On May 18, Israel swore in its new cabinet, ending 507 days of caretaker governance punctuated by three inconclusive elections. Under the coalition deal reached by Prime Minister Binyamin Netanyahu and new defense minister Benny Gantz, a resolution to apply Israeli sovereignty to portions of the West Bank can be brought before the cabinet as soon as July 1—provided the government obtains “full agreement” from the United States for the move, conducts “international consultations,” and ensures the “preservation of existing Israeli-Arab peace treaties.”

**Excerpts from “Coalition Agreement to Form an Emergency and National Unity Government”**

**Article 28:** Prime Minister (PM) and Alternate Prime Minister (APM) will work together and in coordination in order to advance peace agreements with all our neighbors and to advance regional cooperation in an array of economic areas and the Corona crisis.

Concerning President Trump’s declaration, the PM and APM will work in full agreement with the United States, including on the issue of maps, together with the Americans and in international consultations, while focusing on the security and strategic interests of the State of Israel, including the need to maintain regional stability, protect the peace agreements, and aspire for future peace agreements.

**Article 29:** Despite the declarations in Art. 3, Art. 20, Art. 21, and Art. 28, and after discussion and consultation between the PM and APM on the afore-mentioned principles, the PM will be allowed to bring forth the agreement reached with the United States on the issue of the application of sovereignty from 7.1.2020, for a discussion within the Cabinet and government and approval by the government and/or Knesset.

In the event the PM will want to bring his recommendation before the Knesset, he will be allowed to do so, as well as by an MK, as long as that MK is from the Likud faction, and will promise during the initial reading, that the legislation be amended to the identical version that was presented by the PM to the Government Cabinet. After the initial reading, and if it is a government proposed legislation being debated after the first reading, the legislation will be promptly passed, in the fastest way, and in the manner which will not complicate nor delay the process by the Chairman of the Knesset Committee for debate within the Foreign Affairs and Security Committee.

Prescribed within this, the addendum, regarding coalition working procedures will not be in effect for this Article.

*Translation from original Hebrew: Steven Dishler, JUF*
The following text comprises the key points from President Trump’s Peace Plan that address issues relevant to annexation/extension of sovereignty over parts of the West Bank/Judea & Samaria, such as final status of borders and settlements, as well as the status of the Jordan Valley. Non-pertinent sections have been omitted, and abridgments are signified with ellipses (...)

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;

... 

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 100 percent of pre-1967 territory (a belief that is consistent with United Nations Security Council Resolution 242). This Vision is a fair compromise, and contemplates a Palestinian state that encompasses territory reasonably comparable in size to the territory of the West Bank and Gaza pre-1967.

This Vision also contemplates a Palestinian state that maximizes ease of travel within the State of Palestine through state-of-the-art infrastructure solutions comprised of bridges, roads and tunnels, and provides significant benefits well beyond the borders of the State of Palestine. For example, the State of Palestine will benefit from a high-speed transportation link that will enable efficient movement between the West Bank and Gaza, crossing over or under the State of Israel’s sovereign territory. This crossing, which didn’t exist before 1967, will greatly enhance the value of the Israeli-Palestinian Peace Agreement for the Palestinians, and will be designed to be a part of a new regional infrastructure linking Palestinians and Israelis to the broader Middle East, as described below.

... 

The State of Israel will benefit from having secure and recognized borders. It will not have to uproot any settlements, and will incorporate the vast majority of Israeli settlements into contiguous Israeli territory. Israeli enclaves located inside contiguous Palestinian territory will become part of the State of Israel and be connected to it through an effective transportation system.
The United States has designed the Conceptual Map to include the following features:

- Approximately 97% of Israelis in the West Bank will be incorporated into contiguous Israeli territory, and approximately 97% of Palestinians in the West Bank will be incorporated into contiguous Palestinian territory. Land swaps will provide the State of Palestine with land reasonably comparable in size to the territory of pre-1967 West Bank and Gaza.

- The Palestinian population located in enclaves that remain inside contiguous Israeli territory but that are part of the State of Palestine shall become citizens of the State of Palestine and shall have the option to remain in place unless they choose otherwise. They will have access routes connecting them to the State of Palestine. They will be subject to Palestinian civilian administration, including zoning and planning, within the interior of such Palestinian enclaves. They will not be discriminated against and will have appropriate security protection. Such enclaves and access routes will be subject to Israeli security responsibility.

- The Israeli population located in enclaves that remain inside contiguous Palestinian territory but that are part of the State of Israel shall have the option to remain in place unless they choose otherwise, and maintain their existing Israeli citizenship. They will have access routes connecting them to the State of Israel. They will be subject to Israeli civilian administration, including zoning and planning, within the interior of such Israeli enclaves. They will not be discriminated against and will have appropriate security protection. Such enclaves and access routes will be subject to Israeli security responsibility.

- The Jordan Valley, which is critical for Israel’s national security, will be under Israeli sovereignty. Notwithstanding such sovereignty, Israel should work with the Palestinian government to negotiate an agreement in which existing agricultural enterprises owned or controlled by Palestinians shall continue without interruption or discrimination, pursuant to appropriate licenses or leases granted by the State of Israel.
  
- Land swaps provided by the State of Israel could include both populated and unpopulated areas.

- The Triangle Communities consist of Kafr Qara, Ar’ara, Baha al-Gharbiyye, Umm al Fahm, Qalansawe, Tayibe, Kafr Qasim, Tira, Kafr Bara and Jaljulia. These communities, which largely self-identify as Palestinian, were originally designated to fall under Jordanian control during the negotiations of the Armistice Line of 1949, but ultimately were retained by Israel for military reasons that have since been mitigated. The Vision contemplates the possibility, subject to agreement of the parties that the borders of Israel will be redrawn such that the Triangle Communities become part of the State of Palestine. In this agreement, the civil rights of the residents of the triangle communities would be subject to the applicable laws and judicial rulings of the relevant authorities.

- Two access roads will be built for the benefit of the State of Palestine that will be subject to Israeli security requirements. These roads will enable Palestinians to cross the Jordan Valley to the border crossing with the Hashemite Kingdom of Jordan, thereby facilitating Palestinian travel to and from the Hashemite Kingdom of Jordan and beyond, and subject to the immigration rules of the State of Palestine, allow Jordanians and others from the region to enter the State of Palestine.
• First-rate infrastructure solutions (including tunnels and overpasses) will be built to maximize unimpeded movement throughout both states and in between states and their respective enclaves.

• The security barrier will be realigned to match the new borders. New, modern and efficient border crossings will be constructed.

• The drawing of borders pursuant to the Conceptual Map shall be without prejudice to individual claims of title or rights of possession traditionally litigated within the Israeli judicial system.

Appendix 2A: Security Considerations

The State of Israel’s Security Needs:

• **The Jordan Valley:** The Jordan River lies approximately 1,300 feet below sea level, but it is situated right next to a north-south hill ridge that reaches approximately 3,318 feet at its highest point. That means that the Jordan Valley provides a steep, approximately 4,600 foot physical barrier against an external attack from the east. Israeli forces deployed along the eastern slopes of the West Bank hill ridge could hold off a numerically superior army until the State of Israel completed its reserve mobilization, which could take 48 hours. The State of Israel does not currently have a security concern with the Hashemite Kingdom of Jordan, with which it has had a peace treaty since 1994, but rather with other Middle Eastern powers that might seek to forcibly use Jordanian territory as a platform of attack against the State of Israel.

The Jordan Valley is not only significant with regard to conventional attacks against the State of Israel, but also with regard to terrorism. Following its unilateral withdrawal from the Gaza Strip, the State of Israel learned the implications of losing control of the external perimeter of contested territory for counterinsurgency warfare. Gaza became a safe haven, not only for Hamas, but also for international Jihadi groups like the PIJ that undermined the security of Egypt in the Sinai. If such groups infiltrated the West Bank, they could create a chaotic security situation for the Hashemite Kingdom of Jordan, as well as for the State of Israel.

If the State of Israel withdrew from the Jordan Valley, it would have significant implications for regional security in the Middle East.

• **Secure Lines of Supply to the Jordan Valley:** The State of Israel must assure for itself secure lines of supply for its forces in the Jordan Valley and the ability to move its military personnel and material into and out of the region.
Pros and Cons of Annexation:¹

Pros:

• Potential to pressure Palestinians to rejoin negotiations
• Limited annexation of the major settlement blocs would be acknowledgement of a common consensus already part of most Two-State Solution proposals
• Annexation of the Jordan Valley would strengthen Israel’s eastern border from Iranian encroachment, as well as a potential collapse of the Hashemite Kingdom while also providing Israel with greater strategic depth
• Depending on scope of annexation, it would simply reinforce facts on the ground
• The Trump Administration’s ‘Peace to Prosperity’ plan provides an unprecedented opportunity to advance Israel’s interests and an opportunity for the Palestinians to achieve statehood

Cons:

• Damage Israel’s standing in the UN and other international forums
• Undermine the values that have bolstered traditionally bipartisan U.S. support for Israel and could lead to growing calls in the United States and elsewhere for Palestinians to be granted equal civil and political rights in a single state—a scenario most Israeli Jews reject
• Further position support for Israel as a strictly partisan issue in the US
• Increase support for BDS and other anti-Israel grassroots movements in many parts of the world (i.e. Western Europe/the EU, Israel’s largest trading partner)
• Uptick in Palestinian violence, potential for another Intifada, collapse of the PA
• King Abdullah of Jordan has warned that a “massive conflict” will erupt if Israel pursues annexation
• Collapse of burgeoning ties between Israel and the Gulf states, a diplomatic miracle that has been years in the making

¹ This is not an exhaustive list as might be compiled by opponents and proponents to annexation/extension of sovereignty over parts of the West Bank/Judea & Samaria. This list represents ideas and concepts JUF staff identified while selecting background materials for the task force.
Annexation under the Auspices of the Coronavirus
Udi Dekel, Lia Moran-Gilad, Anat Kurz
Institute for National Security Studies
[Opposes Annexation/Extension of Sovereignty]

Netanyahu's campaign promise – to annex the Jordan Valley and apply Israeli sovereignty to the settlements – was validated in Trump’s “deal of the century”. For Prime Minister Netanyahu and those that aspire to advance the application of sovereignty to the territories in the West Bank, Trump’s support for Israel’s interests and the current focus of world leaders on the Covid-19 pandemic, provide an unprecedented opportunity. This theory also assesses that potential responses to Israel carrying out unilateral annexation will be minimal, as proven with the U.S. embassy move to Jerusalem and the Arab world tiring of the Palestinian issue. The contrary assessment expects any act of annexation to generate a determined and violent Palestinian response, including terror attacks and riots, the end of security coordination between Israel and PA security forces; harm to Israel's peaceful relations with Jordan, unification of the international community in opposition to Israel, and the potential imposition of sanctions and boycotts.

Applying sovereignty unilaterally over territories in the West Bank, without a true attempt to reach an agreement with the PA, will not improve Israel's strategic position or its ability to handle current and future challenges. It will also undermine the founding vision and ethos of the State of Israel as a state that strives for peace with its neighbors.

Israel’s Rush to ‘Apply Sovereignty’ in the West Bank: Timing and Potential Consequences
David Makovsky
Washington Institute for Near East Policy
[Opposes Annexation/Extension of Sovereignty]

Given the short U.S. election calendar, Netanyahu is adamant about securing approval for unilateral moves in the West Bank by July 1, a timetable that may hold damaging implications for Israeli relations with multiple countries. On April 20, after the longest electoral deadlock in Israel’s history, Prime Minister Binyamin Netanyahu and rival Blue and White Party leader Benny Gantz signed an agreement to form a unity government with a rotating premiership. Netanyahu will hold power for the first eighteen months, even as he battles three corruption indictments; Gantz will take the second rotation. Although officials have committed to parity between the new government’s right-wing and center blocs, serious questions persist about whether this principle will be sustained given their wide disparity in parliamentary seats. Gantz’s party splintered over his decision to join a unity coalition, leaving his bloc with nineteen seats and Netanyahu’s with up to fifty-nine. An early test for the new government will come in the next two months, as Israel decides whether to “apply sovereignty” in parts of the West Bank, which many observers view as de facto annexation. According to the April 20 agreement, Netanyahu will be allowed to bring this issue for a cabinet or even parliamentary vote starting on July 1, provided he fulfills two stipulations in advance: obtaining “full agreement” from the United States, and conducting “consultations” internationally.
Jordanian prime minister Omar Razzaz has stated that West Bank annexations under any name would put Israel’s peace treaty with the kingdom in a deep freeze, though speculation suggests that bilateral security cooperation would continue. Unconfirmed reports also indicate the Palestinian Authority might suspend security coordination after such a move, though that inclination could be tempered by continued economic downturns and dependency on Israel during the pandemic. Europe has substantial objections as well—in February, twenty-one EU countries came out against the Trump plan and annexation (though any decision to apply sanctions would need consensus among all twenty-seven EU states, which currently does not exist). The potential reaction among Gulf Arab states is uncertain. Israel has prioritized quiet ties with them amid strategic convergence on Iran and a shared focus on technological development. Another challenge lies in Washington, where Democrats may depict Netanyahu’s annexation push as not only a deadly blow to peace efforts, but also a ploy to help Trump win reelection. Leading pro-Israel Democrats in Congress have publicly rejected such proposals for at least a year now, and a past House resolution discouraged both “unilateral annexation of territory” by Israel and unilateral statehood declarations by the Palestinians. The full diplomatic damage of pressing ahead with annexation might not be felt immediately, but congressional sources indicate they would not be surprised if legislators call for restricting military assistance to Israel in the future.

**Biden Must Speak Out Against Israeli Annexation Plans Before It’s Too Late**

Philip H. Gordon, Robert Malley
Foreign Policy

[Opposes Annexation/Extension of Sovereignty]

The authors, both former national security officials in the Obama administration, believe that a would-be President Biden could have a major impact on the repercussions Israel would face should annexation occur. While a staunchly pro-Israel Democrat, a Biden presidency could put the U.S. Democratic Party and the Government of Israel firmly at odds. Joe Biden has explicitly stated he does not support annexation, as it would put an end to any hope for peace between Israel and the Palestinians.

The authors advise Biden to take a 4-step plan to prevent Israel from pursuing unilateral annexation. First, he should relay to Netanyahu opposition to annexation, while simultaneously stressing his strong support for the State of Israel on other matters. Biden opposes annexation for several reasons because, like many others, he believes it would jeopardize Israel’s future as democratic state and Jewish state by making the two-state solution unfeasible, as well as violating international law. Second, he should declare his administration would only support changes of territory in negotiated agreements with the Palestinians, as well as reversing any recognition of annexation made by the Trump administration. Third, Biden could indicate his administration’s willingness to refrain from shielding Israel from criticism and action in international institutions. Lastly, and most significantly, a President Biden could continue the long-standing policy of deducting money spent in annexed territories and settlements from US aid, a policy that existed under several administrations prior to President Trump.
Applying Israeli Sovereignty to Parts of Judea and Samaria according to the U.S. Peace Plan – Implications
Brig. Gen. (res.) Yossi Kupperwasser
Jerusalem Center for Public Affairs
[In favor of Annexation/Extension of Sovereignty]

Many of Israel’s critics and opponents claim that what is involved here is an annexation that constitutes a gross violation of international law, which prohibits the conquest of territory by force. They say this move will bring to an end the possibility of a settlement based on the two-state principle, spark a wave of violence, inevitably lead to the collapse of the Palestinian Authority and the end of the cooperation with it, require Israel to take over the territories with the unbearable economic burden that would entail, and destroy Israel’s identity as a Jewish and democratic state.

Neither the US peace plan itself nor statements by Israeli officials, make use of the term “annexation.” The terms that are used are “application of sovereignty” or “application of the law and the administrative and jurisdictional regulations” (based on Article 11b of the Israeli Law and Administration Ordinance of 1948, which makes possible the application of Israeli law, jurisdiction, and administration to territories of the Land of Israel that the State of Israel controls). In other words, there is no annexation of a foreign territory here but rather an implementation of the formulations of the British Mandate regarding the Land of Israel. That mandate entrusted the British with reconstitution of the Jewish National Home in the Land of Israel, and it still constitutes the legal basis for the issue of sovereignty in Judea and Samaria as long as no other agreement has been reached between Israel and the PLO in negotiations under the Oslo accords.

Israel and the United States do not accept the claim that Judea and Samaria, like all of eastern Jerusalem, are “Occupied Palestinian Territories” (OPT), because there is no legally binding international document, resolution or agreement that gives this territory to them and because they were never ruled by the Palestinians. Israel conquered these territories in a defensive war from Jordan, which annexed them illegally in 1950 and which, meanwhile, has renounced its claim to them. Because they are territories designated by the Mandate to be part of a national home for the Jewish people, no annexation is involved here. At most, the issue constitutes a special legal case. This is also made clear by the U.S. adoption of the view that Israeli settlement in these territories is not in itself illegal.

Those who oppose the move likely exaggerate the severity of Palestinian, Arab, and international reactions, while those who favor it are far too dismissive of them. The Israeli move, particularly if it is presented as an application of sovereignty, will incense the Palestinians. They will indeed see it as dashing their hopes to reach a settlement that answers their demands. At the same time, it is likely that the Palestinian Authority, which the Palestinians consider the most important achievement of their national movement, will continue to exist and will maintain a certain level of security cooperation with Israel in order to prevent the strengthening of its political enemies, particularly Hamas.

Although the Europeans will react with harsh condemnations, it is doubtful whether they will take significant punitive political and economic measures against Israel, particularly because of the difficulty in reaching a European consensus on the matter. The same is true regarding the pragmatic Arab states, which need Israel and the United States in their existential struggle against Iran and Sunni radicals.

Relations with the Democratic left in the United States, in particular the Jewish part of it, will take a turn for the worse, and if the Democrats win the upcoming elections there will be implications for the degree of U.S. commitment to Israel. It should be noted, however, that even today those relations are very problematic.
Will the application of law or sovereignty bring to an end the possibility of reaching peace and a two-state solution? In the foreseeable future, there is no chance of working out a solution involving two states, let alone on the basis of the U.S. peace plan. Israel cannot agree to the Palestinian version of a solution, which does not include recognition of Israel as the nation-state of the Jewish people, demands Israeli recognition of a “right of return” for Palestinian refugees and their descendants, insists on Palestinian control of almost all of Judea and Samaria including eastern Jerusalem as their capital, and does not provide a reasonable solution to Israel’s justified security concerns. At the same time, the Palestinians cannot agree to the Israeli version, which envisages two states for two peoples, one of them the nation-state of the Jewish people, and the other the nation-state of the Palestinian people, with mutual recognition of each other’s national identity and with each granting full equality of civil and religious rights to all their residents.

It is precisely the Trump administration’s peace plan, which largely adopts the Israeli version of a two-state solution, that shows the greatest promise. It offers a realistic approach and understands that the false Palestinian narrative is the main obstacle to peace.

The application of Israeli sovereignty in parts of Judea and Samaria is not an obstacle to a two-state solution but an opportunity. Making that move requires the Israeli prime minister to accept the U.S. peace plan – which includes a future Palestinian state – as a basis for negotiations. Precisely because the plan is comfortable for Israel, and because of Israel’s trust in the Trump administration, Israel will be prepared to accept the principle of a Palestinian state, under certain conditions, as an aspect of a settlement.

The only alternative to applying sovereignty is a continuation of the status quo. It is possible that such a policy is preferable. Israel is indeed in control of the territories and, in terms of practical security, nothing will change on the ground, and Israel could spare itself the rise in violence and in tensions with Jordan, Egypt, Europe, and the moderate Democrats.

The alternative of applying law/sovereignty challenges it in several regards:

First, a clear majority of the Knesset supports applying Israeli sovereignty because it pertains to parts of the homeland that are laden with history and Jewish heritage, and such a move dovetails with the objectives of Zionism. It does not entail adding a significant Palestinian population to Israel since the Jordan Valley is sparsely populated. The Palestinians will keep living within their own political entity, and its status may even be reinforced. Meanwhile, the problem of the legal status of the Israelis who live in these areas will be solved.

Second, the security importance of permanent Israeli control of these lands is clearly evident from the topography of the area, the inherent instability of the Middle East as a whole, the hostility to Zionism that is inculcated in the minds of the Palestinians and of many Arabs, and the lessons of the Israeli withdrawals from Gaza and from Lebanon.

Third, the publication of the American peace plan; the formation of a unity government in Israel, which includes the application of sovereignty in its enabling agreement; the crucial importance of the relationship with Israel for the pragmatic Arab world in light of the growing tension with Iran; the focusing of global and Arab attention on the Covid-19 pandemic and its ramifications; and particularly the uncertainty about the results of the U.S. elections – all this creates a set of circumstances that is probably unique in its capacity to moderate the reactions
to the move. If the United States supports the unilateral implementation of the plan according to the conditions it laid down for Israel, and if Israel does not exploit these circumstances to apply its law/sovereignty in keeping with the plan, it could be regretted for generations.

The conclusion that arises is that the alternative of continuing the status quo is not necessarily preferable to applying Israeli law/sovereignty, and that it is doubtful whether it is a realistic alternative — if the United States again expresses willingness to support a unilateral Israeli move.

In any case, Israel must begin preparing immediately to deal with the move’s repercussions. This preparation should, of course, be conducted in full coordination with the Americans, who must be persuaded of the need to moderate the Arab and international responses while reinforcing the message that Israel is committed to peace in line with the Trump plan and is calling on the Palestinians to enter negotiations without preconditions. Without U.S. support, Israeli activity to promote the move should not be considered.

**Netanyahu’s Annexation Plan Can’t Be Stopped**
Efraim Inbar
Middle East Forum
[In favor of Annexation/Extension of Sovereignty]

The article states that annexation of the Jordan Valley is strategically in the best interest of Israel, as well as widely supported by the Israeli public. Additionally, it has been an issue of common agreement across political divides, being supported by former rivals Netanyahu and Gantz, as well as former PM and Labor Party member Yitzhak Rabin. As Iran continues its effort to establish a “Shiite Crescent” stretching from the Gulf into Iraq, Syria, Lebanon, and the Mediterranean, Israel’s eastern flank is increasingly threatened. The Jordan Valley is largely seen as the only defensible border on the eastern front, as well as the closest to the heartland of the Jerusalem-Tel Aviv-Haifa triangle. In terms of demographic challenges, the area is sparsely populated, with only one large Palestinian city (Jericho) with several Jewish settlements interspersed throughout.

The author argues that most Arab states are unlikely to cause much disruption should Israel pursue unilateral annexation of the Jordan Valley. He states that the peace deal with Jordan would most likely remain unharmed, as the Hashemite Kingdom has become increasingly reliant on Israel for several important resources, such as water and natural gas, as well as for security reasons. Also, due to the lack on ongoing negotiations between Israel and the Palestinians, the author asserts they are unlikely to put up much political opposition as well.

**The Jordan Valley Dilemma: A Realistic Approach**
Dr. Raphael G. Bouchnik-Chen, Col. (ret.)
Israel Hayom
[In favor of Annexation/Extension of Sovereignty]

This article details how the debate has been somewhat more contentious within Israel. For example, opposition parties struck at a proposal to annex the Jordan Valley in January 2014 with their own bill designed to prevent such an action from occurring. The bill stipulated that the West Bank’s final status can only be determined via a two-state solution to the Israeli-Palestinian Conflict. The focal point of the author’s argument is that left-leaning organizations and parties, both within and outside Israel, will oppose most actions Israel takes to protect itself. Combined with the possibility of relatively low repercussions from Jordan and the
Palestinians, support from the current U.S. administration, and the greater increase in security benefits, make the timing ripe for annexing the Jordan Valley.