The Trump Peace Plan: Neither Peace Nor Stability

By Jon Allen

Synopsis

Jon Allen examines the Trump Peace Plan and explains why, if implemented, it would bring neither peace nor stability to the region. In addition to drawing on his experience as former ambassador to Israel, Allen reviews the political context in which the plan was announced, its content and what its implementation could mean for both the region and the international community.
About the Author


Subsequently, he held the positions of Director General, North America Bureau (2001-2004), Minister (Political Affairs) at the Embassy of Canada in Washington (2004-2006) and Assistant Deputy Minister, Americas (2010-2012).

From 2006 to 2010, he was Ambassador of Canada to Israel. From 2012 to 2016 he was Ambassador to Spain and Andorra. From December 2012 to July 2014, he was Chargé d’affaires a.i. to the Holy See.

Mr. Allen is currently a Distinguished Senior Fellow at the Canadian International Council and a Senior Fellow at the Munk School of Global Affairs and Public Policy at the University of Toronto. At Munk, he is engaged in research and writing on tax havens and inequality issues, Spanish and Israeli-Palestinian issues and Populism.
This paper examines the so-called Trump Peace Plan and tries to demonstrate why, like so many other "very big deals" President Trump has taken credit for, this Plan is unlikely to see the light of day. Moreover, if by some chance it were to move forward, this paper argues that it would not bring the peace or the stability that both Israel and the Palestinians desperately need.

A couple of weeks ago Donald Trump and Bibi Netanyahu (with no Palestinian in the room) celebrated the announcement of "the deal of the century" at the White House. The much-anticipated Trump/Kushner Peace Plan was for Israel a miracle, and for Palestinians a curse. So, what was the political context in which the announcement was made, what does the plan look like and what does it mean for the region and for the international community going forward?

**Context: Let’s look first then at the political context going in to the announcement?**

First, we had an Israeli Prime Minister, Bibi Netanyahu, that had just been formally indicted on three charges, the most serious being fraud.

Second, he was and remains a caretaker Prime Minister. In practice, this means that he should refrain from making significant policy decisions such as on spending or relations with other states. For example, neither an Israeli, nor a Canadian Prime Minister for that matter, is normally even permitted to appoint ambassadors during this period.

Third, an Israeli election was about a month away and the activities of the kind that Prime Minister Netanyahu and President Trump were engaged in would normally be considered as interference in the election process. But, of course, that’s exactly what both leaders hoped to achieve.

Fourth, we had a President in the United States under impeachment who is facing his own election in less than a year and who announced a plan that reverses US policies regarding the conflict that has been in place under every President since John F. Kennedy.

Fifth, it is instructive to recall who attended the announcement at the White House. The front row included President Trump’s Ambassador to Israel, David Freidman, a long-time supporter, both politically and financially, of the settler movement; Sheldon Adelson, a long-time supporter of a Greater Israel, the settler movement and a man who is reported to have donated $124m to Republicans in 2016 and $25m to the Trump campaign; the Kushners, of course, and the foremost leaders of the US Evangelical community, who are among the President’s most faithful supporters in large part because of his strong support for Israel.

Finally, who was not present at the announcement? As noted, the Palestinians were absent, as they were throughout the negotiations of the Plan. It’s arguable that this is equivalent to the United States and Mexico negotiating and announcing the new NAFTA 2.0 agreement without Canada having participated in either the negotiations or the announcement.

In sum, the President shored up his base, both with the Evangelical movement and those Jews who support a greater Israel and the settlement enterprise, many of whom, by the way, live in the all-important electoral State of Florida.

For his part, Bibi Netanyahu had hoped that he would shore up his support among his pro-settlement and pro-annexation base, and deflect attention from his indictment and failure to gain immunity from Israel’s parliament, the Knesset. The subsequent decision by the Trump Administration to put a hold on any annexations until the results of the Israeli election are known has been a set-back for Netanyahu in this regard.

**The Plan Itself**

Turning to the details of the Plan itself, it was, in my view, designed in a way that no Palestinian leader could possibly accept it. Moreover, it was designed specifically so that Bibi Netanyahu and others in Israel who oppose
the two-state solution could say: “See, the Palestinians missed yet another opportunity for peace.”

Unfortunately, as noted and I will return to this issue later in the paper, this plan if it were to move forward, would not lead to peace or stability in the region; but it may, whether it proceeds or not, encourage extremism, violence, and lead the Palestinians to take steps toward the establishment of a one state solution - a solution that most Israelis would ultimately regret.

Finally, this Plan is classic Donald Trump. He claims it says one thing while the reality is quite different. As he described the plan, it creates two states, divides Jerusalem between the Parties, maintains the status quo on the Temple Mount/Al Aqsa site, freezes the settlement project and offers Israel the security it requires. The reality is that each of these claims is untrue.

**The Substance of the Plan**

Moving now to the substance of the plan, we need to recall that since the Oslo Peace Accords of 1993, all negotiations between the two sides have revolved around five final status or core issues - issues that both sides would have to agree on, indeed compromise on, if a deal were to emerge.

In the Trump Plan, each and every final status issue was decided in favour of Israel.

First is the question of Jerusalem which is perhaps the most important of all the issues to both Palestinians and the rest of the Arab world. In Trump’s Plan, all of what the world understands to be Jerusalem and more was given to Israel. Israel was even given sovereignty over the area of Temple Mount/Al-Aqsa Mosque while leaving its management in the hands of Jordan.

For their part, the Palestinians were given their own "Jerusalem" but it is clearly only a Jerusalem in name only. It is in fact a no man’s land of three neglected villages all located on the Palestinian side of the separation wall.

This flies in the face of what most analysts have understood any deal had to agree on, i.e., East Jerusalem for the Palestinians and West Jerusalem for the Israelis.

Indeed, you may recall President Trump’s last gift to Israel when he recognized that West Jerusalem was Israel’s capital and moved his Embassy there. At the time he said this was simply recognizing facts on the ground, but that the fate of East Jerusalem was to be negotiated between Israel and the Palestinians. I guess he must have forgotten that he said that.

**1967 borders**

Virtually all recent negotiations have used the pre-1967 border between Israel and the Palestinians and Jordan, with mutually agreed and equal land swaps, as the starting point for negotiations and the basis for a compromise.

The Trump Plan allows the Israelis to retain, and gives a green light to their annexation, of all existing settlements currently recognized by Israel. Contrary to what he stated, Israel is permitted to continue to expand those settlements. The Plan also grants Israel the Jordan Valley and again offers a green light to its annexation. The Jordan Valley represents 1/3 of the territory of the West Bank. If annexed, the land mass belonging to the Palestinians would be reduced to approximately 17% of the total area that was partitioned in 1947. At that time, Israel was given 56% of the land and the Arabs 44%.

Finally, the Trump Plan goes one step further. It suggests that parts of the Arab Triangle, an area of Palestinian Israeli cities within Israel proper, could be transferred, with or without the Palestinian Israeli citizens currently living there, to the new Palestinian state.

In other words, in addition to creating a state that is actually a series of separated Bantustans, the Plan also contemplates the possibility of a version of ethnic cleansing for certain Palestinian Israeli citizens.

While some analysts have said the Israeli Supreme Court would not allow individual Palestinian Israelis to be forcibly transferred, there would be nothing to stop Israel from handing over their land and property.
Right of Return

On the issue of the right of return of Palestinian refugees to their homes in Israel, it has been generally understood that only a very limited number of Palestinians would ever be allowed to return to Israel, e.g., 100,000 maximum and that compensation would be provided by the international community to others. Although rarely mentioned publicly, one option was for the majority of the remaining refugees to settle in the Jordan Valley of the new Palestinian State. With Israel’s proposed annexation of the Jordan Valley, there would be nowhere for these refugees to settle.

A Sovereign Palestinian State

President Trump also promised a sovereign state for the Palestinians. However, the state envisioned by this Plan would be, in essence, a Bantustan: the West Bank would be connected to Gaza by a tunnel; the two new separate swaps cut out of the Sinai Desert in the south would be isolated and unconnected to either Gaza or the West Bank; and the Jordan Valley would be annexed to Israel. The West Bank is already a kind of Swiss Cheese with major Israeli settlements interspersed among Palestinian villages.

In addition, as envisioned by the Trump Plan, Israel would continue to control the air, the sea, the borders and the territorial waters of the State. Palestine would have no military and not even a gendarmerie. In sum, what is on offer can hardly be called a state.

Security: On security, the Trump Plan, on its surface, makes every effort to guarantee Israel’s security, and at first blush Israel appeared to win on this issue as well.

Of course, those who support a strong and secure Israel, as I do, want the country to win on this issue. As noted, however, it is not clear whether this Plan, if implemented, would achieve that end.

Although hard to believe, when questioned after the Plan was announced, the Israeli Defence Forces admitted that in the 3 1/2 years that the Plan was being refined, no one in the IDF had been consulted regarding the additional security related responsibilities that the Plan would impose on them. These additional obligations include manning a massive and expensive expansion of the security barrier; protecting the 15 isolated settlements that were being annexed; protecting Israeli populations in and around the new Palestinian enclaves in the Sinai, and securing the Jordan Valley, a massive undertaking in itself.

Finally, under this plan Israel would be required to continue securing both the West Bank and Gaza. This flies in the face of advice offered by multiple former IDF generals and heads of the Mossad who have argued that Israel would be safer if the Palestinians had their own very separate state rather than being integrated, as it is now, into Israel proper. This plan does little to achieve that end.

Recognition of Israel as a Jewish State

This final issue was a new pre-condition that was added by Bibi Netanyahu during a speech in 2009. This was also the first and only time that he ever mentioned the可能性 of a two-state solution. It was at Bar Ilan University and I was there at the time.

President Trump made such recognition by the Palestinians a “quid pro quo” for any deal going forward. On this issue, I think it’s safe to say that the President won’t subsequently deny the existence of this quid pro quo.

For their part, the Palestinian Authority (PA) has agreed on a number of occasions to recognize the State of Israel as a sovereign state. The Palestinians refuse, however, to recognize Israel as a Jewish state. First, they argue that some 20% of Israeli citizens are not Jewish and that such recognition would discriminate against them. The Nation State law, recently passed by the Netanyahu government, already legalizes such discrimination so the Palestinians both in and outside Israel have some reason to be concerned. Second, they see no reason why they should have to agree to this added descriptive. They are not asking to be recognized as a Muslim State. The United States is not recognized as a Christian State. Finally, the PA has said that Israel is free to call itself whatever it chooses.
How Was the Plan Received?

One way to assess whether the two sides believe this Plan is an honest attempt to bridge differences and reach compromises is to ask the Parties themselves.

Israel’s Prime Minister stated immediately after the announcement what he had said previously, i.e., that Donald Trump was the best US President that Israel has ever had. Naftali Bennet, the Defence Minister, went even further when he said that “Israel has just won the lottery”. Well, it’s not too hard to win the lottery when you’re the only one buying tickets.

Not surprisingly, Mahmoud Abbas, the Palestinian leader, rejected the Plan outright.

In short, as noted by Aaron David Miller, an expert on Israel-Palestine relations who worked on the file in both the Clinton and George W Bush administrations, “this is a plan that gives Israel everything it wants, concedes to Palestinians everything Israel does not care for, tries to buy off the Palestinians with the promise of $50 billion in assistance that will never see the light of day, and then calls it peace.”

The International Context

What does this mean internationally?

One thing that seems to have been lost in all the coverage of the announcement is that just because the President of the United States announces something, it doesn’t mean that it’s either fact or law.

The International Court of Justice, the United Nations Security Council - in resolutions backed by every US administration until this one - and the legal opinions of foreign offices around the world, including the US State Department’s - until Trump ordered it changed a year ago - have declared the settlements in the Occupied Territories to be illegal and the occupation itself to be contrary to International law.

Of course, therefore, any annexation of the settlements and of the Jordan Valley also would be illegal under international law.

Can Donald Trump and Jared Kushner overturn both international law and custom unilaterally? One would hope not.

Can Israel continue to defy international law and get away with it? Will Israeli governments continue to label states who choose to distinguish between goods from the settlements and goods from Israel proper, anti-Semitic or anti-Zionist? Will Israel eventually pay a price internationally and continue to alienate a significant number of Jews in the Diaspora for continuing the occupation? Unfortunately, I believe so, especially if this is Israel’s and the US’s last offer.

What’s next?

The Arab League met 10 days ago and collectively rejected the Plan. Even Egypt, which had initially signaled some willingness to examine it, and the three Arab states whose representatives attended the White House announcement - without having seen or read the Plan - joined the consensus denouncing it as failing to address major issues of concern to both the Palestinians and all Arab states. This means, of course, that the $50B that Trump promised the Palestinians for economic development is now off the table. Trump was, of course, promising other countries’ money not the money of the US.

Jordan, one of Israel’s most important regional security partners has threatened to limit cooperation if Israel proceeds with any annexations, or changes the status quo of the Al Asqa site.

Mahmoud Abbas, the Palestinian leader has already stated that the PA will cease security cooperation with Israel. If he follows through on that promise, the situation on the ground in the West Bank could change dramatically for the worse. Israel has already witnessed renewed violence from Gaza and the West Bank, something not seen when Trump recognized West Jerusalem as Israel’s capital.

In the short term, elections in Israel and the US will take place but unfortunately not in the Territories, which have not seen elections in 14 years. If Benny Ganz and his Blue and White Party win on March 2,
then perhaps with significant Palestinian Israeli support, talks of annexation likely will slow and a more considered view of how to manage relations with the Palestinians may take hold.

If the Democrats win in the US (certainly not a foregone conclusion), I have no doubt that we will see a return to a policy that supports a viable two state solution. Getting there will be no easier than before, but at least this perversion of a deal will be taken off the table.

If on the other hand, both Likud and Trump were to win their respective elections, and if the Trump plan was implemented, Israel could be on its way to the so-called "One State" solution.

Palestinians in Gaza and the West Bank could say enough is enough and demand to become Israeli citizens. Demographers predict that they would soon become a majority population in a Greater Israel.

If Israel wants to continue as a democracy where each citizen has an equal vote, Jewish Israelis will become a minority and Israel will cease to exist as the homeland for the Jewish people. If Israel decides to continue the occupation, or refuses to give its Palestinian citizens the vote, it risks becoming an apartheid nation. That would not be good for Israel, for Jews in the Diaspora, and certainly not for the Palestinians.

Finally, if the Plan is not loudly and firmly rejected by the West and others, it could send yet another signal to Donald Trump that might is right and that, whether at home or abroad, he is free to break laws and intimidate foes with impunity. It also will confirm to Messrs. Putin, Xi, Modi and other authoritarian leaders that they also are free to operate without constraint in places like Crimea, the South China Sea, and Kashmir.
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