

31 January 2020

Mission of the State of Palestine to the UN – Memorandum on the “Trump Peace Plan”

1. The ‘Peace Plan’ announced on 28 January 2020 by the US President and Israeli Prime Minister is not a plan for peace. It is a cynical, political deal made between them in total disregard of international law, attempting to legitimize the illegitimate and failing to meet even the minimal requirements for a just solution to the Palestine question and comprehensive, lasting peace and security between the State of Palestine and Israel. It is beyond unacceptable and must be rejected.
2. This plan is an affront to the rights and dignity of the Palestinian people, who have for too long suffered under Israeli occupation and been deprived of their homeland and human rights for over seven decades. No one can accept a plan that consecrates the violation of their rights, foremost to self-determination, strips them of their land and negates their national identity and aspirations for freedom and independence.
3. Such an initiative is neither a fair plan nor an ‘opportunity for peace’; it is a travesty of justice. It is an offensive attempt to impose a fait accompli by entrenching all that has resulted from the illegal policies and measures of this 52-year military occupation, breaching the universal prohibition on the acquisition of territory by force, UN Charter, 4th Geneva Convention, Rome Statute, and all relevant UN resolutions and provisions of international law.
4. Moreover, this plan totally negates the principle of an agreement reached through through negotiations between the two sides and is a non-starter for negotiations. The basis for credible negotiations is well-known, long enshrined in the international consensus on the terms of reference and parameters for a just solution to the Israeli-Palestinian conflict in accordance with international law, the relevant UN resolutions, the Madrid principles and the Arab Peace Initiative. The components of that just solution are equally clear:
 1. Brings a complete and definitive end to the Israeli occupation that began in 1967;
 2. Fulfills the Palestinian people’s inalienable rights and national aspirations, including to self-determination in an independent, sovereign, contiguous and viable State;
 3. Achieves a just solution for the Palestine refugees in conformity with resolution 194 (III);
 4. Achieves the two-State solution of the State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security, based on the pre-1967 borders.
5. The Trump plan totally contradicts that two-State solution, which has for decades been the bedrock of the global consensus on a just solution, to which it has been repeatedly declared that there is ‘no viable alternative’ for realizing lasting peace and security. The plan attempts to validate the illegal Israeli actions that have not only undermined the two-State solution but rendered it physically impossible to realize and cannot be accepted.
6. The plan ignores the painful compromise already made by the Palestinian leadership in 1988 to accept the two-State solution and establish our State on only 22% of our historic homeland, the boldest compromise ever made for the sake of peace. It is for peace that, despite all the injustices borne since the 1948 Nakba, we accepted the international vision for two States in the land of Palestine, as per General Assembly resolution 181 (II), Security Council resolutions 242 (1967) through to 2334 (2016) and countless other resolutions and international declarations.
7. The Trump plan dismisses this global position on two States, attempting step by step, in the prelude to the plan and in its details, to legitimize Israel’s illegal occupation, colonization and annexation of

Palestinian land. The plan deems crimes such as the settlements, the wall and forced displacement of thousands of Palestinians as mere ‘realities’ that must be accepted; blesses Israel’s illegal annexation of Occupied East Jerusalem; and green lights further annexation schemes, including of the Jordan Valley, effectively dismantling the two-State solution and turning the rules-based order on its head.

8. The plan does not offer Palestinians a fair chance at independence and sovereignty, but formalizes the theft of our land and resources, including water, and chops up the territory and separates the Palestinian people in non-contiguous, walled cantons that can only be likened to the Bantustans of Apartheid. In fact, the US plan accords sovereignty, self-determination and security solely to the State of Israel, mirroring the racist, undemocratic ‘Jewish Nation State’ law of the Israeli government.
9. Beyond endorsing Israel’s illegal annexation of Jerusalem, the historic status quo at the holy sites, particularly Al-Haram A-Sharif, is also dangerously undermined by the plan, which sets forth a scheme for temporal and spatial division of this sensitive holy sites and denigrates the Hashemite Kingdom of Jordan’s custodianship for the Muslim and Christian holy sites in the City.
10. The rights of the Palestine refugees are also callously dismissed by this plan. That this was preceded by the US defunding of UNRWA in attempt to collapse the Agency, as well as by escalating pressures by Israel, the occupying Power, to obstruct UNRWA services in Occupied East Jerusalem and push it out of the City, is telling of the malign intentions in this regard. Palestinian prisoners are also treated without conscience by this dehumanizing plan.
11. We trust that States around the world will not accept this plan as it directly contradicts their affirmed respect for UN resolutions, commitment to the two-State solution on the 1967 lines, respect of the historic status quo at the holy sites, and constant calls for credible, fair negotiations between the parties to just and permanently resolve all final status issues, including Jerusalem, Palestine refugees and borders, based on the internationally-endorsed terms of reference. This plan offers none of that and claims otherwise are a gross misconception.
12. It is equally false that the Palestinian leadership’s response to this plan is a rejection of negotiations. The facts are clear: for nearly thirty years, since the Madrid Peace Conference in 1991, to the Oslo Accords in 1993, to Annapolis in 2007 and every effort between and thereafter, the Palestinian leadership has engaged in all credible peace initiatives in good faith.
13. This commitment has never wavered despite Israel’s constant bad faith in the negotiations and relentless violations on the ground. We have always been ready for meaningful negotiations based on the clear, internationally-endorsed terms of reference, most recently in resolution 2334, and have continually called for the resumption of such negotiations and for the support of regional and international partners and the international community as a whole for the peace process. But this plan is neither a credible basis for negotiations nor a path for peace.
14. In sum, this plan constitutes an assault on the rights of the Palestinian people, their presence in their land, and the foundations of peace. But it is equally an assault on the international rules-based order sending a stark message of zero regard for the law and the principles of justice and equity. Such threats must not be minimized or ignored.
15. Occupation cannot be a pathway for annexation. Annexation can only lead to an Apartheid situation that no one can tolerate. The deep sense of injustice that the US-Israeli plan has triggered among the Palestinian people, who view this matter as an existential threat, only further reinforces their resilience and insistence to realize their full human rights and to live in freedom, dignity and equality, nothing less.

16. Annexation must be stopped. States must not recognize as legitimate that resulting from illegal Israeli policies and measures and acts of aggression in Palestine. There must be accountability for the grave violations of international law and war crimes being committed. An end must be brought to this illegal Israeli occupation of the West Bank, including East Jerusalem, and the Gaza Strip – the territory comprising the State of Palestine on the pre-1967 borders – and the Palestinian people must exercise their long-overdue right to self-determination, independence and sovereignty.
17. The international community has a duty to act, including the Security Council and the General Assembly in accordance with their resolutions and the permanent responsibility of the United Nations until a just solution is achieved. We call for serious and immediate efforts to uphold the UN Charter, international law, and the relevant resolutions as the most viable and direct path to achieve a just, lasting, comprehensive and peaceful solution to the Israeli-Palestinian conflict and Palestine question as a whole.
18. Action is vital for deterring the threats of annexation and for salvaging the global consensus and the foundations of peace. This is of urgency for the sake of the Palestinian people, the Israeli people, the prospects for their peace and coexistence and for Middle East and global peace and security, as well as for preserving the credibility and authority of the United Nations and the rules-based order against the threats they face. This is a collective responsibility.

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