



Jerusalem, July 21, 2025

A Dire and Urgent Heads-up Regarding the Final Approval of E-1

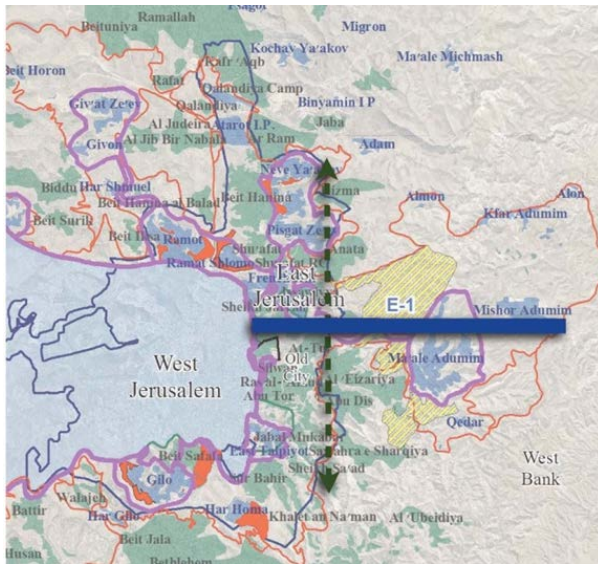
Overshadowed by events on the ground – the war in Gaza, violence in Syria, continued tensions with between Israel and Iran, Ukraine etc. – there has been a major development in recent days, one that has potentially devastating ramifications. **The Netanyahu Government has set a date on August 6 for the final hearing before the Higher [West Bank] Planning Committee regarding the notorious settlement project of E-1.** If, as anticipated, the Plan is approved by the Committee, we will essentially just one pen-stroke away from the final statutory approval of E-1.

For 29 years, every Israeli Prime Minister, Netanyahu included, has bowed to international engagement, never daring to approve the Plan. This unique, quintessential red line is now being crossed.

This requires immediate attention and focused, credible engagement.

What is E-1: Since 1996, the E-1 settlement Plan has been pursued by the Government of Israel. The plan will allow for the construction of thousands of residential units in an area 12.5 sq. kms in size, and is located between East Jerusalem and the settlement city of Ma'aleh Adumim.

Why is E-1 so problematic? Because of its strategic location, the implementation of E-1 would make the prospect of achieving a 2-state outcome virtually impossible.

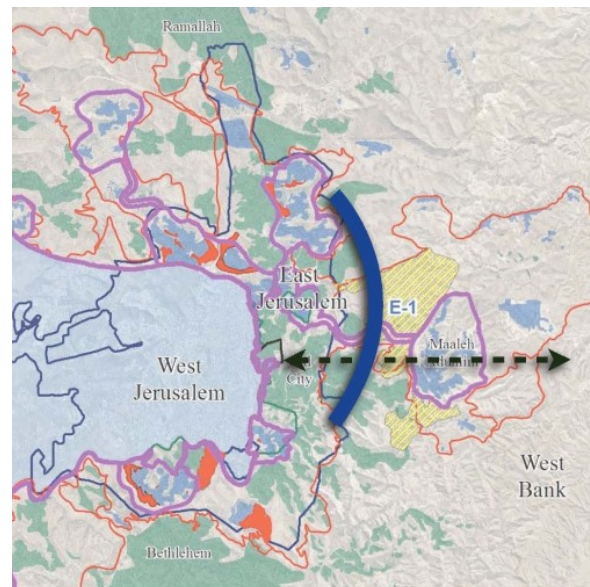


The Fragmentation of the West Bank

E-1 would drive a wedge between the northern West Bank of Nablus and Ramallah and the Southern West Bank of Bethlehem and Hebron, with no connection between the two. It would fracture and fragment the West Bank in a manner that would make the creation of a viable, contiguous Palestinian State virtually impossible.

The Isolation of East Jerusalem

E-1 would seal East Jerusalem from its environs in the West Bank, making the creation of a Palestinian state with East Jerusalem and its capital virtually impossible.



Consequently, for more than a quarter century, E-1 has been universally recognized as not just another settlement, but the “doomsday settlement”, one which in and of itself could destroy the very possibility of the two-state solution. More than any other settlement scheme, E-1 predetermines the outcome of any negotiation, especially in terms of territory, economic viability and the status of Jerusalem.

Why has E-1 not been implemented to date? While successive Israeli governments have not been noticeably attentive to the concerns of the international community regarding settlements, E-1 is a stark exception. Since 1996, every prominent world leader (including Presidents and Heads of State) has told every Israeli Prime Minister: “just don’t”, leaving little doubt that there would be grave consequences should Israel proceed with the approval of E-1. Every Israeli Prime Minister since 1996 has acquiesced.

Consequently, E-1 came to become a unique, iconic “red line”, which no Israeli Prime Minister, including Netanyahu, has dared cross.

What has happened in recent days? For many years E-1 was dormant, not advanced through the statutory planning process necessary for the statutory approval process that makes construction possible. However, in November 2012, in “retaliation for the UNGA resolution recognizing Palestine, Netanyahu instructed that the Plan move forward towards approval. A major diplomatic firestorm ensued. Within weeks, Netanyahu submitted to international pressure, and once again ordered that the plan be shelved. However, since then the Plan has worked its way in small steps through the planning process and has in recent years been approaching final approval. There is one step that needs to be taken for the Plan to be approved: a final hearing on objections to the Plan. Hearings were conducted during 2021 and 2022, after which Netanyahu instructed not to proceed to the final, decisive hearing. Time after time, the hearing was scheduled, and time after time Netanyahu, under strong international pressure, took it off the agenda. The last time Netanyahu froze the plan was in September 2023, after which no further action was taken – until now.

Consequently, placing the Plan for the final pre-approval of E-1 on the agenda of the Higher Planning Committee of the West Bank is a step that Netanyahu did not dare take in the past. He is now proceeding to take that last step.

What happens next? On August 6, the Statutory Planning [sub-] Committee of the occupied West Bank will conduct its final hearing on the E-1 Plan. The rejection of the objections is a foregone conclusion. In order for the plan to be signed into law, the Plan must be approved by the plenary of the Higher Planning Committee, where approval is a foregone conclusion. This is a minor technical step that could take place at any time after the hearing, possibly without warning.

Essentially, after the August 6 hearing, we will be one pen-stroke away from the final approval of E-1. The announcement of the hearing on August 6 may well be the last tripwire we have, and thereafter the final approval of the Plan could take place without any warning.

What is the significance of the approval of the Plan? There are three stages to the creation of a new settlement: the statutory stage (when a planning scheme is signed into law, making construction possible), the tender stage (when tenders are published and awarded to developers,) and the licensing stage (when building permits are issued and construction commences.)

The hearing on August 6th and final approval of the plan will be a major step towards the implementation of the Plan.

Are legal steps challenging the legality of the Plan possible? Theoretically – yes. It is possible that one of those who filed objections will challenge the Plan before the Jerusalem District Court (in its capacity of Court for Administrative Matters). However, throughout the years, there have been a number of prior legal challenges to E-1 (the first in the 1990s), all of which were rejected by the Court. Even if legal action is taken, it is quite doubtful that the Court will grant a temporary injunction against proceeding with publishing and awarding the tenders.

It is unlikely (but not impossible) that legal challenges to the E-1 Plan will significantly delay the publication of tenders and the beginning of construction.

What happens after the final approval of the Plan? The next stage towards implementation of the Plan is the publication of tenders. The tenders allow building contractors and developers to bid for the rights to carry out construction in any given area. It usually takes, at the very least, several months after statutory approval before tenders are published. However, E-1 has been around for quite some time, and we know that tenders already exist and only need to be updated before publication.

Tenders could well be published shortly after the statutory approval.

Can the final approval of E-1 be stopped? The answer is an emphatic “YES.”

All Netanyahu needs to do in order to freeze the plan is to instruct the Higher Planning Committee to issue the same laconic statement that it has issued numerous times in the past: “The hearing scheduled for August 6 is hereby cancelled, and notice of the date of the rescheduled hearing will be forthcoming”.

Will political calculations prevent Netanyahu from cancelling the hearing: Emphatically, **NO**. E-1 is a “flagship issue” only to the extreme right, such as Minister Bezalel Smotrich (who has been intimately involved in the advancement of the Plan) and Minister Ben Gvir, and their supporters. However, Smotrich’s and Ben Gvir’s decision to remain in or leave the Government will be determined by the issue of the war in Gaza. E-1 will have no impact on that decision. That said,

there is little doubt that Netanyahu will use domestic politics as a pretext to assert that cancelling the hearing will be politically suicidal. It won't be.

Domestically, the cancellation of the E-1 hearing will not be significantly costly to Netanyahu.

What are the consequences of the statutory approval of E-1?

- The approval of E-1 will be a major and highly consequential step that will bring us significantly closer to the actual construction of E-1.
- E-1 is widely recognized as the ultimate “red line”, one which no Israeli Prime Minister (not Barak, nor Sharon, nor Olmert, and most notably, not Netanyahu) has dared to cross. If Netanyahu now crosses that line, an already unshackled Prime Minister will become even more defiant.
- In recent months, we have been witnessing a major international effort, led by France and Saudi Arabia and under mandate from the UN General Assembly, to recommit to the 2-state solution. There are increasing numbers of those who believe settlements have reached such a critical mass that the 2-state solution is no longer possible. Allowing E-1 to proceed will send a clear message that nothing has changed. The “2 state solution will remain a hollow slogan, and without the French-Saudi initiative making the possibility of a 2-state outcome any more credible than previous failed efforts.
- If Netanyahu can get away with approving E-1 with impunity, the credibility of the international community will take a blow, and Israel will become even less accountable.
- Netanyahu has refrained from approving E-1 because he feared that there would be major consequences if he did. Now more than ever, the threat of real consequences is more important than ever. This can't be done on the cheap.