

REPORT ON ISRAELI SETTLEMENT IN THE OCCUPIED TERRITORIES

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BARACK OBAMA LOSES THE BATTLE FOR A SETTLEMENT FREEZE

By Geoffrey Aronson

President Barack Obama's extraordinary diplomatic effort over the last two years has failed to contain to any significant and lasting degree the expansion of Israeli settlements in the occupied West Bank and East Jerusalem. Already in its first days, the Obama administration placed a settlement freeze, then defined by Secretary of State Hillary Clinton as "not some settlements, not outposts, not natural growth exceptions"—at the center of its diplomatic effort and made it the litmus test of Prime Minister Benjamin Netanyahu's commitment to a two state solution. Washington's subsequent failure to establish meaningful constraints on settlement expansion was highlighted by the September 27, 2010 end of Israel's ten month inconclusive settlement moratorium and the official resumption of new construction. The settlement issue nonetheless continues to define the flagging U.S. effort, even though American officials have concluded that the focus on settlements was obstructing rather than facilitating its broader diplomatic agenda.

The Obama administration is now attempting to win from Israel a two month re-imposition of the moratorium in order to convince PLO chairman Mahmoud Abbas to resume direct talks, which stalled when the moratorium lapsed. In the days since the September 26 expiration of the moratorium, work has reportedly begun on close to 500 new settlement dwellings, increasing the number of units currently under con-

struction in the West Bank to approximately 2,000. In view of this new construction, the practical value of a reimposition of a settlement moratorium becomes increasingly marginal.

To the extent that there is a substantive U.S. diplomatic agenda, it is that two months of direct talks are all that is required to reach an agreement on where to place the border between Israel and a nascent Palestinian state. In view of the fact that diplomats have failed to draw an agreed border between Israel and Palestine for more than more than seven decades, and the chasm currently separating the positions of Netanyahu and Abbas, Washington's compressed timeline appears to be little more than a leap of faith.

The Obama administration's actions can be roughly divided into five phases.

Phase I – Settlement Freeze

Before assuming office in January 2009, top administration officials had decided to place a settlement freeze at the center of "confidence building" measures that would enable progress toward an end to Israel's occupation and the creation of an independent Palestinian state at peace with Israel. President Obama seized the policy initiative, declaring in Cairo in June 2009 "the illegitimacy of continued Israeli settlements," and describing the solution of the conflict as a "vital national security interest" of the United States.

Obama's insistent call for a comprehensive end to continued settlement activity was unprecedented in its inten-

sity. In July 2009, however, the limits of Obama's commitment to the freeze were revealed when Washington bowed before Israel's continuing settlement expansion in East Jerusalem, notably at the site of the Shepherds Hotel in Sheikh Jarrah, throwing its demand for a freeze into disarray and underlining the continuing stalemate. From this point onward, Washington has sought, with little consistency or success, to "freeze" the freeze debate and focus its effort upon the achievement of a largely procedural objective—the establishment of direct negotiations between Israel and the Palestine Liberation Organization (PLO)—in order to address the core issues in dispute.

Phase II – Stillborn Direct Talks

A September 2009 meeting between Netanyahu, Abbas, and Obama was expected to mark the inauguration of a new phase in Washington's Middle East policy. The summit was intended, as the president himself acknowledged, "to move off the rut that we're in currently." The leaders met but the overall effort to initiate direct negotiations was stillborn.

Phase III – Settlement Moratorium

In October 2009, Abbas decried his "betrayal" by Washington because of Obama's failure to win a complete freeze and declared his intention not to run for reelection as chairman of the Palestinian Authority, then scheduled for 2010. On November 25, 2009

FREEZE, continued on page 6

TO OUR READERS

The Obama administration's efforts to create a two-state peace between Israel and Palestine are in deep trouble. After over a year of unsuccessful efforts to win a settlement freeze and promote real negotiations, Washington is now offering extraordinary strategic benefits to Israel in return for what seems to be a trivial two-month renewal of the settlement freeze in the hope that this will enable the parties to agree on borders. For example, the U.S. has reportedly offered, in exchange, support for a residual IDF presence in the Jordan Valley after a peace agreement, and no more demands for freezing settlements. This is puzzling. But could there be more to U.S. policy than meets the eye?

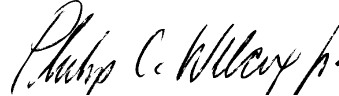
Perhaps the U.S. now recognizes that continued bilateral talks alone—much less for only two more months—which have always failed in the past, will likely fail again for well-known reasons: Israel's dysfunctional politics that exaggerate internal divisions and encourage extremism; crippling Palestinian disunity; and the overwhelming imbalance of power between the

two sides?

Perhaps President Obama has decided, therefore, that if the parties can't agree themselves on a border in the next two months, the U.S. will offer its own proposals on borders to resolve the issues of settlements and Jerusalem, and on the issues of mutual security and refugees as well?

If the U.S. is considering such a bold, unprecedented plan to break the impasse, it should be possible to outline a vision of a two-state peace that would appeal to the vital interests of Israelis, Palestinians, Americans, and the international community, and transform the current dismal politics of the region. Together, the U.S., its allies, and potential silent majorities of Israelis and Palestinians could create a coalition to persuade Israeli and Palestinian leaders to negotiate peace. Using its long experience and unique relationship with Israel, the U.S. could make this happen.

We can still hope.



THOUSANDS OF UNITS IN SETTLEMENT PIPELINE

Since 1967, Israel has constructed approximately 50,000 dwelling units in West Bank settlements and a similar number in East Jerusalem. There are currently more than 2,000 units under construction in the former. The following is a breakdown of how many planned housing units [on the West Bank] have already passed the various stages of authorization needed to allow for construction to begin on the ground:

■ *Planning stage—37,000 housing units:* Authorization has been given to the prospective builder by the Supreme Planning Committee in the Civil Administration after all of the plans were examined and notice of the construction was publicized in order to allow time for all opposing parties to voice their objections. These plans have also received the authorization of the defense minister.

■ *Authorization stage—11,000 housing units:* The prospective builder either received or bought the right to use the plot in question by means of a special process for building in the settlements. Now the prospective builder awaits a construction permit from the local authority—a normal process that is followed in every local authority inside the Green Line as well—and no authorization by the defense minister is required at all.

■ *Construction can begin—2,000 housing units:* Prospective builders who have received all the necessary construction permits and theoretically can begin to build immediately with the expiration of the moratorium. Had they put down the foundations more quickly last year, they would have been allowed to continue construction during the ten-month moratorium.

Yediot Aharonot, September 21, 2010

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WHAT'S IN A NUMBER

Israel's Central Bureau of Statistics (CBS) counts construction starts in settlements by the number of construction permits formally issued but does not conduct surveys on the ground, reports Peace Now. According to the CBS, the construction data does not include caravans, mobile homes, out-post construction, illegal building not registered in Interior Ministry reporting, and settlements whose population is less than 10,000 residents. Much of the construction in settlements is installation of caravans and buildings without per-

mits. According to a count conducted by Peace Now using aerial photos and site visits, approximately 600 new housing units were started and another 167 caravans were erected during the moratorium that ended on September 26, 2010. The settlement moratorium excluded construction that had already begun before the 26th of November 2009. Today there are more than 2,000 housing units under construction in West Bank settlements, including some 500 initiated after the moratorium ended.

West Bank Settlement Construction (units), 2008–2010*

	Starts			Under Construction			Completions		
	West Bank	Israel	West Bank and Israel (%)	West Bank	Israel	West Bank and Israel (%)	West Bank	Israel	West Bank and Israel (%)
2008	2,107	32,381	7	3,192	60,908	5	1,601	30,454	5
2009	1,873	34,281	5	2,955	62,763	5	2,070	32,259	6
2010 ^b	5	18,437	0	1,980	64,010 ^c	3.1	380	15,765	2.4

Notes:

- a. Excluding East Jerusalem.
- b. Quarter 1 and Quarter 2 data.
- c. Quarter 1 data.

Source: Israel Central Bureau of Statistics, "Construction Starts, Completions and Housing under Construction," *Statistical Monthly Bulletin*, June 2010.

Top Ten Fastest-Growing West Bank Settlements: Population Increase, 1998–2008*

Settlement	East/West of Separation Barrier	Population					
		2008	2005	2002	2000	1998	2000–2008
Modi'in Illit	West	41,869	30,484	22,000	16,400	10,500	31,369
Betar Illit	West	34,829	26,996	20,200	15,800	11,300	23,529
Ma'ale Adumim	West	33,821	30,162	26,500	24,900	22,200	11,621
Kokhav Ya'akov	East	5,926	4,919	3,250	1,640	1,170	4,756
Geva Binyamin	East	3,731	2,436	1,570	1,020	627	3,104
Ariel	West	16,716	16,520	16,300	15,600	14,400	2,316
Alfe Menashe	West	6,633	5,541	5,250	4,580	4,360	2,273
Efrat	West	8,167	7,428	6,810	6,430	6,120	2,047
Bet El	East	5,413	4,967	4,410	4,120	3,570	1,843
Kfar Haoranim (Menora)	West	2,172	1,804	1,240	768	332	1,840

*Excluding East Jerusalem.

Source: Israel Central Bureau of Statistics, *List of Localities: Their Population and Codes, Jerusalem, 1999–2008*.

Top Ten Fastest-Growing West Bank Settlements (%), 1998–2008 *

Settlement	East/West of Separation Barrier						Percentage Increase
		2008	2005	2002	2000	1998	1998–2008
Na'ale	East	749	623	492	137	104	620
Kfar Haoranim (Menora)	West	2,172	1,804	1,240	768	332	554
Geva Binyamin	East	3,731	2,436	1,570	1,020	627	495
Kokhav Ya'akov	East	5,926	4,919	3,250	1,640	1,170	406
Modi'in Illit	West	41,869	30,484	22,000	16,400	10,500	299
Eshkolot	West	518	225	220	171	143	262
Revava	West	1,075	827	633	504	332	224
Betar Illit	West	34,829	26,996	20,200	15,800	11,300	208
Yitzhar	East	864	590	398	329	291	197
Mevo Horon	West	1,327	950	599	497	493	169

*Excluding East Jerusalem.

Source: Israel Central Bureau of Statistics, *List of Localities: Their Population and Codes, Jerusalem, 1999–2008*.

SETTLEMENT TIME LINE

April 1 Some 200 Palestinians and Israelis confront Israeli security forces at the Bituniya crossing, north of Jerusalem, injuring three border police officers. (*Makor Rishon-Hatzofe*)

The Palestinian Authority (PA) bans the sale of Israeli SIM cards on the ground that the Israeli companies provide telecommunication services via towers built within settlements and on other occupied Palestinian land. (Ma'an News)

Settlers set up caravans, tents, and water tanks on land belonging to the Palestinian village of Deir al-Hatab. A spokesman for the Israel Defense Forces (IDF) says that the settlers' presence was authorized by the military and would not extend beyond the Passover holiday. Residents of Deir al-Hatab accused the settlers of attempting to establish an outpost of the nearby Elon Moreh settlement. (Ma'an News)

Jerusalem municipality officials declare that a slowing of demolitions of Arab homes in East Jerusalem was due to technical and financial limitations over the preceding four months, not because of U.S. pressure. They announce that demolitions will resume following Passover. (Army Radio)

April 2 Summar Saif Radwan, a 21-year-old Palestinian woman, dies when struck by a car driven by a settler, west of Ramallah. (Ma'an News)

Dozens of residents from the Hermesh and Mevo Dotan settlements sing, dance, and fire bullets into the air near the Palestinian village of Khirbet Hamam. (Ma'an News)

April 5 At Ma'ale Adumim, Israeli prime minister Benjamin Netanyahu says, "Construction will continue in the south, in the north, and in Jerusalem." (*Makor Rishon-Hatzofe*)

Israeli, Palestinian, and international activists demonstrate against the expansion of the Beit Umar settlement, along Route 60. (Ma'an News)

April 7 Nahalat Shimon, an Israeli non-profit organization, files suit at the Jerusalem Magistrates Court to evict two Arab families from their homes in Sheikh Jarrah and to charge them for the cost of the eviction. The group argues that the families constitute a nuisance and threat to the neighborhood and that they are impeding the implementation

of construction plans in Sheikh Jarrah in which Nahalat Shimon has already invested large amounts of money. (Israel Radio)

Israeli minister of infrastructure Uzi Landau threatens to restrict the supply of water to the Palestinian territories because of an inadequate number of sewage purification plants administered by the PA. Landau says, "They get clean water from us, and in return they give us sewage. This destroys nature, and I would also say that this is the way that wicked people behave." According to statistics published by the Ministry of Infrastructure, the PA treats 5 percent of the sewage in the West Bank, while the settlements treat 70 percent. (Army Radio)

Note: Construction of treatment facilities and other water-related projects by the PA are routinely disallowed or delayed by Israeli authorities. Wastewater projects experience the lowest rate of approval due to Israeli restrictions on construction in Area C and requirements for water-quality standards that exceed internationally accepted norms. For more on Israeli restrictions on Palestinian water sector development, see *Settlement Report*, vol. 19, no. 3 (2009).

April 12 The government of Jordan files a request with UNESCO to build the Mughrabi bridge, which would provide access to the Temple Mount from the Western Wall. Israeli officials claim to also have a plan to build a bridge but have not made it public due to apprehension over Palestinian reactions. (*Ma'ariv*)

April 14 Peace Now is reconsidering its petition to the High Court of Justice requesting the demolition of 12 houses in outposts including the homes of IDF soldiers Roi Klein and Eliraz Peretz, who were killed during active duty after the petition was filed. Public pressure has been mounting in recent weeks to prevent the demolition of the officers' homes. (*Ma'ariv*)

Ha'aretz reports a recent survey revealing that during the past three years, 1,361 apartments in Jewish neighborhoods of Jerusalem were sold to Arabs.

In the village of Hawara, settlers uproot 300 olive trees, set fire to two cars, and spray anti-Arab and anti-Muslim slogans across the town including the walls of a mosque. The acts appear to be part of the ongoing 'price tag' policy implemented by some set-

tlers in response to the Israeli government's decision to place a moratorium on settlement construction. (*Ha'aretz*)

April 15 Israeli defense minister Ehud Barak requests that the High Court of Justice postpone by six months the date on which the state will be required to announce the demolition of the Harasha and Hayovel outposts. (Israel Radio)

April 18 The *New York Times* issues a correction to a photo caption that originally described Ramat Shlomo as a "Jewish settlement in the West Bank" instead of "a neighborhood in East Jerusalem." (Arutz 7)

April 19 On Israel's Independence Day, settlers from Yitzhar set out on their annual march toward the Palestinian village of Madama. Clashes ensue when IDF soldiers attempt to turn them back. (Israel Radio)

Settlers destroy water tanks and other property at the General Union of Palestinian Workers' housing complex in Ein Sinyia, north of Ramallah. (Ma'an News)

April 21 *Yediot Aharonot* reports that settlers from the Hayovel outpost had recently uprooted some 200 olive trees belonging to residents of Karyut, south of Nablus.

Settlers from Gush Etzion discharge sewage onto 70,000 square meters of a Palestinian vineyard in Beit Umar, near Hebron. (Ma'an News)

Chief Palestinian negotiator Saeb Erekat says, "Settler violence and the wanton destruction of Palestinian property replicate what is being done on a much larger scale by Israel as it pushed ahead with illegal settlement construction across the West Bank, including East Jerusalem. . . . The settlers are the direct beneficiaries of a state policy that says it is OK to occupy and steal another people's land, to demolish their homes, to steal their water, to construct segregated roads and build entire cities behind the walls of an apartheid system that promotes settlements by stripping Palestinians of their basic rights and freedoms." (Ma'an News)

April 23 *Ma'ariv* reports a U.S. commitment to begin proximity talks between Israel and the Palestinians without a halt in settlement construction in East Jerusalem.

April 25 Israeli authorities demolish the foundations for 20 residential units in the settlements of Almog and Beit Haarava, on

SETTLEMENT TIME LINE

the northern shore of the Dead Sea. (*Ma'ariv*)

Accompanied by hundreds of Israeli police, 25 Israeli right-wing activists march through Silwan, in East Jerusalem, waving Israeli flags and shouting nationalist slogans. (*Yediot Aharonot*)

April 26 The *Jerusalem Post* and *Ma'ariv* report that Prime Minister Netanyahu has hinted at legalizing dozens of settlement outposts in the West Bank, including Givat Hayovel, Netiv Ha'avot, and Derech Ha'avot. An Israeli official says a comprehensive process will be implemented to determine if land on which outposts are built is state land, and if it is, the outposts will be considered for legalization.

April 28 PA president Mahmoud Abbas issues a draft law to boycott and prohibit settlement products in the Palestinian territories. (Wafa)

April 29 Settlers from Yitzhar march on Hawara village, throwing stones and damaging property. (*Ha'aretz*)

Ha'aretz reports settlers in the northern Jordan Valley setting up tents near Bedouin encampments to disrupt life there in an effort to subsequently pressure the IDF to declare the area a closed military zone and force the Bedouins to leave.

May 2 The IDF confiscates 173 dunams of Palestinian land to build a checkpoint on Highway 443, which will be partially open to Palestinian traffic at the end of May. (Ma'an News)

May 3 Settlers set fire to a mosque in the West Bank village of Luban al-Sharkiya. (nana.co.il, *Yediot Aharonot*)

The Jerusalem District Attorney's Office files suit against the Jewish settlement in Hebron for the cost of their 2008 eviction, which amounted to about \$85,000. (*Makor Rishon-Hatzofe*)

A Palestinian driver and passenger are treated for smoke inhalation after settlers throw a flaming torch into their car as they wait at the Atara checkpoint into Ramallah. (Ma'an News)

Israeli authorities demolish six structures in Shavei Shomron that were in violation of the settlement construction moratorium. (Ynet)

Israeli security personnel dismantle a synagogue at the outpost of West Tapuah. (*Ha'aretz*)

PA customs officials seize 10 tons of settlement-grown cantaloupes being transported to Bethlehem. Charges are pressed against the merchant importing the fruit because the sale of such goods violates the PA's ban on settlement products. (Ma'an News)

May 5 Israeli transportation minister Yisrael Katz announces the state's intention to establish a railway system connecting parts of the West Bank and Jerusalem. On a visit to several settlements, he says, "In four months, construction in Judea and Samaria will resume at full momentum. The residents of Samaria will remain in their place forever." (*Israel Hayom*)

May 6 Israeli security forces demolish three illegal structures at the Hashmonaim settlement and subsequently clash with a large group of settler youths. (*Ha'aretz*)

May 9 Peace Now reports that work has begun for the construction of 14 housing units for Ma'ale David, a new settlement in a former police compound in Azariya. The new settlement of 104 units will connect with the existing settlement of Ma'ale Zeitim.

May 10 Settlers set fire to agricultural fields belonging to the Palestinian village of Jit, between Nablus and Qalqilya. (Ma'an)

May 13 Settlers shoot and kill a 14-year-old Palestinian boy near Ramallah after stones are thrown at their vehicle. (*Yediot Aharonot*, Israel Radio)

May 14 *Yediot Aharonot* reports a delay in the demolition of 109 Arab homes in Silwan due to U.S. pressure and efforts surrounding proximity talks between Israel and the Palestinians.

Palestinians fire on an Israeli vehicle traveling along the trans-Samaria highway, causing minor injuries to the driver and passenger. (*Israel Hayom*)

The Marker reports that as a result of U.S. pressure to freeze settlement construction in the West Bank and East Jerusalem, the Israel Land Administration has stopped publicly publishing tenders. This includes a December 2009 announcement for 150 units in Pizgat Ze'ev and for 300 units in Neve Ya'akov, issued in March 2010.

May 18 The PA officially launches the House to House campaign to encourage residents to purchase Palestinian goods and produce and to boycott those from settlements. (Ma'an News)

Nablus governor Jibreen al-Bakri says that the Palestinian boycott of settlement goods has led to the closure of 17 factories in the settlements thus far. (Ynet)

Responding to the PA's ban on products from settlement companies, the YESHA Council releases the following statement: "This is an act . . . of hostility with all intents and purposes on the part of the Palestinian Authority and its leaders, and it must be answered immediately and decisively just like any other act of hostility. . . . This is a clear violation of the Paris Protocol, which regulates the economic relations between Israel and the Palestinian Authority. Israel must use the Palestinian Authority's funds in its possession to compensate the boycotted factories." (Ynet)

May 19 About 3,000 Palestinians go door to door in the effort to persuade residents to boycott goods produced in settlements. (*Ha'aretz*)

May 22 The Italian supermarket chains COOP and Noriconad announce that they will suspend the sale of products from Carmel Agrexco, the Israeli agricultural goods exporter, because it does not indicate to customers whether its products are from Israel or the settlements. (Ma'an)

May 26 *Ma'ariv* reports on the Israeli government's intention to disburse roughly \$13 million to settlements in the form of 'security grants' for harm incurred because of the moratorium on settlement construction.

May 30 *Ha'aretz* reports on a UN assessment that accuses Israel of deliberately disrupting efforts by the international community to deliver aid to the Palestinians in the West Bank and Gaza Strip.

Netanyahu announced a 10-month partial moratorium on settlement construction in the West Bank, noting that, “When the suspension ends my government will revert to the policies of previous governments in relation to construction.”

In a choreographed response, Secretary of State Clinton issued the following statement:

We believe that through good-faith negotiations the parties can mutually agree on an outcome which ends the conflict and reconciles the Palestinian goal of an independent and viable state based on the 1967 lines, with agreed swaps, and the Israeli goal of a Jewish state with secure and recognized borders that reflect subsequent developments and meet Israeli security requirements.

The statement reflected Washington’s view of a broader diplomatic effort than a limited moratorium—one that focused on final status arrangements. The Clinton statement offered the U.S. view of the core requirements of each party as the first year anniversary of Obama’s administration neared.

Regarding settlements, the new U.S. language recalled assurances regarding settlement blocs referenced obliquely in the April 2004 letter from President George W. Bush to Prime Minister Ariel Sharon—assurances that the Obama administration has refused to reaffirm.

The Bush letter stated, “In light of new realities on the ground, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949.” Clinton noted support for “reconcile[ing] the Palestinian goal of an independent state based on the 1967 lines, with agreed [land] swaps, and the Israeli goal of a Jewish state with secure and recognized borders *that reflect subsequent developments and meet Israeli security needs.*” (emphasis added)

Phase IV – Proximity Talks

Unable to establish a direct dialogue, special U.S. envoy George Mitchell in early 2010 re-branded his shuttle diplomacy as “proximity” talks. This description was a rhetorical device that did little to mask the absence of progress. The inauguration of this new phase heralded neither a new diplomatic framework nor the establishment of a sound foundation for direct diplomatic engagement. Mitchell’s continuing effort did, however, represent Abbas’ willingness, with critical support by the Arab League, to engage diplomatically despite the unmet demand for a credible settlement freeze.

Phase V – Direct Talks

The focus of U.S. diplomacy in the months before the September 26, 2010 expiration of the 10 month moratorium more than ever centered upon the procedural objective of starting direct negotiations. Throughout the summer the Obama administration placed a “full court press” on a reluctant Abbas to consent to direct talks “without conditions.”

In June 2010, U.S. officials declared the proximity talks a success, noting that the freeze had “facilitate[d] productive proximity talks to lead into those direct talks and to help facilitate an atmosphere of confidence and trust to address what are, of course, some very complicated issues.” Relations with Netanyahu, which had been strained by the announcement of new settlement plans in East Jerusalem on the eve of Vice President Joseph Biden’s March visit to Israel, also improved after a summit meeting with Obama. With consensus between the parties still absent, the Obama administration contented itself with expressions of hope for the coming phase. The arduously crafted diplomatic formulation of November 2009 was absent.

In September 2010, Israeli and Palestinian leaders and officials met in Sharm el Sheikh and Jerusalem. These encounters marked a Palestinian retreat from their unequivocal opposition to direct talks in the absence of a comprehensive settlement freeze. Two rounds of talks between Netanyahu and Abbas offered a forum for an introductory exchange of views, including on final status issues, but little more. There was no agreement on the agenda for discussions and no clarity on their objective. U.S. officials suggested that an intensive effort over three months to determine the border between Israel and a Palestinian state would signal the transition to final status talks and at the same time solve the issue of the soon-to-expire settlement freeze.

Phase VI – The Moratorium Expires

On September 26, Israel’s 10-month policy of limiting settlement expansion in the West Bank ended. The Netanyahu government intends to continue settlement expansion according to broad guidelines followed by its predecessors. During the moratorium, starts of new settlement units did indeed plummet, but the partial nature of the construction restrictions limited its long-term impact. The expiration of the moratorium highlighted not only the policy’s modest practical impact but also the Palestinians’ inability to move the diplomatic agenda in the direction of the permanent, comprehensive freeze they have demanded at various times over the last 20 years.

Azzam al Ahmad, a key Abbas confidant, alluded to this on September 29 when he noted,

“There will be no negotiations in light of the settlements. The decision is very clear. . . We will not attend any negotiations session before the comprehensive discontinuation of the settlement activities. This is the first time since the Oslo agreement that these activities are opposed with such power. I am saying this for the first time: there is an American and European opposition to the settlement activities, recognizing that these settlements have swallowed our land before our eyes.

Abbas, with Arab League support, made good on an oft-repeated threat to “freeze” the fledgling, bilateral diplomatic track that Washington had labored to engineer. Intensive negotiations by Washington with both parties now focused on “reviving” the stillborn direct talks.

Washington's current effort appears to be a variation of the unsuccessful undertaking of a year ago when the administration attempted to establish direct talks by providing assurances to each party. The unilateral guarantees that the Obama administration is now proposing to Israel represent U.S. support for Israeli-defined security requirements in the event of a final status agreement. In this critical respect they represent an extraordinary "down payment" that Washington is prepared to make in order to achieve a temporary slow down in new settlement construction. Like the letter sent by President George W. Bush to Prime Minister Ariel Sharon in 2004, the package of security incentives, reportedly including support for a long-term Israeli security presence in the Jordan Valley along Palestine's eastern frontier, also signals Washington's wholesale adoption of Israel's security narrative in the context of an ever-elusive final status agreement. In return for this support Washington is asking the Netanyahu government only for a limited tactical concession. That is, in return for wide-ranging American territorial and security assurances that have a direct bearing on the shape of a final status agreement, the Obama administration expects a limited and undefined re-imposition of a settlement construction moratorium whose value diminishes with each passing day.

There are also important differences between the Bush and Obama efforts.

- The Bush "reassurances" were made before the Annapolis process initiated a policy review by U.S. officials lead initially by now NSC director James Jones to examine Israeli and Palestinian security needs in the event of a final status agreement. This process was transformed into a bilateral U.S.-Israel security dialogue that has proceeded in a track parallel to the better known diplomatic effort. There is no similar U.S.-Palestinian dialogue. The Obama security package offers evidence that these once-separate tracks—one diplomatic and the other security-related—have now been combined.

- Bush was prepared to compensate Israel for a strategic policy choice—"disengagement" from the Gaza Strip—that Sharon had already made. Obama is trying to "buy" an Israeli decision on a time-limited, partial settlement moratorium that Netanyahu is opposed to making.

- The Bush letter was conceptually similar to the policy adopted by Sharon. Both were focused on defining the strategic relationship between Israel and the Palestinians. In contrast, Obama appears to be ready to provide specific U.S. guarantees of a strategic nature in return for a temporary, tactical concession.

Obama now supports a two month settlement expansion moratorium, after which Washington promises to "take settle-

"A prime minister to receive such a package of benefits from the Americans has yet to be born. The Jordan Valley for two months. There should be protests on the streets in support of this proposal. Unbelievable."

Eitan Haber, longtime aide to Yitzhak Rabin, *Yediot Aharonot*, October 7, 2010



Source: *Yediot Aharonot*, September 15, 2010

ments off the table" until the issue is resolved as part of final status talks. One participant in a recent administration Capitol Hill briefing described this offer as "huge." This formulation presents an American policy on settlements at odds with the recommendations made in 2001 by the Mitchell

Committee report and reaffirmed in the Road Map (2003), notably the demand for an immediate, comprehensive end to settlement expansion, including "natural growth." While the Bush letter acknowledged that settlements had indeed created facts on the ground that could not be ignored, he did qualify it by noting the need for Palestinian agreement. Obama's offer to end the U.S. campaign for restrictions on settlement expansion in 60 days if Netanyahu agrees, contains no such caveat.

Washington appears to premise its unusual offer on the assumption

that if Israel is reassured that its security concerns will be met, an agreement on borders can be achieved in this short period, removing the issue of a settlement freeze from the diplomatic agenda and making moot the U.S. promise not to oppose continuing settlement after a newly reimposed moratorium expires. Abbas supports a "borders first" effort, as the PLO has for the last two decades. Notwithstanding the U.S. offer, Netanyahu opposes an effort to draw a border, certainly according to the timeline proposed by Washington.

Netanyahu, unlike Sharon, who welcomed the arduously negotiated Bush letter, has rejected the unprecedented Obama demarche as insufficient. He is said to be demanding a re-affirmation of the Bush commitment on settlement annexation. He has also linked his support for a two month moratorium, which under current circumstances is of little practical value, to what has until now been a "final status" demand that Palestinians support Israel's definition as a Jewish state, throwing an already battered U.S. effort into turmoil. ♦

TOURISM MINISTER ESTABLISHING FACTS ON THE GROUND

While the Americans are struggling to arrange a continued construction freeze in the territories, there are those in Israel who are already preparing vigorously for the next stage. Tourism Minister Stas Misezhnikov intends to transfer in the near future millions of shekels to settlements in Judea and Samaria for the purpose of developing tourist sites and attractions in the territories.

An internal Tourism Ministry document shows that in total, over USD2 million will be transferred to Judea and Samaria and East Jerusalem. Minister Misezhnikov, who is strongly opposed to the freeze, wishes to let the local authorities develop the tourism branch within their boundaries.

Many areas in Judea and Samaria will enjoy the benefit of the large budgets that the ministry stands to transfer. The Samaria Regional Council will receive USD 83,000 for tourism projects within its jurisdiction (signs in the Reihan forest, paving bicycle trails in the Shaked forest), the Binyamin Regional Council will receive USD 28,000 for putting up signs in tourist sites, the Southern Hebron Hills Regional Council will receive USD 28,000 to develop the Susya historical site, the share of the Karnei Shomron Regional Council will be USD 28,000 for developing bicycle trails in Nahal Kaneh, and the Kiryat Arba Local Council will receive USD 11,100 for planning tourism projects.

The big money will be given to the Etzion Bloc, the Jordan Valley and East Jerusalem. The Tourism Ministry will transfer USD 417,000 for renovation and upgrading of the Herodion site within the boundaries of the Etzion Bloc Regional Council, about USD 555,000 to the Kasr al-Yahud baptism site in the Jordan Valley, and about USD 1.35 million for developing projects in East Jerusalem: USD 550,000 for the City of David, USD 417,000 for Zedekiah's Cave and USD 417,000 for tourism infrastructure in the Old City.

Tourism Minister Misezhnikov sent letters yesterday to mayors in Judea and Samaria and explained that he considered this a Jewish-Zionist necessity. "The Tourism Ministry attaches great importance to developing tourism in Judea and Samaria, which is the basis for 'Every Jew's Story' [title of the West Bank tourism campaign] and is located in the very heart of the State of Israel," the minister wrote. "The historical heritage serves as a significant drawing point both for internal tourism and for tourism from abroad."

In the letter, the tourism minister notes that upon the expiration of the security cabinet's decision to suspend construction in Judea and Samaria, "I have decided to budget infrastructure, tourism and public projects throughout Judea and Samaria."

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And some of you may remember that when I pushed for and then went and stood with Netanyahu on behalf of the moratorium, it was summarily criticized roundly and consistently by everyone in the region. And I took my fair share of that criticism for saying what happened to be the fact that it was an unprecedented decision by an Israeli government. And now, we're told that negotiations can't continue unless something that was viewed as being inadequate continues as well.

So I think there's a lot of ways to get to the goal. Remember, the goal is to work toward agreement on core issues like borders and territories that would, if agreed upon, eliminate the debate about settlements, because some areas would be inside Israel and some areas would not be inside Israel. So I think that there are obligations on both sides to ensure that these negotiations continue. . . .

Briefing En Route to Sharm el-Sheikh, Egypt, Secretary of State Hillary Rodham Clinton, September 13, 2010

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