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Peace and Justice in the Holy Land – The background of the Israel/Palestine situation

The foundation of efforts for peace

The basis for all efforts to secure a just and lasting peace for the Israeli/Palestinian conflict is UN Resolution 242, which was passed by the United Nations Security Council after the Six Days War on November 22, 1967. The resolution called for the withdrawal of Israeli forces *“from territories of recent conflict,”* an Arab *“termination of all claims or states of belligerency,”* and a recognition of the State of Israel and its *“right to live in peace within secure and recognized boundaries free from threats or acts of force.”* It emphasized the legal principle that territory cannot be acquired through conquest or war.

Israeli settlements in the Israeli-occupied territories are considered illegal by the international community based on numerous United Nations resolutions and because they violate Article 49 of the Fourth Geneva Convention, which prohibits individual or mass forcible transfers, deportations of protected persons and transfer of "parts of its own civilian population into the territory it occupies."

During the Oslo Peace Process, which started in 1993 with the support of the international community, the State of Israel and the Palestine Liberation Organization began to negotiate on the question of final borders, the return of refugees, and Jerusalem's status. This resulted in the Oslo Accords, the establishment of the Palestinian Authority (PA), the division of the West Bank into areas A, B and C, and in the various agreements and coordination including security and access to services and work outside the Occupied Palestinian Territories (oPT), thus regulating the lives of 5 million Palestinians. The end of the Israeli/Palestinian conflict was not achieved. These agreements and coordination mechanisms were called off by the Palestinian President Mahmud Abbas on 20 May 2020, in protest against the imminent annexation plans of Prime Minister Benjamin Netanyahu.

The current annexation debate and the role of USA

The Israeli government annexation plan does not come as a surprise for Palestinians. The reality on the ground constitutes already a “de facto” annexation. Palestinians in the West Bank live under military law, and Israelis in the West Bank settlements are under Israeli civil law. Currently, there are around 200 settlements with almost 620,000 inhabitants in the West Bank. However, a “de jure” annexation would have an immediate and detrimental impact on the Palestinians living in these areas.

In coordination with the Israeli Government, the US administration has recently undertaken a series of unilateral steps: moving the US embassy to Jerusalem; shutting down the American consulate in East Jerusalem and the PLO office in Washington DC, and cutting aid to the Palestinian Authority, to civil society organizations, including the payments for the East Jerusalem hospitals and to UNRWA. These steps were followed by the US recognition of Israeli sovereignty over the Golan Heights and the US Secretary of State's statement that settlements are not per se inconsistent with international law. The latest blow to a peace process was the presentation of the "Peace to Prosperity" plan released in January 2020. With this strong backing of the US Government, the current Israeli leadership has taken steps toward formally annexing parts of the West Bank and severing some Palestinian neighborhoods from Jerusalem. Currently, US President Trump's position regarding the timing and scope of the annexation is not clear.

The implications of annexation to the people of Palestine

As of today, it is not yet clear which parts of the West Bank would be annexed and who and how many people would be affected. The Government of Israel has a strong interest in the Jordan valley for security reasons and because of the fertility of the arable land. It is a resource-rich land, the food basket, and a water reservoir for many Palestinian farmers who are under the threat of losing their livelihoods. Since the annexation was one of Netanyahu's most important election promises, he is under pressure. For this reason, some commentators assume that an "annexation light" of the settlement blocs of Ma'aleh Adumim, Ariel, and Gush Etzion may occur. This is seen as less controversial within Israeli society. From a Palestinian perspective, such a move would undermine the two-state solution and be an obstacle for any peace negotiation. Land expropriations for security zones would follow the annexation of the settlement blocs. People living in that area might have to leave their villages and move to Areas A and B.

According to estimations of the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) between 75-125.000 people in up to 150 communities could be affected. It is highly unlikely that the Government of Israel would grant naturalization, citizenship or voting rights to Palestinians in the annexed areas. Most probably, they would be given limited residence rights and no legal recognition, combined with limited access to essential services. Today, residents of East Jerusalem have limited municipal and social services, and their neighborhoods are neglected and impoverished. They do not enjoy the full civil and political rights, either.

Impact of annexation on humanitarian assistance

The annexation would undoubtedly impact the work of humanitarian and development organizations operating in the West Bank, including the operations of the Lutheran World Federation Program in Jerusalem. The PA's decision to halt civil coordination has already negatively affected cancer patients from Gaza that need treatment outside the Gaza Strip. Only patients with valid permits can freely cross into Israel for treatment in East Jerusalem hospitals.

In contrast, other patients who do not have such permits have not been able to travel. Hospitals such as Augusta Victoria Hospital and human rights organizations have taken over and coordinated with the Israeli authorities directly for permits. This is not sustainable, harmful, and may violate the right to health. International organizations such as UNOCHA, WHO, and ICRC are trying to find a solution, but it seems it is all depending on what will happen on 1 July and after that.

The public opinion in Israel and Palestine

As the numbers of COVID-19 infections are surging in Israel, Israelis are worried about a possible prolonged and widespread economic crisis. There is less public interest in the annexation plans. Experts have warned that COVID-19 infections could get out of hands if no immediate action is taken to change the current trend. Some part of the Israeli population is concerned about the state of democracy and the rule of law in their country. The annexation plans would distract public interest from the accusations of corruption against Prime Minister Netanyahu, which have led to his indictment. The Israel Defense Forces and Israel's intelligence community are concerned over the possible eruption of a third intifada and fear violence at Israel's northern border.

From a Palestinian point of view, Israel is blocking both the two-state solution and the binational state idea (which was only favored by few), and the PA is left with no options. Many, though disappointed by the PA, think that it is impossible to turn back time to pre-Oslo, to dismantle the PA, and to withdraw from the agreements. They feel as just left to subdue to continued occupation combined now with the annexation of vital parts of their land. President Abbas threat to hand over the West Bank entirely to the Government of Israel is essentially a warning that the Government of Israel would be responsible for Palestinians' health, education and environmental problems, pay the salaries of the PA's 150,000 employees in the West Bank and also ensure the continuation of monetary transfers to the Gaza Strip.

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The Palestinians' confusion and helplessness can be seen in President Abbas's latest announcement that, as part of the rupture in the coordination with Israel, he would refuse to accept tax revenue transfers to the Palestinians. As a result, the PA did not pay salaries last month, and its employees are completely in the dark about when or if June's salary will be paid.¹ Also, Palestinians in the West Bank and Gaza are concerned about the rise of COVID-19 infection in some governorates such as Hebron, the economic crisis, and the rise in unemployment.

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¹ Haaretz 20.6.2020