arab States<sup>10</sup> as well as the Islamic Cooperation Organization (OIC) rejected the peace plan presented by the United States on the grounds that it "did not fulfil the minimum of the rights and aspirations of the Palestinian people". Josep Borrell, the European Union's High Representative for Foreign Affairs and Security Policy, stated that the US project "does not comply with internationally agreed parameters" and "steps towards annexation, if

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<sup>8</sup> It was recognized as the capital of the Israeli State by the President of the United States, Donald Trump, on December 6, 2017.

<sup>9</sup> BARREÑADA, Isaías, "Momento decisivo para Palestina", AFKAR/Ideas, Summer 2019, available at: <https://www.iemed.org/observatori/arees-danalisi/arxius-adjunts/afkar/afkar-ideas-60/14Isaias%20Barrenada.pdf> Date of reference: 31 August 2020

<sup>10</sup> FAHMY, Omar. Arab League rejects Trump's Middle East Plan: communique, 1 February 2020. Available at: <https://www.reuters.com/article/us-israel-palestinians-arabs/arab-league-rejects-trumps-middle-east-plan-communique-idUSKBN1ZV3QV> Date of reference: 25 August 2020



implemented, cannot go unopposed" <sup>11</sup>. Although it is true that European foreign policy does not have a clear line of action, we should not forget the exceptional diplomatic relations that the eastern states have with the United States and Israel. For his part, the United Nations Secretary General, Antonio Guterres, reiterated that the position of the supranational organization is defined by the resolutions adopted at the General Assembly and Security Council (in which it ratifies the illegality of Israel's annexation of Palestinian territory).

The Israeli opposition, led by Benny Gantz (leader of the Blue and White Party and then president of the Knesset), welcomed the signing of the agreement between the United States and the Israeli government, and itself brought to parliament the vote on a decree approving the annexation of the settlements in the West Bank and Jordan Valley. After the presidential elections in April, Gantz ended up forming a coalition government with his rival, Benjamin Netanyahu, and took up the post of defense minister.

The decree, finally approved by the Knesset, established that the date on which the Israeli government could begin the annexation would be 1 July 2020. However, the Israeli political crisis, the consequences of the global COVID-19 pandemic and the international rejection of the annexation have prevented Netanyahu from meeting these deadlines for the time being.

### **Abraham Agreement between UAE and Israel: What does it mean for the annexation?**

On 13 August, and unexpectedly, the so-called Abraham Agreement between Israel and the United Arab Emirates was made public - following negotiations sponsored by the United States - which will normalize diplomatic relations and promote economic and trade contracts between the two countries<sup>12</sup>. Liquid alliances between regional and

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<sup>11</sup> BORRELL, Josep. Council of the European Union (28 January 2020), Declaration by the High Representative Josep Borrell on behalf of the EU on the Middle East Peace Process. [Press release], available at: <https://www.consilium.europa.eu/en/press/press-releases/2020/01/28/declaration-by-the-high-representative-josep-borrell-on-behalf-of-the-eu-on-the-middle-east-peace-process/> Date of reference: 28 January 2020

<sup>12</sup> TRUMP, Donald. "Remarks by President Trump Announcing the Normalization of Relations Between Israel and the United Arab Emirates". 13 August 2020. Available at:

international players have governed the Middle East region in recent decades and, despite the surprise of the agreement, it is not surprising that both countries have decided to take a step forward to join forces against their common enemy: the Islamic Republic of Iran.

The agreement, whose main objective was to promote economic and trade deals between the two countries, marks a paradigm shift in the Middle East region. The Palestinian question, which has hitherto been based on the defense of the "Arab brotherhood", is entering a new and uncertain paradigm. The United Arab Emirates made it a condition that Israel and Palestine sign a peace agreement, perhaps the one proposed by President Trump a few months earlier. Despite the Arab states' welcome for the agreement, the Emirates recognizes that it should not completely abandon the defense of the Palestinian people's rights and, for the time being, will not establish its embassy in the city of Jerusalem.

The normalization of relations between the Emirates and Israel opens the door for other Arab states to put an end to their struggle against the Zionist state, even if this means breaking with the struggle over the Palestinian question. In recent years diplomatic relations between Israel, the United States and certain Arab states have been normalized with the emergence of a common enemy (in this case the Islamic Republic of Iran) and the signing of trade agreements. Therefore, the "Arab brotherhood" in relation to the Palestinian question could appear to be at a standstill.

The Palestinian government is sustained by the foreign aid it receives, but if Israel were to adopt this diplomatic strategy with other Arab states, it would force Palestine to sit down at the negotiating table and accept the conditions imposed by the United States and Israel; or increase violence again, leaving an uncertain paradigm for the Palestinian people. In any case, Palestine would be in a very unfavorable position.

However, a few hours after the agreement was made public, Israeli Prime Minister Benjamin Netanyahu expressed his intention to go ahead with the annexation project approved by the Knesset<sup>13</sup>. The Palestinian reaction was swift and the following days saw massive demonstrations against the Abraham Agreement throughout the

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<https://www.whitehouse.gov/briefings-statements/remarks-president-trump-announcing-normalization-relations-israel-united-arab-emirates/> Date of reference: 14 August 2020.

<sup>13</sup> Israeli Parliament.

Palestinian territory. The Palestinian Authority, Hamas and Islamic Jihad also spoke out radically against the agreement, describing it as a "stab in the back" for the Palestinians and Jerusalem; at the same time, they condemned the illegality of Israeli actions.

The international community's reaction was largely positive and they welcomed the agreement as a step towards the possible stabilization of the Middle East region and the beginning of a possible rapprochement between the Palestinian and Israeli positions. Iran was the only country in the region that harshly condemned US mediation to reach the agreement and Israel's attempts to extend its ties with the Arab states.

The agreement between Israel and the United Arab Emirates includes not only the normalization of their diplomatic relations but also the sale of weapons to the Gulf state—a key point for Abu Dhabi. This would include various types of fighter aircraft, such as F-35s, as only Israel has access to them in the Middle East region. The arming of the Emirate would trigger a change in the balance of power, which could be negative for Israel. Although the PM Netanyahu accepted the proposal, the pressure received from the Israeli media led Netanyahu to withdraw the offer from the table.

Once the disagreements over the purchase and sale of arms have been resolved, the strength of the Abraham Agreement seems more present than ever. The arrival of September brought the first commercial flight between the United Arab Emirates and Israel, with the permission of Saudi Arabia and Bahrain to fly over their airspace<sup>14</sup>. President Trump stated after the announcement that Abraham would be the first of many agreements between the Zionist state and the countries of the Middle East region. In the coming months we could see a new agreement between Israel and Arab countries on the table.

The Emirates' rapprochement to the Israeli position puts pressure on the Palestinian institutions to accept a peace agreement with Israel. Palestine has fewer and fewer allied states that are declaring war on the Zionist state, including the Islamic Republic of Iran. Iran supports the Palestinian cause by providing economic support to *proxies in order to* weaken the Israeli government. These include Hamas and the Palestinian

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<sup>14</sup> HALBFINGER, David M. "Israeli Airliner Completes First Direct Flight to Arab Emirates". 31 August 2020. Available at: <https://www.nytimes.com/2020/08/31/world/middleeast/israel-uae-flight.html> Date of reference: 1 September 2020

Islamic Jihad. The change in strategy adopted by Palestine at the end of the 20th century resulted in the promotion of diplomatic practices in the face of the use of armed force to achieve self-determination as an independent state. Therefore, Iran's support, although lucrative for the armed groups of the Gaza strip, carries with it the image of "promoter of terrorism" that is holding back progress in the Palestinian-Israeli negotiations.

## Conclusions

The agreements signed by Israel so far in 2020 have left the Palestinian situation in a position of absolute weakness. Palestine, as discussed above, is dependent on its international partners to keep its government structures in place. Without the support of the "Arab brotherhood" or the international community, both economic and logistic, Palestine is adrift in the face of a new paradigm whose end is unknown.

Israel appears to have put an end to the armed struggle for the occupied territories and has decided to opt for a diplomatic strategy in pursuit of the regional support it so badly needs to complete its goal: to at last complete the construction of the state that was promised to it over 70 years ago.

Eight months after President Trump and Prime Minister Netanyahu signed the "Deal of the Century", one might wonder whether the real "agreement of the century" was still to come. The presence of ambassadors from Arab states that January afternoon offered a preview of the new alliances in the Middle East region. Trump himself stated this after announcing the Abraham Agreement: "The United Arab Emirates will not be the only Arab country to sign agreements for the normalization of relations with Israel". We are therefore faced with an uncertain future for a region that is constantly changing. We can see how the "Abraham Agreement" has managed to get Israeli planes to fly over the airspace of Saudi Arabia and Bahrain, which was unthinkable until now. The next logical step, therefore, would be for us to witness new agreements between the Israeli state and countries of the Arab brotherhood, further weakening the already weak Palestinian position.

What has become clear following the signing of these two agreements is that Donald Trump's strategy does not respond to the need to create a Palestinian state, but is underpinned by Israeli objectives. It would appear that the US president's aim is not for the PLO to accept the peace plan presented in January but for its historical allies to opt for the "new" solution to the Palestinian-Israeli conflict and for Palestine, forced by circumstances, to subscribe to Trump's peace plan.

Although the "Deal of the Century" does not break with the past-that being its biggest drawback-the Abraham Agreement opens the door to a new Israeli strategy in the region and a fight for the future of the West Bank and Gaza strip that will be waged not on the ground but with a handshake.

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