

REPORT ON ISRAELI SETTLEMENT IN THE OCCUPIED TERRITORIES

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THE RULE *OF* LAW VS THE RULE *BY* LAW

By Geoffrey Aronson

Many years ago I visited the West Bank settlement of Ofra, just east of Ramallah. Ofra, established in 1976 as a “work camp” by Shimon Peres, then minister of defense, is the jewel in the crown of the Gush Emunim (Bloc of the Faithful) settlement movement.

Soon after taking office in 1977, newly elected Likud prime minister Menachem Begin recognized the outpost for what it was always meant to be—a new, permanent settlement.

The entry of settlers into this region proved to be the vanguard of a settlement blitzkrieg that opened up the West Bank heartland to two generations of tens of thousands of settlers. Their successes set the stage for Ariel Sharon’s 1996 exhortation to “grab the hilltops,” in and around Ofra and throughout the West Bank as a whole, inaugurating the creation of about a hundred new settlement “outposts.”

My host that day was Israel Harel, a founder of Ofra and key player in Gush Emunim. His son Etai is one of the founders of Migron, the oldest and best-established outpost sparked into existence by Sharon, sited on a hilltop a few kilometers south of Ofra adjacent to the new road built to connect the new settlements established along the central mountain spine of the West Bank.

Harel and I climbed the gently ascending route next to his house to a nearby hilltop where the settlement of Amona sits, commanding a glorious view east into Jordan. The hilltop abuts

the village of Silwad and has been the site of contentious settlement efforts since Amona’s dwellings were put in place in 1997. After Israel’s High Court of Justice ruled that the nine permanent houses there had been illegally constructed on private Palestinian land, Ehud Olmert’s government demolished the permanent dwellings in 2006, but the caravans and the settlers remained. Khaled Mishal, the Hamas leader and native son of the village, once told me that he used to do his physics homework atop the then-pristine summit.

On another occasion, during the second intifada, Harel invited me to a Sabbath prayer service at an impromptu site overlooking Road 60, a short walk through the newly fenced off lands belonging to the village of Ein Yabrud, where Benjamin Kahane, son of Meir Kahane, and his wife had been shot and killed in 2000 by Palestinian gunmen. A military watchtower and a prayer tent had been erected at the site, a practical expression of the symbiotic relationship between settlers and the army. The prime agricultural land was now off limits to villagers. Today, a new neighborhood of red-tiled houses, inhabited in defiance of a court order, has been constructed on it.

Settlers like Harel, his son, and their supporters have always insisted that private Palestinian land has never been taken for settlement unless duly paid for. A long and sordid trail of forged bills of sale and powers of attorney suggests otherwise. When I asked Harel if he could accept the theft of private Pales-

tinian property, he said he could not.

Claiming Space

The example of Ofra has been repeated throughout the West Bank during what will soon be a half century of settlement beyond Israel’s June 1967 border. According to some objective measures, the settlement enterprise has been extraordinarily successful: Israel has transferred in defiance of unanimous international sentiment more than half a million of its citizens, almost 7 per cent of the state’s total population, to almost 300 distinct locations outside its borders—a feat unmatched in recent history.

The consensus view of the international community has long been that this entire effort contravenes international law. The large majority of Israelis think differently and during the last decades have created for themselves an Alice in Wonderland world that rejects the international consensus and instead consecrates as “legal” the wholesale theft of Palestinian land and the denial of internationally supported rights of national self-determination. Israel’s ruling institutions—the Knesset and the courts—are the instruments for imparting a stamp of legality on an extraordinary system that has all but emptied the essential protections afforded by the rule *of* law—equal treatment, a presumption of innocence, the sanctity of private property, and clear and transparent administration—to Palestinians living

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TO OUR READERS

The Obama administration has, for the most part, shown competence and pragmatism in dealing with the Arab Awakening and the Middle East, including Egypt, Iran, Libya, Iraq, and the conundrum of Syria. But its current approach to the Israeli-Palestinian conflict has been driven by pre-election domestic politics, not American strategic interests. The result has been a sharp reversal of active diplomatic leadership over the past eighteen months and a very cautious policy of avoiding tensions with the Netanyahu government.

Perhaps Obama has exaggerated the power of the right-wing American Jewish and Christian lobbies, which support or condone Israel's destructive policies of occupation and settlement, to defeat him in November. Polls and historic data suggest that presidential policies toward the Israeli-Palestinian conflict do not rank high in the preferences of most American Jewish and Christian voters.

It is widely assumed that if Obama is re-elected, he will try to resume active Israel-Palestine diplomacy. But U.S. electoral politics are continuous. Some advisors will still counsel against new policies that would

offend the Israeli government.

It will not be easy, in any case, to restore American diplomatic leadership after a two-year retreat and to rebuild credibility with Israelis, Palestinians, and regional states. The conflict today is more serious than ever. Prime Minister Netanyahu's enhanced coalition, the decline of Israeli peace politics, and the perception that the U.S. will always protect Israel against isolation and pariah status, discourage realistic Israeli thinking about their country's strategic situation. And steady expansion of settlements in the West Bank and East Jerusalem, and division and demoralization among the Palestinians, who have few viable options, make a reversal of the status quo, absent much stronger U.S. and international intervention, even less likely.

If President Obama wins a second return, he should study the successes of Eisenhower, Carter, and George H.W. Bush in applying American power and presidential leadership to create breakthroughs in Middle East peace making. This is still possible.

Philip C. Wilcox, Jr.



Source: *Ma'ariv*, May 2, 2012

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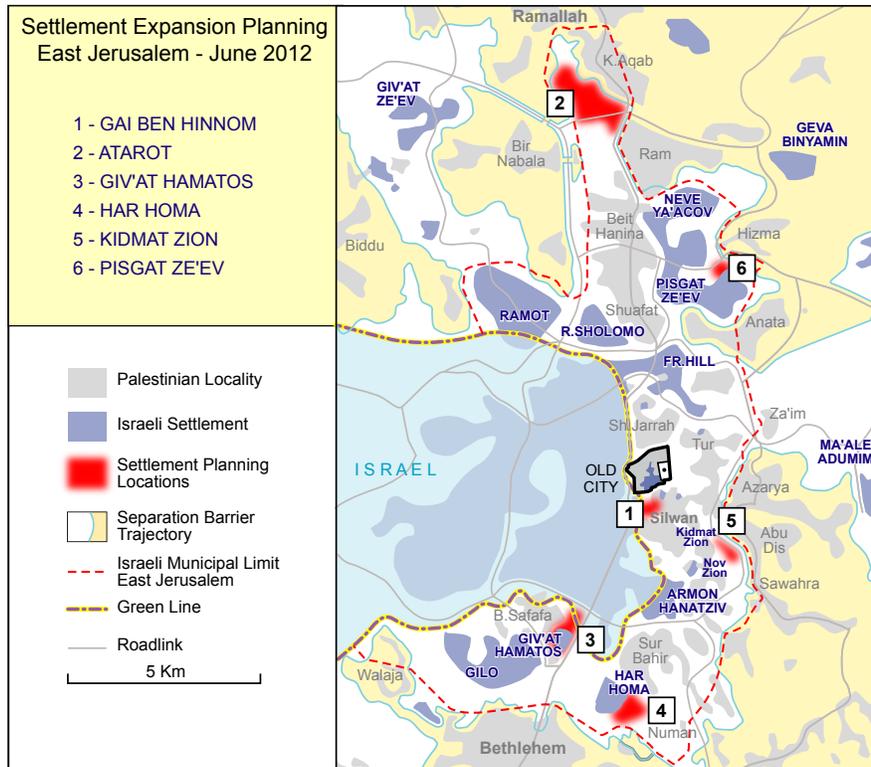
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The Foundation for Middle East Peace has prepared a presentation of maps illustrating the evolution of the conflict from the UN Partition Plan in 1947, and depicting the growth of Israel's occupation and settlement project from the 1967 War to the present. To download the presentation visit: <http://www.fmep.org/resources/publications-1/map-progression-1948-1967>.

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NEW SETTLEMENT AREAS IN GREATER JERUSALEM

Atarot

Israel has long planned to construct a settlement at the moribund Jerusalem airport on the city's northern perimeter as a way to link settlements north and west of the city with those to its east (see *Settlement Report*, March 2007). In February 2012, the Jerusalem municipality took the first concrete steps toward developing the airport, by transferring ownership of the land from the Israel Airports Authority to the city of Jerusalem. This move still needs approval by the Interior Ministry's National Committee and the Transportation Ministry. Once the area is classified as city land, the municipality can begin to develop projects and start the approval process to build them. A municipality spokeswoman called the move a "common bureaucratic process."

Gai Ben Hinnom

In mid-March the local planning committee approved a plan promoted by the settlement organization Elad to construct a restaurant near Gai Ben Hinnom, near the East Jerusalem neighborhood of Abu Tor.

"We are speaking of another example of municipal support for Elad," complained Deputy Mayor Peppi Alalu, the sole dissenter in the committee approval, "whose only objective is to expand the Jewish community in East Jerusalem and to establish facts in the heart of Arab parts of the city."

The area in question is now used by neighboring Palestin-

ians and is known for its relatively pristine views of Jerusalem's Old City.

Palestinians plan to contest the decision.

Givat Hamatos

Israeli authorities have released plans for 2,610 housing units and 1,110 hotel rooms in East Jerusalem in the area known as Givat Hamatos abutting Road 60 near Gilo and Har Homa. Construction could start later this year, creating the first new, fully fledged East Jerusalem settlement since the establishment of Har Homa in 1997.

On January 3, 2012, the Israeli Housing Ministry and Israel Lands Administration published tenders for new housing in the East Jerusalem settlements of Pisgat Ze'ev for 47 units and Har Homa for 247 units. On April 4, 2012, tenders for 800 housing units were issued for Har Homa C and another 72 for Har Homa B.

Kidmat Zion

"Jerusalem mayor Nir Barakat is planning to take advantage of the U.S. elections in order to create facts on the ground," reported *Yediot Yerushalaim* on March 30, 2012. "[T]he mission—Construction approval of a new Jewish neighborhood of 250 units next to the [dormant] parliament in Abu Dis. [Prime Minister Benjamin] Netanyahu is said to be aware of Barakat's plan." Four Jewish families have resided in the area, known by settlers as Kidmat Zion, since 2004. ♦

SETTLEMENT TIME LINE

December 23, 2011 Stone-throwing settlers damage cars in the Palestinian town of Salfit. (NAD-PMG, Negotiations Affairs Department–Palestinian Monitoring Group)

December 24 Settlers in Hebron’s Old City assault a 15-year-old Palestinian boy. (NAD-PMG)

December 25 Israel Defense Forces (IDF) soldiers evacuate a group of stone-throwing settlers from Salfit. (NAD-PMG)

December 26 Settlers assault worshippers at the al-Aqsa Mosque compound in Jerusalem’s Old City. (NAD-PMG)

Roughly 1,200 settlers accompanied by IDF soldiers enter Nablus to visit Joseph’s Tomb. (Arutz 7)

December 27 The Israeli High Court rejects a petition by Yesh Din, an Israeli human rights organization, seeking the closure of Israeli-owned stone quarries in Area C of the West Bank on the grounds that their operation violates Article 55 of the 1907 Hague Convention concerning occupying powers. The quarries in question export 94 percent of their products to Israeli contractors, and most of the employees, except for some executives, are Palestinian. Justice Dorit Beinisch asserted that the issue of administering the quarries had been addressed during the 1995 Oslo Accords. Beinisch also challenged the prevailing international position on Israel’s presence in the Palestinian territories: “[I]f one were to claim that Israel was a ‘classic occupying power,’ using the products of the quarries would not [violate Article 55], which has been interpreted to apply to opening new quarries. . . . The rules of occupation require taking into account the extent of that occupation and ensuring that economic life can continue for residents.” The justice characterized the Israeli government as the only responsible entity in the West Bank and said that closure of the quarries would violate other tenets of the Hague Convention. (Arutz 7)

December 28 Residents of the Ramat Gilad outpost reach a compromise with the Israeli government to prevent the demolition of their buildings. The settlers had been asked to move nine mobile structures over the next five months to what the government called “undisputed land.” The deal will also allow the settlers to build permanent structures at the new location. Ramat Gilad was slated for demolition before December

31, 2011. (Arutz 7)

December 29 Israeli police and Shin Bet uncover a network of settler activists monitoring IDF activity in the West Bank in an effort to disrupt outpost evacuations and demolitions. (*Ma’ariv*)

2012

January 1 Beit El settlers attack Palestinians at the Mahkama checkpoint, near Ramallah. (NAD-PMG)

January 2 Settlers from Shilo assault and force farmers from Qaryout from their agricultural lands. (NAD-PMG)

In Asira al-Qabilya, 14 Palestinian civilians are injured when IDF soldiers use tear gas to disperse stone-throwing settlers from Yitzhar. (NAD-PMG)

January 3 Before a meeting between Israeli and Palestinian negotiators, the Israeli Housing Ministry and Israel Lands Administration publish tenders for new housing in the East Jerusalem settlements of Pisgat Ze’ev for 47 units and Har Homa for 247 units. (*Ha’aretz*)

A group of settlers block the main road in Qalqilya and impede traffic for several hours. (NAD-PMG)

January 4 International Red Cross officials confirm that Magen David Adom will remove the Star of David emblem from its ambulances operating in the Palestinian territories. MDA’s membership in the International Red Cross was contingent upon it not operating in occupied territories bearing its emblem. Unmarked MDA ambulances will be permitted to service the settlements in the West Bank. (Army Radio)

Settlers assault Palestinians at the Makhama checkpoint for the second time in a week. (NAD-PMG)

Two Palestinian cars tagged with “Revenge” and “Price Tag” are found torched near Beit Safafa, in Jerusalem. (Israel Radio)

The Israeli High Court criticizes the state for failing to meet its commitment to dismantle structures built on private Palestinian land in the outposts of Givat Yosef, Mitzpe Yitzhar, and Ramat Gilad. (*Israel HaYom*)

January 5 IDF troops fire stun grenades at Palestinians attempting to defend themselves against a raid by settlers in Salfit. (NAD-PMG)

Israeli security forces issue restraining orders barring twelve settlers—from Elon Moreh, Havat Gilad, Maoz Esther, Ramat Migron, and Yitzhar—from the West Bank because of their violent acts against Palestinians and IDF and other Israeli security personnel in the West Bank. Settler spokespeople described the operation as “another example of humiliation residents of [the West Bank] are forced to undergo daily by the defense minister and his messengers, under the aegis of the prime minister. . . . We have reached a new low in human rights for [West Bank settlers].” The father of one of the accused settlers expressed pride in his son as a “warrior on behalf of the land of Israel. . . . We survived Pharaoh and Antiochus, we will survive Netanyahu, Barak and the Likud.” (Arutz 7, Army Radio)

January 7 Settlers assault Palestinian farmers in Arqan Tarad, a village near Hebron. (NAD-PMG)

Three Palestinians and one settler are injured in clashes in Burin that erupted when settlers from Bracha threw stones and glass bottles at residents. (Ma’an News)

January 8 A group of settlers throw stones and injure Palestinians in Hebron. (NAD-PMG)

January 9 Bet El settlers block the road into the Palestinian village of Burqa. (NAD-PMG)

Several dozen settlers attempt to rebuild the evacuated Oz Tzion outpost, in the Binyamin region. Two are detained for attempting to assault police officers and trespassing in a closed military zone. (Army Radio)

Shin Bet reports that seven Palestinians from Harbata al-Masbah were arrested in connection with attacks on Israeli vehicles traveling along Route 443. (Arutz 7)

The Israeli High Court rejects a motion filed by Yesh Gvul attempting to block the appointment to the court of Noam Solberg, a settler. The motion argues that “a settler in the occupied territories does not possess the moral purity that a judge on the Supreme Court must have.” (Arutz 7)

Security forces dismantle the Gal Yosef Hill outpost, in the Shilo bloc in the Binyamin region. (Arutz 7)

January 10 Settlers open fire on Palestinian children near Qalqilya whom they allege

SETTLEMENT TIME LINE

were throwing stones. (NAD-PMG)

Settlers throw stones and injure Palestinians in the Old City of Hebron. (NAD-PMG)

Peace Now reports that 1,850 new settlement housing units, a 19 percent increase from the previous year, were planned in 2011. The figure excludes East Jerusalem, which at around 6,350 new apartments in various stages of approval, had the highest number of plans in a decade. The organization also notes that in 2011 the Israeli government had stepped up efforts to legalize 11 unauthorized outposts, consisting of 680 structures throughout the West Bank. (*Ha'aretz*)

January 11 On the road between the settlement of Shilo and Ramallah, settlers open fire at a vehicle driven by Maj.-Gen. Ibrahim Hneihin, wounding him and Palestinians in a car caught in the crossfire. (Ma'an News)

Settlers vandalize a mosque and torch three vehicles in the Palestinian town of Deir Istiya. (NAD-PMG, Army Radio)

In Hebron, a settler driving a car strikes and seriously injures a three-year-old Palestinian girl. (NAD-PMG)

A settler driving a car strikes a 17-year-old girl in Nablus, causing serious injuries. (NAD-PMG)

Two IDF soldiers are arrested on suspicion of involvement in settlers' intelligence-gathering activities on outpost evacuations and the December raid on the Ephraim Brigade base. (*Ma'ariv*)

January 12 Settlers from Shilo stone Palestinian vehicles at a checkpoint and injure a Palestinian Preventive Security officer. (NAD-PMG)

The High Court rules once again to prohibit granting citizenship or residency status to Palestinians who are married to Israeli citizens. (*Yediot Aharonot*)

Around 50 carloads of Palestinians attempt to drive from Jericho to Ramallah using Israeli-only roads to protest Israeli restrictions on movement in the territories. They were stopped at the Jericho checkpoint, and five people were detained. (Ma'an News)

January 13 Ateret Cohanim, an organization working to create a Jewish majority in Jerusalem's Old City, sponsored a march for 90 IDF paratrooper recruits through the Muslim Quarter. The soldiers carried their

brigade standards and Israel flags, while singing the Israeli national anthem through Arab neighborhoods before arriving at the Western Wall. (*Israel HaYom*)

IDF troops detain two Palestinians who had been attacked by settlers on al-Shuhada Street in Hebron. An IDF spokesperson says the Palestinians had attempted to throw rocks at Israeli security forces. Al-Shuhada street in the center for Hebron has often been the flashpoint of frictions between Palestinians and the small group of settlers that live within the Palestinian city. (Ma'an News)

Near Nablus, settlers destroy more than 100 Palestinian-owned olive, fig, and almond trees. (NAD-PMG, Ma'an News)

Settlers throw stones at Palestinian vehicles traveling along roads near the Yitzhar settlement. (NAD-PMG)

Settlers vandalize a Palestinian farm in Kafil Harres, near Salfit. (NAD-PMG)

A settler runs over a 13-year-old disabled girl in Hebron. (NAD-PMG)

January 14 A group of settlers physically assaults two Palestinians in Hebron's Old City. (NAD-PMG)

January 15 The Israeli High Court orders house arrest for five settlers indicted for running an intelligence-gathering operation to disrupt outpost evacuations and demolitions. Judge Yitzhak Amit describes the suspects' actions as "not criminal, but rather ideological," which is "legitimate protest." (*Yediot Aharonot*)

Settlers set fire to a Palestinian vehicle in the Old City of Hebron. (NAD-PMG)

January 16 The vehicle of a Palestinian Authority intelligence officer is found torched in Deir Dibwan, near Ramallah. The attack appears to be another in a string of settler actions targeting PA officials. (Ma'an News)

Yitzhar settlers throw stones at Palestinian vehicles in the area of Nablus. (NAD-PMG)

Settlers unleash a dog to attack Palestinians in the Old City of Hebron. (NAD-PMG)

January 17 The UN Office for the Coordination of Humanitarian Affairs reports that in 2011, five Palestinians were killed and a thousand injured by settlers or Israeli security forces. Three of the dead were children,

and one-fifth of the injured were under the age of 18.

January 19 Security forces demolish the outpost of Sela Bracha, near Mitzpe Jericho. The outpost consisted of five wooden structures housing five families. Three settlers are arrested for assaulting police officers at the scene. (Israel Radio)

A group of settlers destroy water pipelines and uproot several trees on Palestinian land in Deir Ibzi village, in the Ramallah area. (NAD-PMG)

January 20 Settlers throw stones at Palestinian vehicles at the Huwwara checkpoint, in the Nablus region. (NAD-PMG)

January 21 A group of Israeli settlers attempts to vandalize a mosque in Beit Um-mar. (NAD-PMG)

January 28 A settler in a car strikes an 18-year-old Palestinian boy waiting for a bus at the al-Zaim checkpoint, between the West Bank and Jerusalem. (Ma'an News)

January 29 Israeli police cancel what would have been the first Education Ministry sanctioned Breaking the Silence tour of Hebron for Israeli high school students. The police and Breaking the Silence cited right-wing pro-settler group pressure as well as the threat of settler violence as reasons for cancelling the tour. Breaking the Silence is an Israeli organization that collects testimony from IDF soldiers serving in the West Bank and publishes materials in an effort to educate the public on military operations in the occupied territories. (*Ha'aretz*, Army Radio)

Right-wing settler activists Itamar Ben-Gvir and Baruch Marzel take over as leads for an Israeli high school student tour of Hebron that was intended to be led by Breaking the Silence. (*Ha'aretz*)

February 1 Settlers from Yitzhar throw stones near the village of Sarra, seriously injuring a 60-year-old Palestinian woman. (Ma'an News)

The Israeli High Court orders the residents of Migron to vacate the outpost by March 31, 2012. The Court had ruled in August 2011 that the outpost was situated on private Palestinian land. (Ma'an News)

under occupation. In its place Israel has created a fundamentally lawless regime, an ersatz a rule *by* law that at best rejects international norms and instead constructs a veneer of legality in support of the mission of settlement and the preemption of Palestinian national sovereignty.

Fairness Israeli-Style

In a landmark decision, the High Court ruled in 1979 that Israel could not establish on privately-owned land, civilian settlements in occupied territory for which there was no agreed military purpose. However, the court also ruled that settlement on “state land,” which Israel now considers to account for 60 per cent of the West Bank, was legal.

Givat HaUlpana is a neighborhood in the settlement of Bet El, just north of Ramallah. Israel’s High Court has ruled that the houses there must be demolished by July 1, 2012 because they were constructed on private Palestinian land. The Netanyahu government itself acknowledges as much, but it has refused to implement the order.

In an indirect admission of the broad impact of the ruling throughout West Bank settlements, MK Ya’acov Katz explained, “the destruction of houses in HaUlpana can lead to the destruction of thousands of other homes in Judea and Samaria and this is something the public cannot withstand.”

The Israeli debate on how to accommodate the demands of its own legal establishment and the contradictory political and national sentiments resembles nothing as much as playing chess with oneself. In this game, the issue of settlement as the defining clash between Israel and Palestinians over control of the land has been re-constructed as a simple question of legality. Israelis ask themselves, “Do settlers or the State hold recognized ownership rights”—rights that Israel has manipulated through legal and judicial precedent for decades—to the land they have settled? If they do, then there is no problem, and Givat HaUlpana and scores of other settlements are legal. If they do not, the choice is either to obey the rule of law (and return stolen land to its owners) or to rely on the rule by law (and stack the legal deck in settlements’ favor).

“It is important that the principle is preserved,” explained Deputy Prime Minister Dan Meridor to *Ma’ariv*.

We have declared that there can be no settlement on

private [Palestinian] land. Settlement is not theft. We have an internal debate on where it is necessary to settle. I am of the view that we need to settle only in the blocs where there is a chance that they can be linked to Israel. Others have a different view. One thing that is forbidden to do is to transform settlement into the theft of private land. Not only because it is wrong morally and prohibited legally according to both Israel and international law, but also because we will be in a difficult political situation internationally if the debate on settlement focuses on the taking of private land.”

The IDF favors implementation of the court order to demolish the dwellings, where 220 people reside, and reconstruction of new dwellings on land under IDF control elsewhere in the settlement. Like Meridor, Defense Minister Ehud Barak advocates a more subtle argument than right-wing nationalists, one that accepts in principle the inviolability of private property without surrendering the right to settle. “In an advanced democratic country, there is no possibility of passing legislation that cancels a standing court order,” explained Barak. “Bet El is a large and important community that in the future will remain a part of the State of Israel in any future arrangement [with the Palestinian Authority]. We must find a solution to carry out the court order while strengthening Bet El,” he said.

Prime Minister Benjamin Netanyahu, fearing the international response to legislation formalizing the theft of Palestinian property for Jewish settlement, killed the bill. The taking of private land for

settlement, however, has never proved to be the constraint that Meridor or Barak suggest. The proof of this is self-evident in the facts on the ground in settlements like Ofra and Bet El, as well as in the government’s own rulings and reports produced by numerous government inquiries. When Israel’s own legal establishment, even one that assumes that settlement is legal, finds occasional fault with the system, the remedy would appear to be clear and inescapable. Instead, faced with the court-ordered demolition at Givat HaUlpana, Israel’s political establishment seriously considered passage of a law to vacate the court’s ruling, and give a green light throughout the West Bank to the settlement of privately-owned land in return for compensation to the Palestinian landowners. The outpost bill stipulated that if private ownership is proven for land on which

And we come back to the matter itself, the “annexation,” which has long since stopped being creeping because it has met its goal. The territories that Israel wants have been annexed in practice into its territory. They were annexed under ideal conditions for us, in other words: for Israeli governments. The State of Israel does whatever it wants in them, in other words: whatever the settlers want. The government has left the policy of settlement in the hands of its dear boys from the hilltops. The government’s role is to clean up after them and to put the legal mess that they tend to leave behind here and there (in Migron and Givat HaUlpana for example) back in order. The facts have been created on the ground, now please put the matter in order.

“What the Boss Wants,” *Yedioth
Abronoth*, Aviad Kleinberg, May 15, 2012

SHORT TAKES

Rabbi Haim Druckman: “It’s Time to Return to Homesh Permanently”

Some 10,000 Israelis came yesterday to the razed settlement of Homesh, in northern Samaria. Among the visitors were rabbis and public figures who called on the government to reestablish the settlement of Homesh [evacuated in 2005 as part of the “disengagement” policy]. Israel Prize laureate Rabbi Haim Druckman said at the rally, “Homesh is part of the land of our lives, and we want to return here permanently. There is no doubt that everyone admits that what was done seven years ago was an unparalleled distortion.”

Yishai Fishman, *Makor Rishon-Hatzofe*, April 11, 2012

Residents of the Samaria town of Rehelim expressed satisfaction at this week’s government decision to “legalize” the town, saying that it was long overdue and a much-needed correction of a historical injustice. Rehelim, near Ariel, along with the towns of Sansana, near Hebron, and Bruchin, near Modi’in, were retroactively approved by a government committee headed by Prime Minister Binyamin Netanyahu. . . .

[A spokesperson for Rehelim] expressed hope that with its new status, Rehelim would attract new residents, who could now feel secure that their housing investments were secure. “Until now we have been forced not to allow new families to join us, but we were always optimistic that this would change. We wish to thank all the officials who helped push this through, including YESHA Council head Gershon Mesika and Ze’ev Hever. We call on all families who are looking for an exciting and lively place to live—whether or not they have children—to join us,” he said. . . .

“We are part of a chain of yishuvim in central Samaria, near Ariel and the Shiloh bloc, and connected to the Jordan Valley and the Tel Aviv population centers. We, along with Ariel and Eli, are preventing the two large Arab population centers of Ramallah and Shechem from coalescing. We are ensuring that there will not be an Arab takeover of this region.”

Arutz 7, April 26, 2012

Shaul Mofaz’s West Bank Map

An agreement cannot be reached in one step, so it is important to have an interim agreement to build trust, give the Palestinians a state and guarantee Israeli security along the way to a permanent agreement. Then, in a year, we can reach agreements on borders and security because the gaps are not wide. I would guarantee the Palestinians territory the same size of the pre-1967 West Bank and Gaza Strip with land swaps. In any agreement, we will keep the settlement blocs. They will be part of Israel as our eastern border.

In the interim agreement, we will give them Areas A and B, which make up some 40% of the West Bank, plus another

20% from area C to make the land contiguous from Jenin to Hebron with 99.8% of Palestinians inside and without evacuating settlements. After the land swaps, my settlement blocs will enable 250,000 Jews to stay. We will keep Ariel, Ma’aleh Adumim and Gush Etzion. The Jordan Valley can be leased for 25 years, and Hebron’s Jews can stay as a special case.

Jerusalem Post, April 13, 2012

Peak Demand for Trips in Judea and Samaria

An all-time record was set this year in demand for trips in Judea and Samaria during this Passover holiday: 8,000 Israelis registered for heritage and landscape tours being organized by the Mishkefet NGO during the intermediate days of the holiday.

Due to the demand, there is a severe shortage of experienced guides for sites in Samaria, Binyamin, the Etzion Bloc, Hebron, the southern Hebron hills and the Jordan Valley.

Sources in the Mishkefet NGO, which operates as part of a national project to connect the public to the sites and people in Judea and Samaria, explain that the demand stems from the Israelis’ search for new places to tour. In addition, a campaign featuring [film actor] Zeev Revah has also increased the demand. The tours focus on presentation of the sites and the agriculture, archeology and historical heritage that are associated with them.

Dalia Mazori, *Ma’ariv*, April 9, 2012

LAW, continued from page 6

an outpost is built, and a petition against is submitted after more than four years have elapsed since its construction, the outpost will not be removed. Instead, monetary compensation or alternative land will be given to the owners, in accordance with the court’s ruling.

Former Likud minister of defense Moshe Arens described this option as “the fairest way” of dealing with “the problem” posed by the inconvenient fact that “some of the land on which the neighborhood was built is owned by inhabitants of a neighboring Arab village. Forcing people [settlers, not the Palestinian landowners] out of their homes may be legal, but it is also wrong.” In Arens’ world, it is the settlers who have settled “in good faith” on stolen land who are the aggrieved party. “Fairness” dictates the satisfaction of settler demands for acknowledgement of their robbery rather than restoration of the property of the putative Palestinian landowners. Palestinians can be satisfied with a court-ordered remedy that they, as individuals or as a community, have no role in fashioning. In the occupied territories—as in a casino—the House [of Israel] always wins. ◆

THE OUTPOST SYSTEM, PALESTINIAN VERSION

“... Palestinian prime minister Salam Fayyad drafted a plan in 2009 that was geared to prepare the ground for the establishment of a Palestinian state. Among other things, the Fayyad plan envisioned the Palestinian Authority seizing as much territory in Area C as possible. In the past number of months, dozens of Palestinian “outposts” have been established across Judea and Samaria: in the Hebron hills, along the Jerusalem–Dead Sea road, near Begin Road in Jerusalem (the part that connects to Route 443), and in various locations in Samaria. Each one of those outposts is comprised of three or four buildings, a yellow water tank and a generator, all of which bear official Palestinian Authority markings. . . .

“The establishment of the Palestinian outposts is liable to have far-reaching political implications for Israel, which will find itself in an inferior negotiating position now that the Palestinians are in practical possession of thousands of dunams of land, the large part of which are part of what has been defined as the “settlement blocs.”

“The Regavim NGO, which monitors illegal Arab construction both within the Green Line and in the territories,

petitioned the High Court of Justice this week, demanding that it enjoin the demolition of dozens of structures out of the hundreds that have been assembled in the Palestinian settlement outposts. The petitioners appended to their petition documentation that proves state ownership over the land, as well as aerial photographs that demonstrate the swift multiplication of the Palestinian outposts. “What the Palestinians are doing is land theft in broad daylight, with the Palestinian Authority’s political goal clearly being to seize control over as much state land as possible,” said Ovad Arad, the coordinator of the NGO’s activity in Judea and Samaria.

“A security establishment source commented on the phenomenon last night, saying: “There is no doubt that the Palestinians have learned how to bend the Israeli system. They’ve duplicated the ‘Tower and Stockade’ method, and they also know how to receive the court’s protection. The massive land takeover ought to be worrying us enormously, and the justice system ought to take this phenomenon very seriously.”

Amihai Attali, *Ma’ariv*, May 10, 2012

ON THE CONFLICT WITH THE PALESTINIANS

The State of Israel needs to aspire to a long-term arrangement on the basis of a two-state solution, with maximum security for the State of Israel in the long-term, but without any illusions about the finality of the conflict. That is why I think that despite the fact that it is super complicated, every passing day makes the problem harder to solve. The fact that we’re not talking with the Palestinians—and guys, forget about all the stories they’re selling you in the media about how we want to talk but Abu Mazen doesn’t and so forth. I’m telling you, we’re not talking with the Palestinians because this government has no interest in talking with the Palestinians. I was there up until a year ago. I know from up close what

is going on in that area. This government has no interest in talking with the Palestinians. It most certainly has no interest in resolving anything with the Palestinians. The prime minister knows that if he takes even the smallest step forward on this issue then the well-established rule of the prime minister in the State of Israel and his strong coalition will fall apart. It’s that simple. That is why no one here has any interest in resolving anything with the Palestinians, and that is the source of the Palestinians’ frustration—and incidentally, I’m not defending the Palestinians in the least. They have made their mistakes.

Yuval Diskin, former director of the General Security Service, *Ma’ariv*, April 29, 2012

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