

## PLO NEGOTIATIONS AFFAIRS DEPARTMENT

### ISRAELI VIOLATIONS OF THE ROAD MAP

1 OCTOBER – 31 DECEMBER 2010

*During the fourth quarter of 2010, Israel continued to violate its obligations under Phase 1 of the Road Map. Following the end of Israel's 10-month so-called 'moratorium' on 26 September 2010, there was an intensification of settlement activity, particularly construction starts, issuance of building permits and planning in the West Bank, including East Jerusalem. In addition to being illegal under international law, such Israeli violations continue to undermine the very possibility of the two-state solution and international efforts led by the United States to create an environment conducive to the resumption of a credible and viable peace process.*

#### I. SETTLEMENT ACTIVITY

*"Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements)."*

##### A. Construction

- **Wall:** Wall construction has continued in 19 areas in the West Bank, including in the Jerusalem (Eizariya, Qalandiya, Shuafat refugee camp), Bethlehem (Beit Jala, Wallajah), Ramallah (Aboud, Bil'in), Qalqilya (Jayyous) and Hebron (Tarqumiya) districts.
- **Housing starts:** According to the most recently available official Israeli data, there were **50 settlement housing starts** during the first nine months of 2010 in the West Bank (not including East Jerusalem<sup>1</sup>).<sup>2</sup>
- **Housing completions:** Meanwhile, settlement housing completions continued apace throughout the West Bank (not including East Jerusalem), with **1,175 units** in the first nine months of 2010:<sup>3</sup>

|                   | Public | Private | Total |
|-------------------|--------|---------|-------|
| Rest of West Bank | 396    | 779     | 1,175 |

<sup>1</sup> Palestinians define "East Jerusalem" as the 6 km<sup>2</sup> municipal area as it existed on 4 June 1967. Israel defines "East Jerusalem" as the 70 km<sup>2</sup> of West Bank territory it illegally annexed in 1967 as part of its unilaterally declared municipality of Jerusalem. In this report, "East Jerusalem" refers to the Israeli definition only because the Israeli sources cited in the report compile the data using the Israeli definition.

<sup>2</sup> Israeli Central Bureau of Statistics (ICBS) and Ministry of Construction and Housing (MoCH).

<sup>3</sup> ICBS and MoCH.

- **Active construction:** As of 30 September 2010, some **1,833 housing units** were under active construction in settlements throughout the West Bank (not including East Jerusalem):<sup>4</sup>

|                   | Public | Private | Total |
|-------------------|--------|---------|-------|
| Rest of West Bank | 672    | 1,161   | 1,833 |

- Settlement construction continued throughout the West Bank, including in Har Gilo (Wallajah/Beit Jala), Ma'ale David/Zetim (Ras Al Amoud neighborhood, East Jerusalem), City of David (Silwan neighborhood, East Jerusalem), Ma'ale Adumim, Gilo (Beit Jala), Har Homa (Beit Sahour), Giv'at Hamatos (Beit Safafa), Pisgat Ze'ev (Beit Hanina), Giv'at Ze'ev (Betunia) and Betar 'Illit (Wadi' Fukin).
- On October 20, Associated Press reported that construction on **544 housing units** had **begun** in West Bank settlements (excluding those in East Jerusalem) since the end of the so-called 'moratorium'.
- On November 13, Peace Now reported that, in the first six weeks after the end of the so-called Israeli 'moratorium' on September 26, **work had started on 1,629 settlement housing units** in at least 63 settlements, 46 of them east the Wall and 17 on the western side of it. The amount of construction in the six-week period after the end of the 'moratorium' was comparable to what would have been started during the 10 months of the 'moratorium' based on the 2009 rate of construction.
- On 23 and 24 November, **settler organizations took control of two houses** in Palestinian neighborhoods in East Jerusalem. In the first case, the Qara'in family, 14 persons, were evicted from their home, which is located next to the UN compound in Jabal Mukabber. The building was allegedly purchased by a foreign company registered in the Cocos Islands and represented in Israel by David Be'eri, one of the heads of the Elad settlers' organization, even though some of the owners of the property contend that the transaction was made without their knowledge and approval. In the second case, settlers took control of the second floor of a building in a-Tur that had been unoccupied in recent years. The first and third floors are occupied by Palestinian families.<sup>5</sup>
- In December, construction began on 18 of **24 housing units** in **Beit Orot** yeshiva settlement unit on the edge of the Palestinian village of At-Tur. The plan (#3092) is funded by American-Jewish millionaire Irving Moskovich, who has invested heavily in Israeli settlements.<sup>6</sup>

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<sup>4</sup> ICBS.

<sup>5</sup> B'tselem.

<sup>6</sup> Associated Press.

## B. Planning and Authorizations

### 1. Tenders

- In this reporting period, Israeli authorities issued at least three new housing tenders for the construction of some **238 units**, all of them in settlements located in and around East Jerusalem:

| Tender No. | Settlement   | Governorate | Date   | Publisher | No. Units |
|------------|--------------|-------------|--------|-----------|-----------|
| 282/2010   | Pisgat Ze'ev | Jerusalem   | Nov. 4 | ILA       | 48        |
| 281/2010   | Pisgat Ze'ev | Jerusalem   | Nov. 4 | ILA       | 32        |
| 10004/2010 | Ramot        | Jerusalem   | Nov. 4 | MoCH      | 158       |

### 2. Building Permits

- The Israeli government issued **permits** for privately-initiated construction of **402 housing units** in West Bank settlements (not counting East Jerusalem<sup>7</sup>) in the first ten months of 2010.<sup>8</sup>

### 3. Other Plans and Approvals

- During the reporting period, the Jerusalem District Planning and Building Committee advanced plans for more than **2,138 housing units** in settlements in and around East Jerusalem:<sup>9</sup>

| Date       | Settlement   | Plan No. | Action                      | Housing Units |
|------------|--------------|----------|-----------------------------|---------------|
| Early Nov. | Har Homa C   | 10310    | Deposited for public review | 983           |
| Early Nov. | Har Homa B   | 12825    | Deposited for public review | 48            |
| Early Nov. | Ramot Allon  | -        | Deposited for public review | 320           |
| Early Nov. | Pisgat Ze'ev | -        | Deposited for public review | 32            |
| Nov. 25    | Pisgat Ze'ev | 11647    | Deposited for public review | 625           |
| Dec. 14    | Gilo         | 13290A   | Deposited for public review | 130           |

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- On October 31, the so-called Jerusalem District Planning and Building Committee published an announcement of the final approval of a plan (#12472) to build a **ramp at the Mughrabi Gate** of the Old City of Jerusalem. The plan initially included the destruction of the existing ramp, archeological diggings, and the expansion of the prayer area of the Wailing Wall. However, in September 2010, an Israeli court hearing an appeal against the plan decided that the plan as a whole is illegal and that it should be done as

<sup>7</sup> Data unavailable for these settlements.

<sup>8</sup> ICBS.

<sup>9</sup> Ir Amim; Ha'aretz; Jerusalem Post; and Ynet.

part of a more comprehensive plan of the area in coordination with all relevant parties. Nevertheless, the court did allow the plan to include the construction of a new bridge on pillars, with minimum amount of diggings and change of the ground surface. This limited plan is likely to be implemented in the upcoming months.<sup>10</sup>

- In early November, *Ha'aretz* reported that **800 units** are being promoted in **Ariel** settlement. According to Peace Now, the units are part of a plan (#130/3/1), approved in the 1990s, for a new neighborhood west and outside of the built-up area of Ariel. If completed, it will block Salfit city from the west, while Ariel already blocks it from the north. About one month ago, an Israeli court supported an Israeli investor's claim of ownership to the land, paving the way for the land's development by the investor.
- In late November, the Israeli cabinet approved a **US \$23 million five-year plan to develop the area around the Wailing Wall** in the Old City of Jerusalem. The plan is to improve access to the Wall and the surrounding plaza as well as nearby archaeological sites. It is a continuation of an earlier five-year plan approved in 2004.<sup>11</sup>
- In mid-November, *Ha'aretz* reported that settlers have converted at least 25 natural water springs in the West Bank, including near Eli, Talmon, Berakha and Halamish settlements, into "tourism" sites off-limits to Palestinians.

### C. Outposts

*"GOI immediately dismantles settlement outposts erected since March 2001."*

- Of the approximately 110 outposts<sup>12</sup> in the West Bank, 58 of which were established since March 2001, **none**<sup>13</sup> **were dismantled** during the reporting period.
- In fact, a **new outpost** appeared to the east of Nokdim and Tekoa settlements in October. The new outpost consists of several caravans and semi-permanent structures, and sits on land belonging to people from Jib Atheib, Zaatara, and Dawahra villages.

## II. ATTACKS ON PALESTINIANS AND THEIR PROPERTY

*"GOI takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a punitive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet work plan."*

### A. Palestinian Deaths and Injuries

- At least **24** Palestinians were **killed** and another **215 injured** by Israel during the last quarter of 2010:<sup>14</sup>

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<sup>10</sup> Peace Now.

<sup>11</sup> *The Guardian*; and *Jewish Telegraph Agency*.

<sup>12</sup> This number does not include the handful of outposts removed by the Israeli army immediately or shortly after being established, or outposts that are very temporary in nature (e.g., only inhabited during the day or periodically throughout the year).

<sup>13</sup> This number does not include the handful of outposts removed by the Israeli army immediately or shortly after being established, or outposts that were only partially dismantled.

|                                      | Deaths    | Injuries   |
|--------------------------------------|-----------|------------|
| West Bank (including East Jerusalem) | 6         | 116        |
| Gaza Strip                           | 18        | 99         |
| <b>Total</b>                         | <b>24</b> | <b>215</b> |

## B. Land Confiscations

- On October 6, the Israeli authorities issued Military Order # T/25/10 for the confiscation of 6 *dunums* of land in **Husan** village to set up a checkpoint.
- In early November, court documents revealed that successive Israeli governments have helped entrench the Jewish presence in Palestinian areas of East Jerusalem by **selling or leasing property to Elad and Ateret Cohanim**, two extremist settler groups, at a fraction of the going market rates. The court documents refer to 11 such deals, though there may be dozens more.<sup>15</sup>
- On November 3, the Israeli authorities issued a military order for the confiscation of 50 *dunums* of land belonging to **Beit Iksa** villagers for the purpose of constructing a rail running through the oPt linking Tel Aviv to Jerusalem.

## C. Demolitions

- From October 1 to November 22, **at least 32 Palestinian homes and other structures were demolished** by Israeli authorities in the occupied Palestinian territory, particularly in East Jerusalem, causing the **displacement** of some **39 people**, including **24 children**.<sup>16</sup>

| Date   | Location                                    | Structures Demolished |           |           | People Displaced |           |           |
|--------|---|-----------------------|-----------|-----------|------------------|-----------|-----------|
|        |   | Residential           | Other     | Total     | Adults           | Children  | Total     |
| 4 Oct  | Beit Safafa                                 | 0                     | 1         | 1         | 0                | 0         | 0         |
| 16 Oct | Sur Baher                                   | 1                     | 0         | 1         | 0                | 0         | 0         |
| 2 Nov  | Beit Hanina                                 | 0                     | 1         | 1         | 0                | 0         | 0         |
| 2 Nov  | At Tur                                      | 0                     | 1         | 1         | 0                | 0         | 0         |
| 11 Nov | Al 'Isawiye                                 | 0                     | 3         | 3         | 0                | 0         | 0         |
|        | <b>Jerusalem area</b>                       | <b>1</b>              | <b>6</b>  | <b>7</b>  | <b>0</b>         | <b>0</b>  | <b>0</b>  |
| 8 Oct  | Jabal Johar, Hebron H2 (Hebron)             | 1                     | 1         | 2         | 2                | 1         | 3         |
| 11 Oct | Khallet Al Wardeh, Bani Na'eim (Hebron)     | 1                     | 1         | 2         | 0                | 0         | 0         |
| 14 Oct | Arab Rashayida (Betelehem)                  | 3                     | 2         | 5         | 13               | 23        | 36        |
| 27 Oct | Al Isawiya (Jerusalem Governorate, E1 area) | 0                     | 9         | 9         | 0                | 0         | 0         |
| 27 Oct | Deir Abu D'ief (Jenin)                      | 0                     | 4         | 4         | 0                | 0         | 0         |
| 22 Nov | Al Isawiya (Jerusalem Governorate, E1 area) | 0                     | 3         | 3         | 0                | 0         | 0         |
|        | <b>Area C</b>                               | <b>5</b>              | <b>20</b> | <b>25</b> | <b>15</b>        | <b>24</b> | <b>39</b> |
|        | <b>TOTAL</b>                                | <b>6</b>              | <b>26</b> | <b>32</b> | <b>15</b>        | <b>24</b> | <b>39</b> |

<sup>14</sup> Palestinian Monitoring Group.

<sup>15</sup> Associated Press.

<sup>16</sup> Displacement Working Group.

### III. INTERNAL CLOSURES

*“As comprehensive security performance moves forward, IDF withdraws progressively from areas occupied since September 28, 2000 and the two sides restore the status quo that existed prior to September 28, 2000.”*

- According to the UN Office for the Coordination of Humanitarian Affairs, as of December, Israel had established **512 checkpoints, roadblocks and other physical barriers** to Palestinian movement throughout the West Bank, a **36 percent increase** since August 2005.

### IV. JERUSALEM INSTITUTIONS

*“GOI reopens Palestinian Chamber of Commerce and other closed Palestinian institutions in East Jerusalem based on a commitment that these institutions operate strictly in accordance with prior agreements between the parties.”*

- There was no change to the status of Palestinian institutions in East Jerusalem closed by Israel on 8 August 2001, including Orient House, the Palestinian Chamber of Commerce and eight other institutions. Israeli authorities renewed the closure of all 10 institutions on July 25.

### V. OTHER OBLIGATIONS

*“Israeli leadership issues unequivocal statement affirming its commitment to the two-state vision of an independent, viable, sovereign Palestinian state living in peace and security alongside Israel, as expressed by President Bush, and calling for an immediate end to violence against Palestinians everywhere.”*

- Israeli Prime Minister Benjamin Netanyahu continues to speak about a truncated Palestinian proto-state that would not include East Jerusalem, the Jordan Valley and other parts of the occupied Palestinian territory, and that would have no capacity to provide security to its citizens, exercise effective jurisdiction or defend its territory and resources. This rhetoric from the current Israeli government has continued ever since Prime Minister Netanyahu fell far short of articulating a clear and unequivocal commitment to the establishment of an “independent, viable and sovereign” Palestinian state in his June 14, 2009 foreign policy speech.