

## PLO NEGOTIATIONS AFFAIRS DEPARTMENT

### ISRAELI VIOLATIONS OF THE ROAD MAP

1 OCTOBER – 31 DECEMBER 2009

*During the last quarter of 2009, Israel continued to violate its obligations under Phase 1 of the Road Map, particularly with respect to: (1) settlement activity, (2) attacks on Palestinians and their property, (3) internal closures, (4) Jerusalem institutions, and (5) other Road Map obligations. 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 meaningful peace process.*

#### I. SETTLEMENT ACTIVITY

##### Obligation:

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

#### A. Construction

##### 1. Settlement Housing

- The Israeli Ministry of Construction and Housing’s website currently identifies construction projects in at least 11 “urban” settlements in the West Bank (including East Jerusalem), totaling **3,935 settlement housing units**.<sup>1</sup> Some **91 percent** of these are in the **Metropolitan Jerusalem** area,<sup>2</sup> with 43 percent in Har Homa alone. The breakdown of current settlement construction projects is as follows:

Settlement	District	# Housing Units	of which Sold
Alfe Menashe	Qalqilya	80	0
Ariel	Salfit	192	115
Betar ‘Illit	Bethlehem	441	98
Efrata	Bethlehem	51	42
Elqana	Salfit	52	33
Geva’ Binyamin (Adam)	Jerusalem	180	104
Giv’at Ze’ev	Jerusalem	546	179
Har Homa	Jerusalem	1,701	892
Ma’ale Adumim	Jerusalem	606	419
Pisgat Ze’ev	Jerusalem	56	0
Qarne Shomron	Salfit	30	0
		<b>3,935</b>	<b>1,882</b>

<sup>1</sup> Available figures are for “urban” construction only (i.e., excluding settlements belonging to “regional councils”), available at: <http://www.moch.gov.il/Moch/Projektet/Bniya.htm> (accessed on 27 December 2009). There may be some overlap between these figures and those provided below for active construction, and construction starts and completions.

<sup>2</sup> This includes the housing units in Betar ‘Illit, Efrata, Geva’ Binyamin (Adam), Giv’at Ze’ev, Har Homa, Ma’ale Adumim and Pisgat Ze’ev settlements.

- **Housing starts:** According to the most recently available official data, public and private construction began on a total of **1,347 new housing units** in settlements throughout the West Bank (including East Jerusalem<sup>3</sup>) in the first nine months of 2009:<sup>4</sup>

	Public	Private	Total
East Jerusalem	35	114	149
Rest of West Bank	226	972	1,198
	261	1,086	1,347

- **Housing completions:** Meanwhile, construction was completed on an additional **1,877 housing units** in settlements throughout the West Bank (including East Jerusalem) in the first nine months of 2009:<sup>5</sup>

	Public	Private	Total
East Jerusalem	366	13	379
Rest of West Bank	733	765	1,498
	1,099	778	1,877

- **Active construction:** As of the end of September 2009, some **3,721 housing units** were under active construction in settlements throughout the West Bank (including East Jerusalem):<sup>6</sup>

	Public	Private	Total
East Jerusalem	667	201	868
Rest of West Bank	943	1,910	2,853
	1,610	2,111	3,721

- On October 7, a cornerstone was laid to mark the start of the second phase of construction in **Nof Zion** (also known as “Nof Zahav”) settlement, which is located on 44 dunums of land belonging to the Palestinian village of Jabal Al-Mukaber south of East Jerusalem. The settlement’s master plan calls for a total of 395 housing units, 91 of which are already built, as well as a synagogue, kindergarten, shopping center, hotel, park and country club, to be completed in four phases.

<sup>3</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 Israeli sources that are cited in the report compile the data using the Israeli definition.

<sup>4</sup> Israeli Central Bureau of Statistics (ICBS), Table Generator (Construction), available at: <http://www.cbs.gov.il/reader/bnia/bnia.html> (accessed on 26 December 2009). ICBS Press Releases, “Construction Begun And Construction Completed In The First Nine Months Of 2009,” (Table 4), available at: [http://www1.cbs.gov.il/reader/newhodaot/tables\\_template\\_eng.html?hoda=200904190](http://www1.cbs.gov.il/reader/newhodaot/tables_template_eng.html?hoda=200904190) (accessed on 26 December 2009). Ministry of Construction and Housing (MoCH), “Housing Starts Initiated by Ministry of Construction and Housing, By District - Urban and Rural Areas,” (Table A.9(A)), available at: <http://www.moch.gov.il/MOCH/MonthlyBulletin/boards.htm> (accessed on 26 December 2009).

<sup>5</sup> ICBS, Table Generator (Construction); ICBS Press Release, “Construction Begun And Construction Completed In The First Nine Months Of 2009,” (Table 4); MoCH, “Housing Completions Initiated by Ministry of Construction and Housing, By District - Urban and Rural Areas,” (Table A.10(A)).

<sup>6</sup> ICBS, Table Generator (Construction); ICBS Press Release, “Construction Begun And Construction Completed In The First Nine Months Of 2009,” (Table 4).

## 2. Roads and Infrastructure

- Throughout the reporting period, construction work continued on three major settlement infrastructure projects in and around Jerusalem:
  - Excavation work for **three tunnels** adjacent to **Al-Aqsa Mosque compound** (Haram al-Sharif) in Jerusalem's Old City and the neighborhood of Silwan.
  - The northern section of the **Jerusalem Ring Road** (Rd. # 20), which will eventually connect with the eastern ring road via the newly built settler bypass road around 'Anata and Az-Zaim.
  - The first phase of the **Jerusalem Light Rail** (currently concentrated in the Shu'fat and Sheikh Jarrah areas) which is aimed at linking the settlements of Pisgat Ze'ev, Neve Ya'akov and French Hill with West Jerusalem.

## 3. The Wall

- Work on the Wall, which is an integral component of Israel's settlement enterprise, continued in several places throughout the West Bank, particularly in the Jerusalem area and in the southern West Bank. According to the most recent statistics available from UN-OCHA (as of July 2009), approximately **58 percent** (411 km) of the 709 km planned route of the Wall had been completed, with another 10 percent currently under construction.

## B. Planning and Authorizations

### 1. Tenders

Since Annapolis, the Israeli government has published at least 26 tenders for large-scale construction in the settlements,<sup>7</sup> totaling **3,012 housing units**. In this reporting period:

- Israeli authorities issued at least six separate tenders for the construction of some 712 units, all of them in settlements located in and around East Jerusalem:

Tender #	Settlement	Governorate	Date	Publisher	# Housing Units
297/2009/א	Ramot	Jerusalem	Nov. 19	ILA	20
107/2009/א	Pisgat Ze'ev	Jerusalem	Dec. 31	ILA	24
109/2009/א	Pisgat Ze'ev	Jerusalem	Dec. 31	ILA	126
10002/2009	Pisgat Ze'ev	Jerusalem	Dec. 31	MoCH	48
n/a	Neve Ya'akov	Jerusalem	Dec.	n/a	377
n/a	Har Homa	Jerusalem/Bethlehem	Dec.	n/a	117

712

<sup>7</sup> This does not include settlement tenders issued for smaller scale construction and other projects (e.g., roadwork, lighting, sewage and other infrastructure), of which there are at least 46 additional tenders since Annapolis.

- At least five additional tenders were issued for settlement infrastructure projects:

Tender #	Settlement	Date	Publisher	Purpose
115/09	Ariel	Oct. 1	MoCH	Completion of road and electrical/lighting infrastructure servicing 320 housing units.
370/09	Betar 'Illit	Oct. 1	MoCH	Completion of a public park.
108/09	Elqana	Oct. 15	MoCH	Completion of plumbing and sewage infrastructure.
220/09	Har Homa	Nov. 11	MoCH	Completion of roads and public open spaces in preparation for occupancy.
379/09	Betar 'Illit	Nov. 30	MoCH	Roundabouts connecting Areas 2A and 2B.

## 2. Building Permits

- According to the Israeli Central Bureau of Statistics, the Israeli government issued **permits** for privately-initiated construction of **999 housing units** in West Bank settlements (not counting those within the Israeli-defined Jerusalem municipality<sup>8</sup>) in the first ten months of 2009.<sup>9</sup>

## 3. Other Plans & Approvals

- The Israeli Ministry of Interior and the Israeli Municipality of Jerusalem are preparing plans for a **new settlement, Giv'at Ya'el**, to be built on 3,000 dunums of land northwest of Bethlehem city. The new settlement is slated to have **12-14,000 housing units** for 40-50,000 settlers. If built, the settlement will complete a ring of settlements from Har Gilo to Gilo to Giv'at Hamatos to Har Homa, thereby completing the separation of Bethlehem city from Jerusalem.
- On November 17, the Israeli Jerusalem District Planning and Building Commission gave initial approval to a plan, initiated by the Israel Lands Administration, to construct **900 4- and 5-bedroom housing units** in **Gilo** settlement. [Israel News; *Ha'aretz*]
- On November 25, Israeli authorities approved the construction of **28 new schools** in West Bank settlements. [BBC]
- On December 2, Israeli authorities approved the construction of **25 new housing units** in **Qedar** settlement only a short time after Israeli Prime Minister Benjamin Netanyahu announced a 10-month "moratorium" on some kinds of settlement activity. [*Ma'an*]
- On December 30, Israeli authorities approved the construction of **14 structures** in **Qiryat Netzafim** settlement. [*Ha'aretz*]

<sup>8</sup> Data unavailable for these settlements.

<sup>9</sup> ICBS, Monthly Bulletin of Statistics, "Construction Area, Buildings and Dwellings in Private Construction, by Month of Construction Permit" (Table O/8), available at: [http://www1.cbs.gov.il/www/yarhon/o8\\_e.xls](http://www1.cbs.gov.il/www/yarhon/o8_e.xls) (accessed on 23 January 2010).

#### 4. Financing

- On December 13, the Israeli cabinet passed a resolution approving a **new map of “national priority areas”** (NPAs), including at least 90 settlements, most of which are located east of the Wall. These settlements will be entitled to continue receiving **economic subsidies** – such as subsidized housing loans, discounted land prices, and grants and tax benefits for industry and agriculture – to incentivize migration to and settlement in these illegal communities. In July, the Knesset passed legislation (as part of the “accommodation bill”) that allows the Israeli government to create NPAs on the basis of geographic, socio-economic, security and other criteria and to determine the kind of benefits these NPAs would receive. [Peace Now, Ynet]

#### C. Outposts

**Obligation:**

“GOI immediately dismantles settlement outposts erected since March 2001.”

- Of the approximately 110 outposts<sup>10</sup> in the West Bank, 58 of which were established since March 2001, **none<sup>11</sup> were dismantled** during the reporting period.

## II. ATTACKS ON PALESTINIANS AND THEIR PROPERTY

**Obligation:**

“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 **9** Palestinians were **killed** and another **139 injured** during the reporting period. [Palestinian Monitoring Group]

	Deaths	Injuries
West Bank (including East Jerusalem)	2	105
Gaza Strip	7	34
<b>Total</b>	<b>9</b>	<b>139</b>

<sup>10</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>11</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.

## B. Demolitions

- **At least 25 Palestinian homes and other structures were demolished** by Israeli authorities in the occupied Palestinian territory, particularly in East Jerusalem, causing the displacement of some 104 people, including 54 children. [Displacement Working Group]

Date	Location	Structures Demolished			People Displaced		
		Residential	Other	Total	Adults	Children	Total
12 Oct	Al Marwaha, Beit Hanina	1	0	1	2	3	5
12 Oct	Al Ashkaryia, Beit Hanina	0	1	1	0	0	0
12 Oct	Al Ashkaryia, Beit Hanina	1	0	1	0	0	0
12 Oct	Old Hizma Road, Beit Hanina	1	0	1	0	0	0
20 Oct	Shufat	0	1	1	0	0	0
27 Oct	Dahiyat al Salam, Anata (Shufat Camp)	1	0	1	5	4	9
27 Oct	Al Ghezayel, Sur Bahir, Jabal al Mukabbir	1	0	1	9	6	15
27 Oct	Al Sala'a, Jabal al Mukabbir	1	0	1	2	0	2
27 Oct	Al Ghezayel, Sur Bahir, Jabal al Mukabbir	1	0	1	0	0	0
27 Oct	Farouk, Jabal al Mukabbir	1	0	1	0	0	0
31 Oct	Al-Sala', Sur Bahir	1	0	1	0	0	0
2 Nov	Ath Thuri	1	0	1	8	7	15
2 Nov	Ath Thuri	1	0	1	4	7	11
2 Nov	Al A-qaba, Beit Hanina	1	0	1	7	9	16
17 Nov	Al Aqaba, Beit Hanina	1	0	1	4	7	11
17 Nov	Wadi Qadum, Ras al Amud	1	0	1	9	11	20
18 Nov	Al Esawiya	1	0	1	0	0	0
18 Nov	Al-Magharbeh, Silwan	0	1	1	0	0	0
18 Nov	Biar Ayoub, Silwan	0	3	3	0	0	0
14 Dec	Beit Safafa	0	1	0	0	0	0
	<b>Jerusalem area</b>	<b>15</b>	<b>7</b>	<b>21</b>	<b>50</b>	<b>54</b>	<b>104</b>
23 Dec	Qusra village, Nablus	0	2	2	0	0	0
31 Dec	Al Bueirah (east of Hebron)	0	2	2	0	0	0
	<b>Area C</b>	<b>0</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL</b>	<b>15</b>	<b>11</b>	<b>25</b>	<b>50</b>	<b>54</b>	<b>104</b>

### III. INTERNAL CLOSURES

**Obligation:**

*“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.”*

- As of December, Israel had established some **573 checkpoints, roadblocks and other physical barriers** to Palestinian movement throughout the West Bank, a **52 percent increase** since August 2005. [UN-OCHA]

### IV. JERUSALEM INSTITUTIONS

**Obligation:**

*“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 in August.

### V. OTHER OBLIGATIONS

**Obligation:**

*“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.”*

- While the governments of Ehud Olmert and that of his predecessor Ariel Sharon have accepted the goal of creating a Palestinian state, no Israeli leader or government has ever articulated a clear and unequivocal commitment to the establishment of an “independent, viable and sovereign” Palestinian state, as such. Israeli Prime Minister Benjamin Netanyahu fell far short of meeting this obligation in his foreign policy speech on June 14.