# REPORT ON ISRAELI SETTLEMENT IN THE OCCUPIED TERRITORIES

A Bimonthly Publication of the Foundation for Middle East Peace

Volume 4 Number 4 July 1994

## NEWS

Assistant Secretary of State for Near Eastern and South Asian Affairs Robert H. Pelletreau has restated the Clinton administration's characterization of settlements as "a complicating factor" in Israel-PLO talks, while explicitly rejecting the former characterization as "obstacles to peace." The policy shift was reiterated at Pelletreau's June 14 appearance before the House of Representatives' Europe and Middle East Subcommittee of the House Foreign Affairs Committee.

The Cairo agreement excludes settlements from the recently implemented Palestinian autonomy in Gaza-Jericho. Nevertheless, they are prominently featured in the agreement. Two articles explore this dimension of Israel-PLO affairs. (See pages 1 and 3.)

This Settlement Report publishes key settlement-related excerpts from the accord. (See page 5.)

Settlements remain an everpresent part of Israel's political landscape. But the way in which they are viewed by Israelis and their role in Israeli society is undergoing a change. (See page 1.)

#### Also in This Issue:

Map of Jericho Region Map of Gaza Strip 4

5

# RABIN STIRS DEBATE ON VALUE OF SETTLEMENTS

by Geoffrey Aronson

Israelis are now engaged in one of the most difficult, and potentially revolutionary, debates in the country's 46-year history. The Oslo accords, the February massacre of Palestinians in Hebron, and the recent Cairo agreement on the implementation of Palestinian autonomy in Gaza and Jericho have forced an extraordinary national debate on the role and value of Israeli settlements not only as political instruments, but also as the barometer of the strength and vitality of Zionism itself. The debate exposes the extent to which traditional notions about settlements are now being

challenged by those at the center of Israeli politics, but it also reveals the practical limits of this "new thinking" on the Rabin government's settlement policies.

"The new reality which is unfolding these days demands that we restructure virtually all areas of our life," declared Prime Minister Yitzhak Rabin on June 5, in a speech marking the 27th anniversary of the 1967 war.

Jewish settlement in the "Land of Israel" has traditionally been understood by Israelis as an expression of the enduring vitality of Zionism and its moral

DEBATE, continued on page 7

# HISTORIC ISRAELI-PLO ACCORD LEAVES SETTLEMENTS INTACT

After decades of enmity and armed confrontation, Israel and the Palestine Liberation Organization have taken another important step in their historic effort at reconciliation, but the status of settlements remains unchanged.

On May 4 in Cairo, Israel and the PLO initialed the "Agreement on the Gaza Strip and the Jericho Area." The accord details the mechanisms, and limitations, of Palestinian autonomy according to the "Gaza-Jericho first" framework outlined in the Declaration of Principles signed on September 14, 1994, in Oslo. It secures a broad range of protection for settlements and settlers that includes

Exclusion of settlements, settlers,

and settler-related resources (land and water) from any Palestinian jurisdiction, interference, or control; and

Limitation on Palestinian land use near settlements ("Yellow Areas") and continuing Israeli control over Palestinian zoning and land-use decisions.

The agreement also commits the Palestinian authority to maintain the existing system of Israeli military orders. This body of law—numbering more than 1,400 statutes—is the legal basis of the occupation established by Israel. It details the broad powers of the military government over Palestinians and their resources and reaffirms the protected

ACCORD, continued on page 4

# TO OUR READERS

In recent months, a new element has entered the debate over the future of Jewish settlements in the territories occupied by Israel's army. Residents in several settlements are saying for the first time that they want to leave and want government help to finance their return to Israel.

As far as anyone can determine, the numbers involved in seeking evacuation so far are small. Since the Hebron massacre, settler unrest has grown, especially among those without religious or nationalistic motivation who became settlers to improve their standard of living. Some now say they feel at risk and need help to relocate to safer, less confrontational environs within Israel.

The government of Prime Minister Yitzhak Rabin is struggling against the concept of compensation on the grounds that Israel and the PLO have agreed to delay discussion of settlements until the final phase of negotiations.

An enlightened Israeli government policy would permit decolonization of the territories, and the repatriation of Israelis lured into the settlements by government handouts could begin. Removing 130,000 settlers from the West Bank and Gaza would cost an estimated several billion dollars, an

amount not readily available. And if the cost of moving those 160,000 Israelis now living in East Jerusalem settlements is included, the price tag for compensation appears formidable. But it would be much less now than later.

Nevertheless, the overriding U.S. interest in mediating a viable Israeli-Palestinian rapprochment dictates aggressive U.S. support for a settler rollback throughout the occupied territories as soon as possible. The State Department should forthrightly promote this idea. It would do well, in addition, to make every effort to persuade the Israel's leaders of the wisdom of such a policy.

With respect to funding, let us remember the \$10 billion U.S. loan guarantee program enacted two years ago. It was designed to help relocate Russian Jews immigrating to Israel. They have not come in the numbers expected. The guarantees could now be a useful aid to peacemaking by facilitating decolonization.

Lin J. Bettle

# **CONGRESS ASKS ABOUT SETTLEMENTS**

The following response to a question on Israel's settlement policy, raised by the House of Representatives Subcommittee on Europe and the Middle East, was given by Robert H. Pelletreau, Assistant Secretary of State for Near Eastern and South Asian Affairs, when he met with the subcommittee on March 1.

In our view, the Rabin government has largely adhered to its commitment not to establish new settlements. It did not pledge to end the expansion of construction in East Jerusalem and the surrounding settlements Rabin calls "Greater Jerusalem." Some construction of housing and infrastructure has also continued on the Golan Heights....

Neither U.S. assistance funds for Israel nor the loans the USG guarantees may be used to fund settlement expansion. In addition, as you point out, in keeping with the 'Loan Guarantees to Israel' legislation and bilateral understandings, the president determined that \$437 million must be deducted from the amounts that would be made available to Israel in FY 1994 under the loan guarantee program because of Israeli non-security-related expenditures in the occupied territories.

It is too early to know whether the level of such GOI [Government of Israel] expenditures will increase or decrease in FY 1994. Following the announcement of the \$437 million deduction last fall, however, Finance Minister Avraham Shohat stated that he expected these expenditures to decrease considerably.

# FOUNDATION FOR MIDDLE EAST PEACE

Lucius D. Battle
President

Jean C. Newsom

Executive Director

Geoffrey Aronson
Associate Director

#### **ADVISERS**

Landrum R. Bolling
Former President, Tantur Ecumenical Institute, Jerusalem;
President Emeritus, Earlham
College

Murray J. Gart

Former Chief of Correspondents,

Time Magazine, Senior Editor,

Time, Inc.

Peter Gubser
President, American Near East
Refugee Aid

# TRUSTEES

Peter M. Castleman Calvin H. Cobb, Jr. James J. Cromwell Stephen Hartwell Richard S.T. Marsh Frank Reifsnyder

The Foundation, a non-profit, I.R.C. 501(c)(3) organization, receives no U.S. or foreign government funds. It supports peace and security for Israelis and Palestinians through mutual recognition and a negotiated division of historic Palestine.

Copyright © 1994

# PALESTINIANS AND ISRAELIS RAISE AUTONOMY CONCERNS

Palestinians from the territories were conspicuous by their absence from the signing of the "Gaza-Jericho first" agreement in Cairo. Their absence reflects concern about the agreement itself, particularly as it relates to the protection afforded both settlements and settlers.

"If the Cairo agreement is implemented," noted former negotiator Ghassen al-Khatib, "it contains very dangerous time bombs. This is because of the agreement to keep thousands of armed and aggressive settlers, allowing them to move freely in the Gaza Strip and Jericho area. This is in addition to the presence of thousands of Palestinian policemen, who will be in an unenviable position in the event of any attack on Palestinians by a settler. It will be difficult for them to take a neutral position, and it will also be difficult for them to punish the settlers."

Haidar Abdul Shafi, a former head of the Palestinian delegation to the Washington talks, voiced similar concerns. "As long as the settlement building process is continuing, the possibility of achieving a just peace is out of the question."

Shafi and Khatib were among a group of 20 prominent Palestinians from the occupied territories who voiced their opposition to the May 4 agreement in an extraordinary petition. The petition declared that any agreement in which the Palestinian Liberation Organization agrees to permit Israel to "consolidate its illegal unilateral actions such as the establishment of Israeli settlements, the appropriation of land, [and] the annexation and Judaization of Jerusalem . . . shall lack Palestinian and international legitimacy and shall therefore not be binding on the Palestinian people. . . . "

# Preserving Settlements

The continuing sanctity of settlements assured by the agreement is also cause for concern among Israelis. Avraham Tal, writing in the newspaper *Ha'aretz* on May 6, criticized the "security absurdity" created by the agreement's preservation of settlements, which in his view prevents the establishment of a workable autonomy regime.

"In order to implement the principle that settlements will not be uprooted during the interim period and that Israel will continue to be responsible for the security of Israelis within the Palestinian authority," wrote Tal, "the IDF will be compelled to occupy almost 20 percent of the Gaza Strip [the Katif bloc on the Strip's southern border], to fortify four additional settlements [in Gaza's northwest corner], and to rule over three principal traffic axes.

"During the interim period, the Israel Defense Forces will also have to protect about 100 Israeli communities scattered throughout Judea and Samaria: in order to accomplish this it will continue to rule the roads of the territories, to fortify numerous settlements and to have completely free access to most traffic axes. Under these conditions, the 'independent

government' of the interim period lacks all meaning, and from the Palestinian perspective, is pathetic."

Israeli settlers, particularly the 5,000 who live in 16 settlements in Gaza and the 3,800 Jordan Valley settlers living on the perimeter of the Jericho region, have an entirely different view of the situation created by the agreement. Some have taken to the streets in protest. Others are considering returning to Israel.

The Council of Jewish Communities in Judea, Samaria, and Gaza [YESHA] condemned the Cairo agreement as a "surrender to terror," which endangers the viability of Israeli settlement throughout the occupied territories.

"If this process continues," YESHA contended, "Jewish rights will be negated in the heartland of the Jewish national home. And Israel will be reduced to the weak, dependent situation of the pre-1967 nine-mile-wide borders."

#### Settler Concerns

Most settlers in the affected regions, however, seemed more concerned with the immediate problems of adjusting to the new, unsettled reality created by the appearance of Palestinian policemen and roadblocks and the sudden existence of territories where the IDF is no longer assuming primary responsibility for their safety.

"They are terrorists, not policemen," explained one Gaza settler.

"I'm worried that outsiders—suppliers and servicemen—will be too scared to come [to the Gaza Strip settlements]," another settler added. "What happens if your fridge breaks down and the company is too scared to send someone to fix it?"

The extensive security arrangements in the agreement are aimed at maximizing the settlers' personal safety. In addition to regular patrols, Israel has redeployed troops into the Gaza settlements themselves. Four regular soldiers and two fixed IDF posts protect eight people living on a farm on the northern border of the Katif Bloc, for example. Soldiers are streaming into the settlements of Netzarim and Kfar Darom, both of which lie outside the Katif bloc.

"There are more soldiers in the settlement now. The ones who used to be spread out are now concentrated in the residential areas. So that's actually better," said a settler from Neve Dekalim in the Katif bloc.

The government has a \$700 million plan for the construction of 600 kilometers of "autonomy roads" throughout the West Bank and Gaza Strip.

These roads will carry Israeli vehicles around Palestinian communities. The "Jericho bypass" is one such road. However, like many of the issues related to the Gaza-Jericho agreement, details about the road's construction, or even its exact route, are not yet clear.

#### ACCORD, continued from page 1

status of settlements and settlers.

The Palestinian authority, however, has won some power to redraft these laws to fit the interests of the Palestinian community. Israel, however, retains a veto over all new legislation. Under the Cairo agreement, Palestinian legislation cannot "deal with a security issue which falls under Israel's responsibility," nor can it "seriously threaten other significant Israeli interests protected by this agreement."

The Declaration of Principles specifically excludes the issues of Israeli settlements and settlers from consideration during the five-year interim period, after which a permanent agreement between Israel and the Palestinians is supposed to be reached. But their status during the current stage was clearly and precisely addressed by the May 4 Gaza-Jericho accord. As Prime Minister Yitzhak Rabin himself acknowledged in his presentation of the agreement to the Knesset on May 11, "the concern for Israel's security and the security of Israelis and the settlements is evident in every line and word."

#### Accord Protects Settlers

Under the agreement, Israel will retain exclusive control over approximately 20 percent of the Gaza Strip. This territory is composed of two areas of Israeli settlement—a northern area

comprised of three settlements and surrounding land; and the southern "Katif" bloc of 12 settlements and the environs.

"The agreement includes arrangements which allow reasonable protection of the settlements and the settlers," Rabin explained to the Knesset. "Placing the settlements in blocs, that is, demarcating the settlements that can be put in blocs, allows blanket protection of most of the settlements in the Gaza Strip, with the exception of two isolated settlements." One of these is Netzarim, whose approach road separates Gaza city from the southern Gaza Strip. A large contingent of Israeli border police will be based permanently in this settlement.

The Israeli Defense Forces will withdraw from Palestinian areas throughout the rest of Gaza and redeploy into the settlements.

There are no settlements in the autonomous area of Jericho. Nearby settlements in the Jordan Valley will receive specific "security packages" customized to their particular needs.

IDF soldiers manning roadblocks at the entry to Palestinian areas, especially in Gaza, will warn both settlers and Israeli visitors that entry into these areas is their own responsibility. Settlers known to be "troublemakers" will probably not be allowed to enter the areas.

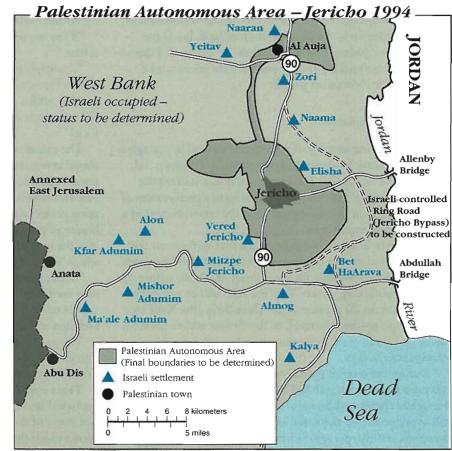
"The defense system we have devised creates a physical barrier between Jews and Arabs," explained an Israeli military official. Each bloc of settlements will constitute an independently defended area with separate headquarters, observation and guard posts, a circumferential electronic fence, and security roads. The Palestinian police force will not be permitted to enter these areas or use roads passing through them.

#### Precedent for the Future

This creation of territorially unified blocs of settlements is an important precedent for future discussions on extending Palestinian rule to the remainder of the West Bank. A central objective for both Rabin and the right-wing opposition is to create contiguous blocs of Israeli settlements amidst noncontiguous blocs of Palestinian autonomy.

Israel retains the freedom "to do whatever is necessary to provide for the security of Israeli traffic on the main routes to the settlements and the adjacent areas," explained Rabin. Joint

ACCORD, continued on page 5



Source: Foundation for Middle East Peace; Ha'aretz, May 9, 1994

♦ Report on Israeli Settlement July 1994

#### ACCORD continued from page 4

Israeli-Palestinian patrols will enable Israel to maintain a permanent presence on major transportation routes.

"The maintenance of the electricity, water, and telephone infrastructures in the Israeli settlements and IDF camps in the Gaza Strip and the Israeli infrastructure in the Jericho region will remain in Israel's hands," explained Rabin to the Knesset. "The supply of those services to the Israeli settlements and the IDF camps will, therefore, be independent of the Palestinian authority...."

The Cairo accord also embraces the principle that settlers and Israelis will not be subject to Palestinian authority, even in criminal matters within the autonomous areas.

"The legal appendix stipulates that the Palestinian authority will not have—I repeat, will not have—powers with regard to Israeli citizens, Israeli settlements, and the area where the military installations will be located," Rabin said. "This means that the Palestinian police will not be able to detain Israelis, and the Palestinian courts will not try them. Israel alone will have this power, as before. Furthermore, Palestinians who harm or attempt to harm Israelis in the regions under Israeli authority and who are captured by the Israeli security authorities will be questioned by Israel. . . .

"Even if an Israeli commits a crime in the area under the

authority of the Palestinian authority—for example, on the streets of Gaza—it is the duty of the Palestinian authority to detain the suspect and call the Israeli authorities, which alone have the power to arrest him and keep him in custody."

Settlement-related excerpts from the agreement follow:

# Agreement on the Gaza Strip and Jericho Area

### Article I Definitions

For the purpose of this Agreement: . . . .

b. "the Settlements" means the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip . . . .

# Article II Scheduled Withdrawal of Israeli Military Forces

- 3. . . . Israel shall, concurrently with the withdrawal, redeploy its remaining military forces to the Settlements and the Military Installation Area, ...
- 5. . . . Israelis, including Israeli military forces, may continue to use roads freely within the Gaza Strip and the Jericho Area. Palestinians may use public roads crossing the Settlements freely, as provided for in Annex I.

# Article V Jurisdiction

- 1. a. The territorial jurisdiction [of the Palestinian Authority] covers the Gaza Strip and the Jericho Area territory, as defined in Article I, except for Settlements and the Military Installation Area.
- 3. a. Israel has authority over the Settlements, the Military Installation Area, Israelis, external security, internal security and public order of Settlements, the Military Installation Area and Israelis, and those agreed powers and responsibilities specified in this Agreement. . . .

# Article VIII Arrangements for Security and Public Order

1. . . . Israel shall continue to carry the responsibility for . . . overall security of Israelis and Settlements . . . and will have all the powers to take the steps necessary to meet this responsibility.

# Article XVIII Prevention of Hostile Acts

. . . The Palestinian side shall take all measures necessary to prevent such hostile acts directed against the Settlements, the

ACCORD, continued on page 6



Report on Israeli Settlement 🦠 5

#### ACCORD, continued from page 5

infrastructure serving them and the Military Installation Area, and the Israeli side shall take all measures necessary to prevent such hostile acts emanating from the Settlements and directed against Palestinians.

# ANNEX I PROTOCOL CONCERNING WITHDRAWAL OF ISRAELI MILITARY FORCES AND SECURITY ARRANGEMENTS

# Article I

# Arrangements for Withdrawal of Israeli Military Forces

- 2. District Coordination Offices [DCO]
- c. Each DCO will be continuously staffed by a team of up to six officers from each side . . . .
- h. Any event involving injury to Israelis, at any location within the Gaza Strip or the Jericho Area, shall be immediately reported to Israel through the relevant DCO. Israel may employ any means necessary for the evacuation and treatment of such injured persons, and will coordinate such activity through the relevant DCO.

# Article VIII Rules of Conduct in Security Matters

- 2. In the Yellow Areas and on the Lateral Roads [to the settlements] and their adjacent sides vehicles bearing Israeli license plates shall not be stopped, obstructed or delayed by the Palestinian Police, and no identification shall be required.
- 3. On the central North-South road (Road No. 4) in the Gaza Strip between the Netzarim Junction and Kfar Darom, and on the main North-South road crossing the Jericho Area (Route No. 90), vehicles bearing Israeli license plates may be stopped for identification by a Joint Patrol or a Joint Mobile Unit. The Israeli side of such a patrol or unit may carry out identity and vehicle documentation checks.
- 4. . . . The following rules of conduct shall apply throughout the rest of the Gaza Strip and the Jericho Area:
- a. Vehicles bearing Israeli license plates may be stopped by the Palestinian Police for the purpose of checking the driving license, and passengers' identity documentation (if above the age of sixteen).
- b. Israelis shall under no circumstances be apprehended, arrested or placed in custody or prison by Palestinian authorities.

However, where an Israeli is suspected of having committed an offense, he or she may be detained in place by the Palestinian Police while ensuring his or her protection, in accordance with the provisions of Annex III, until the arrival of a Joint Patrol or Joint Mobile Unit, called immediately by the Palestinian Police, or of other Israeli representatives dispatched by the relevant DCO. . . .

# ANNEX II PROTOCOL CONCERNING CIVIL AFFAIRS

# Transfer of Power and Responsibilities of the Civil Administration

- B. 31. Water and Sewage
  - b. ... The existing water systems supplying water to the Set-

tlements and the Military Installation Area, and the water systems and resources inside them continue to be operated and managed by Mekoroth Water Co.

c. All pumping from water resources in the Settlements and the Military Installation Area, shall be in accordance with existing quantities of drinking water and agricultural water.

Without derogating from the powers and responsibilities of the Palestinian Authority, the Palestinian Authority shall not adversely affect these quantities.

Israel shall provide the Palestinian Authority with all data concerning the number of wells in the Settlements and the quantities and quality of the water pumped from each well, on a monthly

# ANNEX III PROTOCOL CONCERNING LEGAL MATTERS

# Article I Criminal Jurisdiction

- 2. Israel has sole criminal jurisdiction over the following offenses:
- a. offenses committed in the Settlements and the Military Installation Area subject to the provisions of this Annex; and
  - b. offenses committed in the Territory by Israelis. . . .

# Article II Legal Assistance in Criminal Matters

- 2. Cooperation in Criminal Matters
- c. The Palestinian authorities shall not arrest or detain Israelis or place them in custody. Israelis can identify themselves by presenting Israeli documentation.

However, where an Israeli commits a crime against a person or property in the Territory the Palestinian Police upon arrival at the scene of the offense shall immediately notify the Israeli authorities through the relevant DCO.

Until the arrival of the Israeli military forces the Palestinian Police may if necessary, detain the suspect in place while ensuring his protection and the protection of all those involved and shall prevent interference with the scene of the offense, collect the necessary evidence and conduct preliminary questioning. . . .

4. When an offense is committed inside a Settlement, and all those involved are Palestinians of the Gaza Strip or the Jericho Area or their visitors, the Israeli military forces shall notify the Palestinian Police immediately and shall hand over the offender and the collected evidence to the Palestinian Police unless the offense is securityrelated....

# Article III Civil Jurisdiction

2. Israelis conducting commercial activity in the Territory are subject to the prevailing civil law in the Territory relating to that activity.

Nevertheless, any enforcement of judicial and administrative judgments and orders issued against Israelis and their property shall be effected by Israel. Israel undertakes to execute such judgments and orders within a reasonable time.

3. The Palestinian courts ad judicial authorities have no jurisdiction over civil actions in which an Israeli is a party. . . . •

vision. Security, sovereignty, and settlement were, according to Israel's compass, inextricably linked. To challenge the bond between security and settlement is to contest not only a key lesson of the Jewish historical experience in Palestine but also a basic commandment of Israel's national mythology. And that is exactly what Rabin is doing.

Rabin has begun the tortuous process of persuading Israelis that the "truths" about settlement they once held dear are no more relevant today than passages in the Palestinian Covenant that Yasser Arafat committed the Palestine Liberation Organization to renounce in the September 1993 Oslo agreement.

"Let's put things, once and for all, in the context of the new reality of a great and strong country," Rabin said on April 21. "This is not the eve of the War of Independence when every settlement was vital."

### Failure of Settlements

Rabin now admits that a generation of settlement since 1967 has failed in its mission to transform the territories into part of Israel. The intifada made clear to Israel the cost of attempting to build in the hills around Nablus and in Hebron what an earlier generation of Zionist pioneers did in the Negev and Galilee regions of Israel. The Israel Defense Forces, he observed recently, remains an "occupation army" in the territories captured in June 1967.

Rabin's aversion to continuing rule of the occupied territories by force of arms is the direct source of his desire to reshape the popular view of settlements. If the army of occupation has no role to play in some parts of the territories, then, in Rabin's view, little rationale can be found beyond vague social and economic reasons for maintaining settlements in these areas.

For decades Israelis argued that settlements were agents of peace because they forced a hostile Arab world that rejected the idea of Jewish sovereignty to become reconciled to its existence. This notion, so absurd to foreign observers, was nevertheless one of the central truths learned by Israelis from the interminable struggle against their Arab opponents.

Today Rabin has begun the process of standing this myth on its head. In the Middle East at the dawn of the 21st century, he argues, settlements may well endanger rather than promote peace by undermining the prospects for rapprochement at a time when Arabs have become reconciled to Israel's existence.

West Bank settlements have not only failed in their historical role of marking out the perimeter of Jewish sovereignty, but most have only marginal security value, and those established by the Likud governments from 1977 to 1992 have none. "The security contribution of what I have described as 'political settlements' is zero," Rabin said in May. "It is a mistake to give a central security role to settlements."

By describing the settlement enterprise in such scathing terms, Rabin rejects the premise that settlement is an end in itself—an idea at the heart of traditional Zionism.

"Once settlement was the glory of the Zionist enterprise," lamented a settler from the Jordan Valley outpost of Vered Jericho, "but now I feel like a burden."

It is widely understood in Israel that the 400 settlers scattered throughout the West Bank city of Hebron, and their 5,000 neighbors in the nearby settlement of Kiryat Arba, impede prospects for rapprochement between Israel and the Palestinians. But Rabin's failure to remove the settlers of Hebron in the wake of the February massacre demonstrates the practical limits to his "new thinking."

In the weeks after the killings, Rabin confronted a majority in his own cabinet who favored the removal of the Hebron settlers and a U.S. administration that supported this option as well as removing the IDF from part of the city center.

Rabin also faced a furious right wing that threatened to bring down his government through massive popular opposition and civil disobedience. His opponents included a religious establishment that instructed soldiers to disobey any order to evacuate settlements. "If this government gives an order to dismantle a settlement and expel Jews from their homes," explained a prominent rabbi, Nahum Rabinovitz of the settlement of Ma'ale Adumim, "it is necessary to refuse it as one would a Nazi order."

## **Avoiding Confrontation**

Rabin often has said that he does not want to confront the settlement movement. His sense of what was politically possible after Hebron outweighed remonstrations from his cabinet, Israel's security echelon, the U.S. State Department—and his own preferences. The status quo that permits the continuation, and even expansion, of the settlements in Hebron would remain undisturbed.

Rabin invoked the Oslo accords as the primary rationale for his decision. Deputy Minister of Defense Mordechai Gur explained that they could not be breached; therefore no Israeli settlement would be moved during the interim period.

But Israel Harel, leader of the Council of Jewish Settlements in Judea, Samaria, and the Gaza Strip, was closer to the mark when he lauded Rabin's decision as a "great achievement for the national camp that united to defend Jewish settlement in Hebron."

"There has never been a political camp in Israel so broad, active, and ready for great action, as there is today for the Land of Israel," noted Harel.

Rabin believes that the recently signed Gaza-Jericho agreement gives him a respite from considering the prospect of dismantling settlements. He continues to redefine settlements around Jerusalem as part of the city itself and, hence, nonnegotiable.

But the dynamics of events that Rabin himself has set in motion will not permit such a luxury. Gaza-Jericho cannot survive as an experiment in genuine Palestinian self-rule without an expansion of its autonomous authority to the West Bank. Settlements will have to be evacuated, and the fury of Israel's religious and secular right wing defied, for this to occur.

# FROM THE ISRAELI PRESS

In the wake of February's Hebron massacre tens of families appealed for government assistance in leaving the nearby settlement of Kiryat Arba. The Ministry of Housing has offered families choosing to leave the settlement a rent subsidy of \$270 a month.

"There is no policy to pay compensation to residents of Kiryat Arba," explained Prime Minister Yitzhak Rabin. Most of those requesting assistance [to leave the settlement] are poor, and we will examine what can be done to assist them on a personal basis and not on a policy level."

Ha'aretz, March 9, 1994

Ten new families, including one from Jerusalem and another from Kiryat Shimona, have moved or are planning to move to Hebron where 44 families now reside in settlement areas. Many Palestinian families meanwhile have left their homes which abut the settlement areas "because of harassment by settlers" and as a result of hardships caused by the large presence of Israeli troops in the area.

Ha'aretz, April 15, 1994 Kol Ha'ir, April 22, 1994 Chief of Staff Ehud Barak has called upon Israelis to carry their weapons when in the West Bank or in the Katif block of settlements in the Gaza Strip to help protect the thousands of cars using the roads in these areas.

The IDF has issued the following recommendations to Israelis, principally settlers, driving in the occupied territories:

- Always carry a loaded weapon;
- Travel with more than one vehicle, especially at night;
- Never travel alone in a vehicle;
- Try to stay close to busses that are being escorted by military vehicles.

Middle East Mirror, May 18, 1994

Jerusalem Mayor Ehud Olmert supports annexing more of the West Bank to Jerusalem "in the near future."

"If you want to know whether I support confiscation of land where necessary for construction and development in Jerusalem, the answer is: absolutely yes. . . . I believe Jerusalem should expand eastward, because further westward development would soon turn Jerusalem into a suburb of Tel Aviv. . . . Naturally this planning concept has political ramifications."

Ha'aretz, May 6, 1994

If Israel had frozen settlement in East Jerusalem, there would have been no problem with the Palestinian side. Jerusalem is a very sensitive issue, and Israel is not committed to accords on freezing settlements. There has been a pledge since President Bush's era that settlement activity would be frozen. At that time, Israel obtained a loan guarantee of \$10 billion as support for Israel's economy. . . . Palestinian citizens in East Jerusalem . . . have rights. Meanwhile, Israel expands. It extends Jerusalem northward, eastward, and southward. . . .

> Furayh Abu-Middayn, member of the Palestinian National Authority, Jerusalem Voice of Israel, May 29, 1994

Foundation for Middle East Peace 555 - 13th Street, N.W. Suite 800 Washington, D.C. 20004–1109 Telephone: 202-637-6558

Back issues of the *Report* and the 1991–1993 Index are available on request from the Foundation's office.

Fax: 202-637-5910