

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p><a href="#">June 9, 2020</a>: In response to the High Court’s decision to overturn the Regulation Law, leaders of the Yamina Party announced that it would once again be advancing legislation to allow the Knesset to override High Court decisions, saying that anyone who opposes the bill “is a leftist.”</p> <p><a href="#">May 22, 2019</a>: Regarding the so-called High Court “override bill,” Likud MK Miki Zohar tweeted: “The High Court intervenes in countless decisions, including on settlement in the Land of Israel; we want to put an end to that. We have the political opportunity to do so.”</p> <p><a href="#">April 2019</a>: In negotiations to form the next government, the head of the Union of Right Wing Parties (URWP), Bezalel Smotrich, issued a list of demands for Netanyahu’s Likud Party amounting to a checklist for the next phase of Israel’s de facto annexation of</p>	<p><a href="#">November 2020</a>: Reports state that Israeli Defense Minister Benny Gantz is <b>spearheading an effort</b> to expedite the retroactive legalization of at least 1,700 illegally built structures in settlements across the West Bank, including notoriously radical and violent outposts like Yitzhar. The other settlements and outposts reportedly slated to receive approvals from the Israeli government are Beitar Illit, Modi’in Illit, Maale Adumim, Ariel, Ateret, Halamish, Adora, and Otniel. The process of granting retroactive legalization to illegal construction both in settlements and in illegal outposts has been an ongoing effort from within and outside of the Bibi government for decades, and has adopted a renewed urgency during the Trump-Bibi era - especially now that Trump is poised to exit the White House in January 2021. Gantz is reportedly working with his fellow Blue &amp; White party member and Defense Ministry official Michael Biton to secure approvals for these</p>	<p><a href="#">August 27, 2020</a>: A 3-person panel of the Israeli High Court of Justice ruled that construction of the Mitzpe Kramim outpost, located on a ridge overlooking the Jordan Valley, was not undertaken in “good faith” and cannot be granted retroactive authorization under the market regulation principle. In a 2 to 1 vote, the judges held that the Israeli government bodies which gave settlers permission (though not official authorization) to build the outpost ignored “multiple warning signs” that the land was privately owned, and therefore those bodies did not act “in good faith” in allocating the land to the settlers. The ruling overturns a lower court decision in 2018 that affirmed that the settlers, the World Zionist Organization, and the Israeli government did indeed “act in good faith” with regard to the way the Mitzpe Kramim outpost was built. Pursuant to this ruling, the Court decided that the structures in the outpost must be demolished within three years and</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>the West Bank. None of the URWP's annexation-related demands are new ideas or efforts – a reminder that Israel has been discussing and promoting annexation policies since long before Netanyahu publicly announced it to the international community. The fact that they are not new and, indeed, have in the past generated significant support – coupled with Netanyahu's newfound public enthusiasm for annexation and the Trump Administration's Golan annexation trial balloon – suggests that Smotrich's/URWP's annexation-related demands are more than mere political gamesmanship. Rather, they should be examined carefully and treated as serious. Here are the demands:</p> <ul style="list-style-type: none"> <li>• Demand #1: Giving a simple majority in the Knesset the power to overrule the High Court of Justice. Smotrich demands that the government promote the “High Court override bill.” If this becomes law, it will allow the Knesset to re-enact legislation that had been struck down by Israel's highest court by a simple majority vote, in effect turning rule of law into rule by the dictatorship of the majority.</li> <li>• Demand #2: Give URWP power to retroactively legalize illegal settler construction and to open the settlement</li> </ul>	<p>illegal structures <b>using the “market regulation” principle</b> as a legal basis for doing so.</p> <p><a href="#">September 2020</a>: The Israeli government is reportedly working to find a way to circumvent the recent High Court order requiring the evacuation of 12 structures built on privately owned Palestinian land in the Mitzpe Kramim outpost from evacuation. Of the 16 structures in the Mitzpe Kramim outpost, 12 were built on land that Israel has (very reluctantly) acknowledged to be owned by Palestinians. Settlers say that evacuation of the 12 homes will spell the end for the entire outpost community. Israel's Reshet Bet radio reported that Israeli Settlement Affairs Minister Tzachi Hanegbi, Binyamin Regional Council mayor Yisrael Gantz, and senior Netanyahu aid Ronen Peretz are working together on a plan to get around the Court ruling. There is reportedly a sense of optimism that the team will succeed because the Israeli Attorney General supports the settlers' claim to stay in their homes, and because Israeli Justice Minister Avi Nissenkorn criticized the ruling, which was issued on August 27th.</p> <p><a href="#">August 31, 2020</a>: The Israeli Civil Administration <b>issued expropriation orders</b> for two archaeological sites in the West Bank</p>	<p>ordered the government to provide new housing for the settlers before they are evacuated. While the result will be (in theory) the removal of this specific outpost, this ruling is by no means a victory for the private property rights of Palestinians in the West Bank. Instead it validates the “market regulation principle” - an innovative legal tactic designed by Israel's Attorney General to facilitate the erasure of Palestinian private property rights for the sake of the settlements. This is the first case involving the “market regulation” principle that has made its way to the High Court of Justice, making this a significant - though not definitive - ruling on the applicability of the principle more widely.</p> <p><a href="#">June 9, 2020</a>: The Israeli High Court of Justice overturned the Regulation Law, finding that:</p> <ol style="list-style-type: none"> <li>1. The Knesset cannot legislate directly over the West Bank. The Court's ruling acknowledged that the West Bank is a region under “belligerent occupation,” where the norm for 53 years has been that the Israeli military commander is the temporary, de facto sovereign authority, not the Knesset. The Regulation Law violates this norm.</li> <li>2. Palestinians living in the West Bank have</li> </ol>



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>floodgates. Smotrich demands the formation of a ministerial committee headed by a URWP member that would take over the implementation of plans to retroactive legalize all unauthorized settlement construction and outposts, entrenching even the most far-flung and isolated outposts and allowing for their expansion. Smotrich also wants this committee to take control of the Settlement Division of the World Zionist Organization and its efforts to settle Jews in all areas of the West Bank.</p> <ul style="list-style-type: none"> <li>• Demand #3: Disband the Civil Administration. By shuttering the Civil Administration - the legal structure supporting and maintaining occupation created by Israel as a means to administer the West Bank as distinct entity from sovereign Israeli territory - any legal distinction between the two land areas will vanish, resulting in the annexation of the West Bank. Under this plan, Israeli settlers in the West Bank would come under the full sovereignty of domestic Israeli institutions, while Palestinians would be ruled by “Regional Liaison administrations.”</li> <li>• Demand #4: Reverse the 2005 Disengagement Law. Smotrich demands</li> </ul>	<p>located on privately owned Palestinian property northwest of Ramallah. The expropriations - the first of their kind in 35 years - come amidst a new campaign by settlers lobbying the government to take control of such sites, based on the settlers’ claims that antiquities are being stolen and the sites are being mis-managed by Palestinians. The settlers’ pressure is also credited as the impetus behind the government’s clandestine raid of a Palestinian village in <b>July 2020</b> to seize an ancient font.</p> <p><u><a href="#">January 15, 2020</a></u>: Israeli Defense Minister Naftali Bennet announced that he has ordered the creation of seven new “nature reserves” in the West Bank and the expansion of 12 existing reserves. According to Peace Now, 6.5% of the land Bennett has designated for the new nature reserves is, in fact, privately owned by Palestinians. The act of designating land as a “nature reserve” is a political tool that the state of Israel has used to take control over vast tracts of land in the West Bank. This latest move, if carried out, will mark the first time since 1995 (the signing of the Oslo Accords) that the Israeli state has declared a new nature reserve in the West Bank. In the announcement, Bennet made it clear that the new nature reserves are a part of his multi-prong drive to annex Area C and promote more Israeli</p>	<p>the special status as “protected persons” living under “belligerent occupation,” and Israeli settlers do not enjoy the same status (i.e., settlers are not part of the “local population” of the West Bank). This particular statement overturns a previous opinion issued by former High Court judge Salim Joubran in 2017, which said settlers can be considered part of the local population – an opinion which had far-reaching implications for Israel’s rule over the West Bank.</p> <p>3. The law violates the right to property and the right to equality, because it only provided a basis for the confiscation of Palestinian land for Israeli use, but not vice versa.</p> <p>4. The law does not serve a legitimate purpose. On this point, Peace Now writes: “Most purposes presented by the state for why expropriating Palestinian private land was allowed were deemed illegitimate [by the Court]. Only one was not categorically rejected: preventing harm to the settlers, who would have to leave their houses. In this case, the Court pointed out that there are other ways to mitigate this unfairness (compensation with money and housing), and that it is not proportional to just continue using someone else’s land.”</p> <p>Though the High Court’s ruling this week is a positive development, the state’s need for the</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<ul style="list-style-type: none"> <li>that Israelis be allowed to return both to four northern West Bank settlements and to Gaza, from which settlers were removed in 2005 following the passage of Ariel Sharon's Disengagement law. A Knesset bill to this effect has been circulating since June 2017</li> <li>Demand #5: Diminish the power of the Israeli Attorney General by forbidding him/her from arguing against the Israeli government in a court of law.</li> <li>Demand #6: Get the State Comptroller under control by placing restrictions on the State Comptroller's authority, seemingly an effort to stop the publication of embarrassing or politically awkward government-issued reports that reveal how taxpayer money is funneled to illegal settlement activities.</li> </ul> <p><a href="#">April 19, 2018</a>: The Knesset's legal advisor, Eyal Yinon, issued a strong rejection of the notion that the Knesset should be empowered to reinstate laws that the High Court strikes down. Yinon said, "I think that in principle it would be a mistake to pass a supersession clause, whether it specifically concerns illegal migrants, or whether it is framed in general terms, and that it would</p>	<p>settlements there: "Today we provide a big boost for the Land of Israel and continue to develop the Jewish communities in Area C, with actions, not with words."</p> <p><a href="#">January 6, 2020</a>: The Israeli High Planning Committee granted final approval to a plan for 258 units in the unauthorized Haresha outpost, located east of Ramallah. The plan will have the effect of retroactively legalizing the Haresha outpost. This outpost has been one of several test cases for the Israel government's evolving legal justifications for granting retroactive approval to unauthorized outposts built on privately owned Palestinian land. In the case of Haresha, an outpost built on an island of "state land" surrounded by privately owned Palestinian land, then-Israeli Justice Minister Ayelet Shaked <b>issued a new legal opinion</b> in December 2018 outlining a legal basis for temporarily seizing the private Palestinian land for the construction of a tunnel road underneath it (essentially holding that Palestinian land rights - which can be temporarily infringed upon at any time for the sake of the settlements - do not extend below the ground's surface). The tunnel road has not yet been constructed, an important qualification that Israel, to this point, has generally required outposts to meet prior to</p>	<p>Regulation Law has entirely been overtaken by events - possible annexation being one, and the "market regulation" principle being another.</p> <p><a href="#">May 21, 2020</a>: Peace Now submitted a petition challenging Israel's plan to build the Givat Eitam/E-2 settlement on a hilltop known to Palestinians as A-Nahle, located just south of Bethlehem. Peace Now has mounted several legal challenges to Israel's drive to build Givat Eitam/E-2, but this petition is groundbreaking in that it seeks to challenge Israel's allocation of land for settlement purposes, arguing that Israel is obligated to allocate the land to the Palestinians instead. This is the first time the issue of land allocation is being brought to trial. This petition comes after Peace Now lost a previous effort to overturn Israel's declaration of the land as "state land" (a move which then made it possible for Israeli to allocate the land for settlement). Attempts to legally stop Israel from building new settlements have typically not continued past this point. One reason for this is that in order to challenge how "state land" is allocated, the petitioner must, in effect, concede that the land in question is legitimately "state land" in the first place — something Palestinians do not concede with respect to land seized by Israel. That makes this petition, which</p>



# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>do more harm than good. Good legislation requires restraint and balance, and as soon as, in effect, you remove constitutional review, that is liable to deal a severe blow to the quality of legislation and to the balances that must be maintained in it.”</p> <p><a href="#">September 19, 2017</a>: The Knesset legal team submitted a defense of the Regulation Law to the High Court of Justice. The brief makes two extraordinary arguments: First, the Knesset claims it has the right in certain cases to legislate over the West Bank (despite Palestinians not having the right to vote for the Knesset). Second, the brief argues that the law does not discriminate between Israelis and Palestinians - saying that the law gives Palestinians an opportunity to be compensated and also provides the same opportunity to pursue retroactive legalization for Palestinian structures built without permits in Area C of the West Bank (despite the fact that this is manifestly not the goal of the law).</p> <p><a href="#">February 6, 2017</a>: The Israeli Knesset passed the “Law for the Regulation of Settlement in Judea and Samaria, 5777-2017” by a vote of 60-52. This was the first time the Israeli Knesset passed a law to</p>	<p>legalization.</p> <p><a href="#">September 15, 2019</a>: Two days before Israel’s second round of elections in 2019, the Israeli security cabinet voted to start the process of legalizing the Mevo’ot Yericho outpost, located just north of Jericho in the Jordan Valley. The Israeli Cabinet approved the plan during a meeting <b>held</b>, exceptionally, in a Jordan Valley settlement. The choice of the location for the meeting, which is a de facto expression of Israeli sovereignty over the area, is especially notable given Netanyahu’s <b>recent promise</b> to annex the majority of land in the Jordan Valley. Paving the way for the Cabinet to approve the plan, Israeli Attorney General Mandleblit rescinded his earlier objection to the timing of the approval, apparently having been convinced that granting retroactive legalization to the outpost was an “urgent” matter. According to a source who spoke to The Times of Israel, Netanyahu convinced Mandleblit of the plan’s urgency by informing him that the Trump’s “Deal of the Century” will put outposts, including Mevo’ot Yericho, at risk for evacuation, and that Israel must “combat” the plan before it is published.</p> <p><a href="#">August 5-6, 2019</a>: The Israeli High Planning Committee advanced plans that retroactively legalized three unauthorized outposts: Harsh</p>	<p>is led by Peace Now along with over a dozen Palestinian landowners, novel.</p> <p><a href="#">January 6, 2020</a>: The Israeli High Court of Justice dismissed a petition filed by Palestinian landowners challenging the legality of the Ofra settlement. The petition was based on the fact that the settlement is partially built on privately owned Palestinian land. The court ruled that the majority of the settlement had been built on land expropriated by Israel, and that the minority of land that Palestinians claim ownership over was not enough to invalidate the entire Master Plan for the settlement. Further, the court stated that the settlement structures built on the privately owned Palestinian land were built by settlers “in good faith,” under the mistaken belief that land had also been expropriated by the Israeli government.</p> <p><a href="#">June 2019</a>: Isareli Judge Carmi Mossek became the second district court judge to accept the “market regulation” principle as a valid legal basis for retroactively legalizing settlement buildings that were built on land that even Israel recognizes is privately owned by Palestinians. The case in question revolves around four buildings in the Alei Zahav settlement that are partially built on Palestinian land, as revealed by the results of a land survey in 2016 by the Israeli</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>govern the legal status of land located outside of Israeli sovereign territory. The law paves the way for Israel to expropriate privately owned Palestinian land in order to retroactively legalize outposts and settlement structures, as well as agricultural development, established in violation of Israeli law. <a href="#">Under the law</a>, Palestinian landowners will lose their "usage rights" and possession of the land but, technically, not their ownership of it. The "usage rights" will be re-assigned to settlers and the Palestinian land owners will be given a choice between acquiring usage rights (but not ownership) over a different plot of land or accepting 125% of the value of the land (determined by Israel). Peace Now estimates that the law stands to convert some 55 unauthorized outposts into official, authorized settlements, seizing some 8,000 dunams of privately owned Palestinian land in the process.</p>	<p>Haivri, Ibei Hanachal, and Givat Salit. In addition, the Council gave retroactive approval for a <a href="#">controversial archeological site in the Shiloh settlement</a>, located in the center of the northern West Bank. The Israeli government has <a href="#">devoted</a> a significant amount of money and political energy towards building the tourist site, which is now <a href="#">drawing</a> upwards of 60,000 evangelical tourists each year. For background on the site, see this Emek Shaveh <a href="#">report from 2014</a> and this <a href="#">brief from 2017</a>, when the government approved the commercialization of the site. For analysis on how the site fits into a bigger pattern of Israeli efforts to normalize the settlements through tourism, see this <a href="#">report by Amnesty International</a>.</p> <p><a href="#">April 1, 2019</a>: In a new report, the Israeli NGO Yesh Din reviews and rebuts the findings of the "Zandberg Report" - which (approvingly) outlined various legal tactics and tools the state can use to save those outposts. Yesh Din found</p>	<p>"Blue Line" team (a team whose purpose is to survey the West Bank in order to find more land onto which Israel can expand settlements). In this latest case, the state argued that the "market regulation" principle provides a basis for legalizing settlement construction that was "accidentally" built on privately owned Palestinian land in the Alei Zahav settlement. The judge accepted this argument, agreeing with the State that the settlers' "good faith" entitles them to be recognized as the legal owners of the land.</p> <p><a href="#">March 10, 2019</a>: The state of Israel submitted a written argument to the High Court of Justice in defense of its plan to expropriate land that it acknowledges is privately owned by Palestinians in order to retroactively legalize the Mitzpe Kramim outpost. The state's argument was previously accepted by the Jerusalem District Court in an August 2018 ruling, which paved the way for the High Court to resume its</p>



# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>that the Zandberg Report’s recommendations allow for 99% of all unauthorized outposts to be retroactively approved within 2-3 years, anticipating that the government will declare 20 new settlements in the process. Yesh Din’s report also examines how Israel has already undertaken the first step in this effort, by introducing the “market regulation” principle into the courts. If validated by the courts, the “market regulation” principle will provide legal cover to ‘regularize’ 2,700-3,000 illegal structures built on privately owned Palestinian land.</p> <p><u><a href="#">December 16, 2018</a></u>: The Israeli Cabinet <u><a href="#">voted</a></u> unanimously to give government backing to a bill (called “Regulation Law 2” or the “<u><a href="#">Young Settlement Bill</a></u>”) that directs the government to treat 66 illegal outposts built on privately owned Palestinian land as legal settlements, while giving the government 2 years to find a way to retroactively legalize those outposts. <u><a href="#">The bill</a></u>, proposed by MK Bezael Smotrich (Habayit Hayehudi) and MK Yoav Kisch (Likud), also freezes any/all legal proceedings against the outposts and requires the government to connect the outposts to state infrastructure including water, electricity, provide garbage removal, and also approve budgets for them. The law also allows the</p>	<p>consideration of a petition against the Mitzpe Kramim outpost, submitted by the registered Palestinian landowners in 2011. The state’s March 10th argument also <b>attempts</b> to explain why the landmark <b>1979 Elon Moreh ruling</b>, which explicitly prohibits Israel from building settlements on land expropriated for military purposes, should not apply to the Mitzpe Kramim case, given that the outpost was allegedly built in “good faith” based on the settlers’ belief that the land in question was part of a military seizure order from the 1970s (this belief was incorrect - the land was/is recorded in the Israeli Land Registry as privately owned by Palestinians from the village of Deir Jarir). Peace Now <b>filed an application</b> to join the Mitzpe Kramim High Court case as a “friend of the court,” citing the organization’s professional expertise on the subject matter. In the application, Peace Now explained the potential devastating ramifications of the “market regulation” principle, and challenged the notion that “good faith” can be attributed to the Israeli parties involved in illegally building the Mitzpe Kramim outpost.</p> <p><u><a href="#">February 10, 2019</a></u>: On February 10th, the Israeli government <b>informed</b> the Jerusalem District Court that it plans to invoke the “market regulation” principle in order to retroactively</p>

# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>finance minister to <a href="#">guarantee mortgages</a> for settlers seeking to buy units in these outposts, even before the legal status of the land is resolved (a remarkable state-directed violation of normal practices in the mortgage industry). Deputy AG Ran Nizri argued against the bill, saying it has “<a href="#">significant legal problems</a>,” represents a sweeping violation of the property rights of Palestinians in the West Bank, and will likely face a drawn out Court battle that might result in the High Court of Justice overturning the law.</p> <p><a href="#">December 13, 2018</a>: Israeli Attorney General Avichai Mandleblit <a href="#">issued a new legal opinion</a> outlining how the government can implement the “market regulation” principle (which he invented) as a new legal basis for retroactively legalizing outposts and settlement structures built on privately owned Palestinian land. According to this principle - which contradicts any notion of rule of law or the sanctity of private property rights - settlement structures and outposts built illegally on private Palestinian land, can be legalized, if the settlers acted “in good faith” when they took over and built on the land. His opinion and subsequent arguments to the Israeli High Court of Justice (below) confirm that in the view of the Israel’s top law official, Israel has the right to expropriate</p>	<p>legalize four structures in the Alei Zahav settlement - structures built on land that even Israel the West Bank in order to find more land onto which Israel can expand settlements).</p> <p><a href="#">March 10, 2019</a>: The state of Israel submitted a written argument to the High Court of Justice in defense of its plan to expropriate land that it acknowledges is privately owned by Palestinians in order to retroactively legalize the Mitzpe Kramim outpost. The state’s argument was previously accepted by the Jerusalem District Court in an August 2018 ruling, which paved the way for the High Court to resume its consideration of a petition against the acknowledges is privately owned by Palestinians. this is the second time the government has announced plans to implement the “market regulation” principle, the first being the State’s plans to retroactively legalize the Mitzpe Kramim outpost (which is being challenged before the High Court of Justice).</p> <p><a href="#">December 18, 2018</a>: AG Avichai Mandleblit <a href="#">called</a> on the High Court of Justice to overturn the Regulation Law, which the Court has been considering for more than a year. In a letter to the High Court Justices, Mandleblit <a href="#">argued</a> that implementing the “market regulation principle” is “a more</p>



# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>privately owned Palestinian land in the occupied West Bank and give it to Israeli settlers; the only disagreement he has with the Knesset is over the method of doing so. Peace Now has a comprehensive breakdown of the new legal opinion, including the specific criteria outlining which outposts can qualify under the new scheme. AG Mandelblit estimates that 2,000 illegal settlement structures qualify for retroactive legalization using this principle.</p> <p><a href="#">December 6, 2018</a>: Israel Justice Minister Ayelet Shaked <a href="#">announced</a> a new legal opinion that permits the Israeli government to proceed with its plan to retroactively legalize the Haresha outpost by building an access road through privately owned Palestinian land. According to the new opinion, the Israeli government is permitted to “temporarily seize” the privately owned land to <a href="#">build a tunnel</a> underneath it leading to the outpost, though it leaves open the possibility for the government to permanently expropriate the land in the future. The lack of an access road has until now prevented the Israeli government from retroactively legalizing the entire Haresha outpost; once the access road is deemed legal, the government is expected to act quickly to legalize it and pursue plans to build more settlement units there.</p>	<p>proportionate and balanced measure than the arrangement prescribed in the Regulation Law,” providing a more narrow legal basis by which Israel can strip Palestinian landowners of their rights (estimating that 2,000 structures can be legalized under the “market regulation principle,” compared to an estimated 4,000 under the Regulation Law). Of course, this argument overlooks the severe violation of Palestinian rights, the rule of law, and international law inherent in Israel’s decision to in effect erase Palestinian private property rights in the occupied territory to benefit the settlers.</p> <p><a href="#">August 18, 2018</a>: The Jerusalem District Court Judge Arnon Darel <a href="#">ruled in favor</a> of retroactively legalizing the Mitzpe Kramim outpost, holding that privately owned Palestinian land can (and should) be expropriated for the settlements in instances where Israeli settlers built “in good faith” and with government support - a rationale called the “market regulation” principle. According to the ruling, the Court held that the parties responsible for the outpost - the Israeli government, the World Zionist Organization, and the settlers - all acted in “good faith.” This is the first time an Israeli court has accepted the “market regulation” principle as a valid basis for legalizing outposts, setting a monumental new</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p><a href="#">November 4, 2018</a>: Ministers in the governing Israeli coalition reportedly decided to <a href="#">abandon a bill</a> that would empower the Knesset to reinstate its plan to deport African asylum seekers after it was struck down by the High Court, in favor of a much more far-reaching bill granting the Knesset the ability to reinstate any law the High Court strikes down. The passage of that bill would likely impact the fate of not only African asylum seekers but settlement-related legislation that has already been passed - most notably, the settlement Regulation Law - and other undemocratic measures that might follow.</p> <p><a href="#">October 24, 2018</a>: Justice Minister Ayelet Shaked has <a href="#">received approval</a> from the to appoint a Justice Ministry representative to the coordination team which supervises and directs the work of the outpost legalization committee led by <a href="#">Pinchas Wallerstein</a>. The committee was created in May 2017 in the aftermath of the Amona outpost evacuation in order to legalize outposts and prevent future evacuations from happening.</p> <p><a href="#">August 18, 2018</a>: Celebrating the Jerusalem District Court's ruling on the Mitzpe Kramim outpost case (covered above), Justice Minister Ayelet Shaked (Likud) <a href="#">said</a>: "The District Court today clearly stated that</p>	<p>precedent according to which outposts that the government had previously been unable to legalize (because they were built on land recognized by Israel as privately owned by Palestinians) to petition for authorization. Now that the Jerusalem District Court has ruled in favor of the settlers' claim, the High Court of Justice is set to take up the o separate petition filed by the Palestinian landowners to have the outpost removed. Part of the High Court's deliberations will now have to grapple with the new jurisprudence established by the Jerusalem District Court on the "market regulation" principle.</p> <p><a href="#">July 3, 2018</a>: The Israeli State Prosecutor's Office <a href="#">told</a> the Jerusalem District Court that it has the right to retroactively legalize the Mitzpe Kramim outpost based on the <a href="#">"market regulation" principle</a>. This is just the second time the government has used the "market regulation" principle to defend the seizure of privately owned Palestinian land in court, the first being in <a href="#">November 2017</a> when the State informed the High Court of Justice that it intended to expropriate private land near the Ofra settlement. Neither court ruled on either case.</p>



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>whoever settled [the land] with the state's approval and in good faith, would not be evacuated. The injustice done in the evacuations of the Amona and Netiv Ha'avot [outposts] should not be repeated. The court should not be a party to the political debate between the Right and Left. That should be left to the ballot box. Through joint and intensive work, we have brought about a policy change in the state's responses to the High Court of Justice. Now we are seeing a change in the district court."</p> <p><a href="#">August 8, 2018</a> The State's private attorney tasked with defending the settlement "Regulation Law," Harel Arnon, told reporters that the recent passage of the Nation-State helps his defense of the Regulation Law. Arnon said: "The nation-state law certainly impacts the Regulation Law. There is no question. If until now, the argument in defense of the Regulation Law was that it seeks to balance the individual rights of Israeli residents (in the West Bank) with those of the Arab residents... what the nation-state law does is raise the status of Jewish settlement to one of constitutional value."</p>	<p><a href="#">June 3, 2018</a>: The Israeli High Court of Justice heard oral arguments regarding the settlement "Regulation Law." In their defense, <a href="#">government lawyers admitted</a> the law is flawed, but argued that it was nonetheless necessary and the Court would be . Deploying a litany of logical fallacies, the government lawyers insisted that international law cannot be allowed to limit the ability of the Israeli Knesset to pass laws. In response to the arguments, Chief Justice Hayut <a href="#">criticized</a> the three attorneys who argued in defense of the law for having "openly avoided those issues" of international law. The petitioners <a href="#">argued</a> that the law violates international law under which the Israeli Knesset cannot legislate over the Occupied Territory. As Yesh Din lawyer Michael Sfard <a href="#">put it</a>, under international law Israel cannot "take land from Mousa [in order] to give it to Moshe."</p> <p><a href="#">May 31, 2018</a>: In ruling against a petition by Yesh Din to re-open the Amona outpost case, Israeli Chief Justice Esther Hayut issued a significant legal opinion in which she stated that the 2016 opinion written by (ret.) Justice Salim Joubran on the case does not constitute "a binding law" <a href="#">saying</a> it "appears that the ruling contradicts previous rulings...and it contains both a novelty and a difficulty." In the 2016 opinion</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p><a href="#">August 7, 2018</a>: The state's private attorney Harel Arnon <a href="#">submitted a second brief [Hebrew]</a> to the High Court of Justice in defense of the settlement "Regulation Law." In it he argues that the Knesset is not bound by international law and has the right to apply its own laws outside of its borders and annex land, if it wishes.</p> <p><a href="#">May 24, 2018</a>: The Israeli Defense Ministry <a href="#">released</a> a legal opinion endorsing the government's plan to expropriate privately owned Palestinian land in the Ofra settlement in order to retroactively legalize illegal settlement structures built there. The opinion adopts the "market regulation" principle as a legal basis for Israel to expropriate privately owned Palestinian land in cases of settlements in which decades-old structures were built and/or purchased by Israelis "in good faith" (believing the Israeli government to be the rightful owner of the land). The legal opinion also calls for the Palestinian owners to be "fully compensated, if not more than that," and recommends that the principle should not apply to cases of unauthorized outposts. The <a href="#">Ofra situation</a> is a test case for the "market regulation" principle, which has not yet been used (or tested in court) to justify expropriating Palestinian land for Israeli settlements.</p>	<p>regarding Amona, Joubran suggested that Israeli settlers can be considered part of the "local population" of the West Bank, and therefore the IDF was/is obligated to provide for their needs, even at the expense of Palestinians. The Joubran opinion is currently being used by the Israeli government as a legal basis to seize privately owned Palestinian land in order to retroactively legalize settlement structures and outposts.</p> <p><a href="#">April 15, 2018</a>: At an academic conference, High Court Justice Esther Hayut blasted proposed legislative proposals that would undermine the Supreme Court's ability to strike down unconstitutional laws. Hayut said, "As we seek to pride ourselves, justly, in front of our people and the world, of being the only democracy in the Middle East, we must remember that one of the necessary guarantees for that is maintaining an independent and professional judicial system"</p> <p><a href="#">December 4, 2017</a>: The High Court of Justice ordered the State of Israel to submit a second defense of the "Regulation Law" by February 25, 2018 and extended the injunction against the use of the law.</p> <p><a href="#">December 2017</a>: Based on the High Court's recently published opinion on the Amona outpost</p>



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p><a href="#">May 6, 2018</a>: The Ministerial Committee on Legislation voted to support legislation put forward by Jewish Home members that will empower the Knesset to reinstate bills that are stuck down by the High Court - sending the bill to the Knesset. In the Jewish Home version of the bill, the Knesset can do so with a bare-bones majority vote of 61-of-120 MKs, a threshold so low that High Court Chief Justice called it a “danger to democracy and the court.”</p> <p><a href="#">May 4, 2018</a>: The “Zandberg Report” is published by the government committee formed one year ago to develop new legal strategies for retroactively legalizing settlement structures and outposts built without government permission and on privately owned Palestinian land. The report offers a number of unprecedented legal arguments and recommendations (<a href="#">click for a more detailed explanation of the report’s recommendations</a>), including: implementing the so-called “Market Regulation” principle; endorsing the expropriation of privately owned Palestinian land for “public use” based on the opinion of former Justice Salim Joubran which held settlers are a part of the “local population” of the West Bank; the establishment of new, authorized settlements; adopting a flexible understanding of the “adjacent areas” principle; several</p>	<p>case (regarding the relocation of Amona settlers to another West Bank site), the Israeli NGO Yesh Din submitted a petition to the High Court of Justice requesting a new hearing. Though the Court had already closed the case, a newly published argument appears to show the Court accepting, for the first time, the argument that Israel can seize Palestinian private lands for the exclusive use of Israeli settlers.</p> <p><a href="#">November 22, 2017</a>: Attorney General Avichai Mandelblit submitted his arguments against the “Regulation Law” to the High Court of Justice, saying the law is unconstitutional and should be repealed. Mandelblit’s dissent was only partial; while he objected to the legal mechanism set forth in the Regulation Law, he also endorsed Israel’s power to regulate property disputes in the West Bank where settlers acted in good faith, power he asserted under Government Property Order, Article 5.</p> <p><a href="#">November 21, 2017</a>: Claiming to have sign-off from Attorney General Avichai Mandelblit, the State of Israel submitted an updated brief to the High Court of Justice stating its intention to expropriate privately owned Palestinian land inside the municipal boundary of the Ofra settlement, in order to</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>mechanism for building access roads to isolated outposts built on state land; ending the work of the IDF “Blue Line Team”; and more. If implemented, the recommendations will “legalize” the outright theft of land recognized by Israel as privately owned by Palestinians and will lay the groundwork for continued, additional expropriation of privately-owned land for settlement-related construction.</p> <p><a href="#">April 4, 2018</a>: After the High Court of Justice struck down a bill passed by the Knesset to jail and deport African asylum seekers, Justice Minister Ayelet Shaked (Jewish Home) and Education Minister Naftali Bennett (Jewish Home) propose legislation to amend Israel's Basic Law in order to give the Knesset the ability to reinstate laws that are struck down by the High Court of Justice, if the motion wins a 61-vote majority in the Knesset. The bill is specifically meant to deal with the issue of African asylum seekers, but the proposed legislation would broadly empower the Knesset to reinstate laws that the High Court deems are unconstitutional - possibly <a href="#">including</a> the "Regulation Law," which is widely expected to be struck down by the High Court. A senior judicial official said, "inserting a notwithstanding clause with a 61 MK majority is nothing less than</p>	<p>pursue the retroactive legalization of the Ofra sewage plant. The petition was updated after Mandelblit unveiled his “market regulation” defense of Israel’s power to expropriate privately owned Palestinian land in order to retroactively legalize outposts and settlement structures built in “good faith.” The Israeli government claims that in the case of Ofra, the land had been expropriated accidentally. Previously, the State had admitted the plant was built on privately owned Palestinian land and proposed amending the Ofra Master Plan so that the privately owned Palestinian land was not included in the settlement. The new petition asks for the land to be expropriated, citing Article 5 of the Government Property Order.</p> <p><a href="#">November 15, 2017</a>: Attorney General Avichai Mandelblit submitted a legal opinion to the High Court of Justice supporting the expropriation of privately owned Palestinian land near the Haresha outpost. Mandelblit had publicly opposed the expropriation in February 2017, but changed his stance after the October 2017 publication of a year-old opinion by Supreme Court Justice Salim Joubran, which held that settlers are a part</p>



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>assassinating the independence, power and jurisdiction of the High Court. It has always been the court's opinion that a majority of at least 75 MKs will be necessary to overcome the High Court striking a law down. Sixty-one MKs in favor, however, is an readily available coalition majority and will make all High Court rulings on striking down legislation not worth the paper they were printed on and immediately bypassed by new legislation.”</p> <p><a href="#">February 20, 2018</a>: The State of Israel urged the High Court of Justice to delay the demolition of 15 structures in the Netiv Ha'avot outpost, which were proven to have been built on privately owned Palestinian land. In part, the delay will allow the government to pursue the retroactive legalization of 7 of the 15 structures that are only partly built on privately owned Palestinian land. The petition proposed demolishing only the portion of each structure that is located on private Palestinian land and issuing building permits for the rest. The settlers who live in the Netiv Ha'avot outpost are also pushing the government to legalize the entire outpost in light of the Regulation Law and recent legal opinions that open the door to that possibility.</p>	<p>of the “local population” of the West Bank. In his new opinion, Mandelblit argued that Joubran’s ruling removed the only legal barrier to expropriating land near the Haresha outpost since land can be expropriated for “public use” even if it exclusively benefits Israeli settlers. Mandelblit's opinion paves the way for Israel to expropriate privately owned Palestinian land for an access road leading to the Haresha outpost, which in turn enables Israel to begin the process of retroactively legalizing the entire outpost. Anti-settlement watchdog Dror Etkes (founder of Kerem Navot) <a href="#">estimates</a> that the precedent Mandelblit set with his opinion in the Haresha case might lead to the retroactive legalization of more than 60 additional outposts.</p> <p><a href="#">October 2017</a>: The High Court of Justice published a year-old legal opinion argued by Justice Salim Joubran regarding the Amona outpost case, in which he established a legal precedent holding that Israelis settlers are part of the “local population” of the West Bank and that Israeli military commanders have a duty to care for their needs. Justice Joubran cited a ruling by former Supreme Court President Aharon Barak that held that</p>

# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p><a href="#">February 15, 2018</a>: Despite criticism from the High Court of Justice, the Prime Minister's office finalized the appointment of longtime settler leader Pinchas Wallerstein to head a new government team tasked with leading the process of retroactively legalizing illegal outposts across the West Bank.</p> <p><a href="#">January 17, 2018</a>: A leaked recording of Deputy Defense Minister Eli Ben Dahan (Jewish Home) revealed that the government team tasked with implementing the Regulation Law had begun documenting the legal status of 70 outposts, in preparation for seeking their retroactive legalization.</p> <p><a href="#">December 18, 2017</a>: Justice Minister Ayelet Shaked said in an interview: "The Attorney General [Avichai Mandelblit], according to his position, is suggesting alternative administrative solutions to regulation (or illegal outposts) by means other than legislation, and it would be wrong to condemn him only on the basis of his objection to the bill [the Regulation Bill], because with the exception of this bill he is walking hand in hand with the government in implementing its policies."</p>	<p>Israeli settlers are entitled to life, dignity, property and the rest of the rights enjoyed by Israeli citizens. In his ruling, Joubran also emphasized that the need to protect the settlers cannot blur the special status Palestinians are given under international law (under Geneva IV Palestinians in occupied territories are considered a "protected persons" entitled to special legal protections), and that the military commander must not favor the rights of settlers over the rights of the occupied.</p> <p><a href="#">August 17, 2017</a>: Precipitated by two petitions against the Regulation Law, the Israeli High Court of Justice issued a three-month injunction [subsequently extended] against the use of the "Regulation Law" until the Court rules on the law's validity. The</p>



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>a <b>sewage plant</b> near the Ofra settlement on private Palestinian land; admitted to issuing <b>forged building permits</b> for settlement construction without the authority to do so; and <b>admitted to lying</b> to government authorities to expedite the construction of the (since evacuated) building the Amona outpost.</p> <p><u>October 22, 2017</u>: A Haaretz report revealed that Justice Minister Ayelet Shaked has been personally handling all government responses submitted to the High Court of Justice regarding outposts and/or settlements (these cases were previously dealt with by the Defense Ministry). Soon after she assumed office in October 2015, Shaked hired lawyer Amir Fisher - who represents the radical settler group Regavim - as an external consultant to review and rewrite government positions before they are submitted to the Court.</p> <p><u>August 17, 2017</u>: The State of Israel submitted a 156-page defense of the “Regulation Law” to the High Court of Justice. In it, Harel Arnon, the private attorney hired by the state to represent its interests in light of the Attorney General’s refusal to defend the law, argued that the</p>	<p>injunction also protects unauthorized outposts and settlement units that were built in “good faith” from demolition during the time the law is being considered by the court.</p> <p><u>July 18, 2017</u>: The High Court of Justice ruled that settlers and Palestinian landowners should enter into negotiations to decide on a monetary figure that could resolve a land dispute in the Jordan Valley. The peculiar ruling - which implies a (false) legal symmetry between the claims of the Palestinians and the settlers - was in response to a 2013 petition filed by Palestinian landowners whose land was seized by the Israeli military and then given to settlers. The petition sought to have the settlers evicted and the land returned to its rightful owners.</p> <p><u>February 7, 2017</u>: The High Court ruled that the State must evacuate and demolish 17 structures in the West Tapuah outpost that were built on privately owned Palestinian land. The ruling allowed 18 structures built on “state land” in the outpost to remain, seemingly an endorsement of the State’s plan to retroactively legalize the outpost based upon the newly acquired authority</p>

# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>law actually benefits Palestinians by compensating them for their land, and that the law is in the national interest of Israel. The brief argues, "the Regulation Law balances the obligation of the government towards thousands of citizens who have relied in good faith on government action and a minor infringement of property rights, with increased compensation to the [Palestinian] landowners."</p> <p><a href="#">August 7, 2017</a>: Attorney General Avichai Mandelblit asked the High Court of Justice to issue an injunction against the use of the Regulation Law while the law is being reviewed in Court. The Court issued the injunction a week later.</p> <p><a href="#">May 22, 2017</a>: The Israeli Cabinet announced its intent to form a new committee (known as the "Zandberg Committee" after it's chairwoman Haya Zandberg, or more formally the "Regulations Committee for Settlements in Judea and Samara") to implement the Regulation Law over the next three years. An inter-ministerial team of lawyers is tasked with examining and recommending legal guidelines for the government to retroactively legalizing outposts and</p>	<p>recently granted to the government by the settlement "Regulation Law," which the Knesset passed into law just one day prior to the Court's ruling. Yesh Din, who filed the <a href="#">original petition</a> with the High Court to have the West Tapuah outpost razed completely, responded the ruling: "We regret that the High Court allows the continued existence of the outpost, the existence of which constantly impinges on the human rights of the Palestinian residents of the neighboring village. The ruling shows that government policy, foremost the Regulation Bill which passed yesterday, is a policy of theft which withholds even the most basic rights from Palestinians."</p>



## FMEP's Annexation Tracking Tables

### Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>settlement structures built on privately owned Palestinian land. The committee membership will include representatives from the Prime Minister's office, the Defense Ministry, and the Civil Administration.</p> <p><a href="#">April 4, 2017</a>: In response to a petition citing the Regulation Law, the Israeli Civil Administration announced that it had rescinded demolition orders against four structures in the Psagot settlement, which were determined to have been built on land privately owned by Palestinians. This is the first instance of the Civil Administration implementing the Regulation Law.</p> <p><a href="#">March 1, 2017</a>: Israeli Attorney General Avichai Mandelblit officially notified the High Court of Justice that he would not defend the "Regulation Law" against challenges in the Court. Mandelblit had <a href="#">previously</a> made clear both his sympathy for efforts to find a legal avenue to help "innocent settlers who have found themselves in a situation not in their favor," and his view that "The arrangement established in the law is sweeping, injurious and gives absolute priority to the rights and interests of the settler over the property</p>	

# FMEP's Annexation Tracking Tables

Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>rights of the land owners in the area...The law will also cause severe discrimination of the Palestinian population in the region, and therefore the law does not meet the test of proportionality."</p> <p><a href="#">February 2017</a>: A Haaretz report revealed that Attorney General Avichai Mandelblit approved an alternative legal route for carrying out the retroactive legalization of settler structures built on privately owned Palestinian land during a meeting in February 2017. Also in attendance at the meeting were four deputy attorney generals, the state prosecutor, the head of the High Court of Justice petitions department, and the legal adviser on the West Bank settlements. According to the minutes of the meeting obtained by Haaretz, Mandelblit's proposed solution calls for using Article 5 of the 1967 Government Property Order regarding"market regulation," saying that in limited cases where there was an honest mistake - a buyer who assumed in good faith that the sale of land was lawful but in fact was purchased from a party who was not the rightful owner - the well-intentioned buyer can prevent the return of property to the</p>	



# FMEP's Annexation Tracking Tables

## Expropriating Privately Owned Land to Retroactively Legalize Outposts and Settlement Structures [Table 1 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	rightful owner and compensate the actual land owner monetarily for the land that was stolen by mistake. Mandelblit argued his proposal is narrower in scope than the Regulation Law, in that it could only be used on a case-by-case basis, where there was demonstrable good faith on the part of the settlers.	

### Key Resources

- “The Age of Regularization: The Zandberg Committee Expropriation Report for Retroactive Authorization of Israeli Outposts and Illegal Construction in the Settlements: Analysis, Ramifications and Implementation” ([Yesh Din](#))
- “The Grand Robbery: Another Step Toward Annexation” ([Peace Now](#))
- “Creeping Annexation: Changes in the Interpretation of the Laws Regarding Occupation” ([Peace Now](#))
- “The Israeli Knesset Passes the Settlement Regularization Law” ([Lawfare](#))
- “Israel’s Settlement Regulation Bill Violates International Law” ([Just Security](#))
- “The Responses of the Government of Israel and the Attorney General in the Settlements Regularization Law Case” ([Adalah](#))
- “New report on illegal outposts fuels West Bank annexation concerns” ([Times of Israel](#))
- Pending Jerusalem Legislative Initiatives: Strategic Shifts in Current Status & Potential Political Future of Jerusalem” ([Terrestrial Jerusalem](#))
- "How Israel's Government is Aiming to Outweigh the Supreme Court" ([Haaretz](#))
- "Attempts to bypass' Israel's High Court will create a ‘tyranny of the majority’ " ([+972 Mag](#))
- "Battle erupts over over Israeli High Court's independence" ([Al-Monitor](#))
- “The Israeli government is arguing annexation is good for Palestinians” ([+972 Mag](#))
- “Yitzhar: A Case Study - Settler violence as a vehicle for taking over Palestinian land with state and military backing” ([Yesh Din](#))
- “Fake Justice: The Responsibility Israel’s High Court Justices Bear for the Demolition of Palestinian Homes and the Dispossession of Palestinians” ([B’Tselem](#))
- “When Green Zones Meet the Green Line” ([Emek Shaveh](#))

# FMEP's Annexation Tracking Tables

## Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p><a href="#">January 29, 2020</a>: MK Benny Gantz (leader of the Blue and White Party) announced his intention to bring the Trump Administration’s “Vision” to a vote in the Knesset within a week. The “Vision” outlines sweeping Israeli annexation of the Jordan Valley and all of Israel’s settlements and outposts.</p> <p><a href="#">May 20, 2019</a>: Israeli Radio reports that Likud Party leaders are considering support for a bill, pushed by Bezalel Smotrich in coalition negotiations, that would bring the settlements under domestic Israeli law while leaving the Palestinians under the authority of the Israeli Civil Administration (the arm of the Israeli Defense Ministry that acts as the sovereign authority in the West Bank).</p> <p><a href="#">March 17, 2019</a>: Israeli Speaker of the Knesset Yuli Edelstein (Likud) told an audience that the recent U.S. recognition of Israeli sovereignty over the Golan Heights is the first step towards U.S. support for Israel’s unilateral annexation of the West Bank. Edelstein’s comments came shortly after the publication of the 2018 U.S.</p>	<p><a href="#">November 2020</a>: Israeli news outlets <b>report</b> that the Israeli Attorney General supports a recent recommendation by COGAT - the Israeli authority responsible for coordinating civilian affairs in the West Bank - to resume the process of registering land in the West Bank. That recommendation came in response to an effort by MK Uzi Dayan (Likud), who contacted COGAT to push for the government to declare more of the West Bank as “state land.” In response, COGAT recommended the land registration process is a better option for taking control of more land, arguing that this would be faster, less expensive, and more final than having the state declare land in the West Bank to be “state land.” This is because declaration of state land can face legal challenges by Palestinians that may take years to resolve, whereas the land registration process affords Palestinians no such ability to challenge Israel’s decisions once they are made. <b>According</b> to Israel Hayom, the Israeli land registration process would first require a survey of the land, after</p>	<p><a href="#">July 22, 2019</a>: With the approval of the Israeli High Court, Israeli forces <b>demolished</b> 13 large apartment buildings (approximately 70 units) in the Wadi al-Hummus neighborhood. The High Court <b>held</b> that the buildings, located mostly in Area A of the West Bank — where the Palestinian Authority is supposed to have full control — posed an unacceptable security risk to the Israeli state because of their close proximity to Israel’s separation barrier. In so ruling, the Supreme Court provided yet another legal tool in the service of Israel’s ongoing campaign of de facto annexation of Palestinian land.</p> <p><a href="#">December 30, 2018</a>: Looking to cash in the Knesset’s passage of a bill in July 2018 that brought many West Bank legal matters under domestic Israeli jurisdiction, the radical settler group Regavim initiated the petition asking the court to intervene to stop the “illegal Arab takeover” of land in the West Bank. Regavim’s petition claims that Palestinians are cultivating “state land” near the Mezad settlement. The petition also blames the European Union for its financial backing for the agricultural projects on</p>



# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>State Department’s annual Human Rights Report, which refers to the Golan Heights - under international law considered Israeli-occupied Syrian territory - as “the Israeli-controlled Golan.” Previous U.S. reports referred to the Golan as “Israeli-occupied.”</p> <p><a href="#">March 14, 2019</a>: Following the release of the U.S. Department of State’s 2018 Human Rights Report which gained widespread press coverage for no longer recognizing the West Bank and Gaza as occupied territory, Education Minister Naftali Bennett and Justice Minister Ayelet Shaked <a href="#">announced</a> that they will be introducing a bill to annex Area C of the West Bank. Making the connection to the U.S. policy shift clear, Bennett said: “Now that the United States no longer sees Judea and Samaria as an occupied territory, there is no reason to wait [on annexing Area C] any longer. Half a million Israelis have to stop being second-class citizens. In Ariel, Ma’aleh Adumim and Ofra Jewish citizens discriminated against because they chose to settle the land. I would like to thank President Trump for the tremendous change in the administration’s position, it is a correct step in the right direction.” Shaked <a href="#">added</a>: “It is time to apply sovereignty in Area C. The declaration of the United States obliges the State of Israel to</p>	<p>which time anyone claiming ownership could present documents to the Israeli government seeking to prove their ownership. In the case of land where Israel recognizes no valid ownership claims - including cases where Palestinians do not have documentation that Israel will accept - Haaretz <a href="#">reports</a> that the process gives heavy weight to whomever currently controls the land (e.g., if a settler has built illegally on Palestinian land and lived there, under the protection of the IDF, the process will give weight to their claim absent overwhelming documentation, accepted by Israel, from the Palestinian owner). The registration decisions can be appealed, but once the claims are resolved by an Israeli official appointed to oversee the process, no further appeal is possible. Moreover, all “unclaimed” land - that is, land over which Israel does not recognize any legal ownership, will automatically become “state land.”</p> <p><a href="#">November 2020</a>: In an interview celebrating the publication of a tender for Givat Hamatos settlement project, Jerusalem Affairs &amp; Heritage Minister Rafi Peretz connected the project to a larger Israeli effort to begin registering all East Jerusalem land in Israeli records, an effort which</p>	<p>the land. (Note: Regavim, like most settler media outlets, uses the word “Arab” to describe Palestinians, a vocabulary choice meant to erase any recognition of Palestinian identity).</p> <p><a href="#">May 16, 2018</a>: IDF Commander Nadav Padan issued a military order applying to settlements a new set of rules and regulations for the upcoming municipal elections. These rules and regulations are contained in a bill that is under consideration, but has not yet been passed, by the Knesset (regarding candidate eligibility, polling place regulations, and voter registration issues). The IDF Commander’s preemptive order is a novel new tactic by which the Israeli government is affecting the de facto annexation of areas in the West Bank by applying Israeli domestic law there. As the Haaretz report notes, it typically takes months if not years for the IDF Commander to issue military orders that apply Israeli laws to the settlements after they are passed by the Knesset.</p>

# FMEP's Annexation Tracking Tables

## Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>make bold and courageous decisions that will help Israel’s security and full equality of rights for all its citizens.”</p> <p><a href="#">November 4, 2018</a>: According to a Haaretz report, Education Minister Naftali Bennett violated Israeli guidelines by using a private law firm to support his Knesset bill bringing settlement colleges and universities under the authority of the Israeli Higher Education Council. The use of a private law firm is seen as an attempt to bypass the Education Ministry’s own apolitical (for now) legal advisors, and is a breach of the guidelines set years ago for every ministry by the Israeli Attorney General. Bennet reportedly used an opinion paper issued by the Herzog Fox &amp; Neeman firm stating the inclusion of Ariel University in the domestic Higher Education Council would not violate existing grant terms between universities in sovereign Israel and the European Union (which does not do business in the occupied territories). The opinion was then presented to members of the Higher Education Council to assuage fears that implementing the new law would result in losing international funding. The opinion said that the potential for funding cuts is “nearly non-existent.”</p> <p><a href="#">July 16, 2018</a>: The Knesset voted 56-48 to</p>	<p>Peretz is spearheading. Al-Monitor reports that, as part of the Givat Hamatos project, the Israeli Finance and Justice Ministry’s acted swiftly to approve a budget, remove legal impediments, and finalize “financial compensation packages with the Palestinian land-owners” so that the land can be properly registered in Israeli government books.</p> <p><a href="#">September 10, 2020</a>: The Israeli government allocated \$6 million USD (20 million NIS) for the newly created Settlement Affairs Ministry to survey and map unauthorized Palestinian construction in Area C of the West Bank, which Israel and its settlers have been aggressively demolishing in an effort to rid the area of Palestinians. Haaretz reports that this is the first time that the state budget has included funds specifically for a land survey in the West Bank. The state also allocated an additional \$2.8 million (9.5 million NIS) to an existing grant program specifically for settlement municipalities to cash in on. As a reminder, virtually all Palestinian construction in Area C of the West Bank is unauthorized, because Israel almost universally refuses to give Palestinians permission to build in Area C even on land that Israel recognizes as owned by Palestinians.</p>	



# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p><a href="#">pass a law</a> that strips Palestinians of their direct avenue to the High Court of Justice (which, since 1967, has been the court of first jurisdiction for cases related to Palestinians living in the West Bank, reflecting the extraordinariness of Israeli judges issuing, in effect, extra-territorial legal rulings.). The <a href="#">new law</a> compels Palestinians living in the West Bank to file petitions with the Jerusalem District Court (located within Israel’s sovereign borders). The High Court of Justice will only hear Palestinians’ cases on appeal from the district court, adding more time and higher costs to any potential appellant.</p> <p><a href="#">June 25, 2018</a>: The Knesset Constitution, Law, and Justice Committee <a href="#">considered</a> a bill, introduced by Justice Minister Ayelet Shaked (Jewish Home), that would empower Cabinet Ministers to select their own ministerial legal advisors. Historically non-political positions, the ministerial legal advisors, referred to as “gatekeepers,” work to ensure that ministerial activities are taken up and implemented in accordance with Israeli law. Under current Israeli law, legal advisors are appointed through a public tender process that ministers cannot influence. Under Shaked’s <a href="#">bill</a>, each ministry would create a selection committee to the fill the position. The members of the selection</p>	<p><a href="#">February 23, 2020</a>: Prime Minister Netanyahu announced that he had ordered 12 unauthorized outposts to be connected to Israeli infrastructure, and that his government was working to formally legalize over 100 outposts. Connecting outposts to Israeli water, sewer, power, garbage collection, and other municipal services entrenches the permanence of these outposts and furthers the de facto annexation of Palestinian land.</p> <p><a href="#">February 2020</a>: Haaretz reports that the Israeli government is close to <a href="#">approving a Master Plan</a> for a new electricity grid in the West Bank, which will service Israel’s settlements. It may also serve Palestinian villages but only if — and it is a big if — the Palestinian Authority agrees to jointly implement the project. The plan is in the hands of Israel’s National Infrastructure, Energy and Water Ministry, which <a href="#">seeks to</a> “provide a blueprint for the electricity market in the West Bank through 2040 and to develop infrastructure for Israeli settlements as well as for the Palestinians residing there.”</p> <p><a href="#">January 28-29, 2020</a>: Acting Israeli Defense Minister Naftali Bennett also announced that he Israel will establish a new governmental body to lead the annexation effort. Bennett’s announcement responded to U.S. Ambassador</p>	



# FMEP's Annexation Tracking Tables

## Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>committee would be chosen by the relevant minister, and the committee's decision on a candidate would then require the approval of the relevant minister and the Attorney General. The proposal would effectively allow each minister to choose the legal advisor he or she wants. This move is just the latest Shaked effort to politicize elements of the Israeli legal environment in favor of the de facto annexation of settlements.</p> <p><a href="#">June 18, 2018</a>: The Knesset passed into law a bill that will allow Israeli chicken farmers located in the settlements to sell their personal egg quotas to farmers in sovereign Israel - effectively merging the egg markets of the West Bank and sovereign Israel into one entity. The bill is a further expression of Israeli sovereignty over the settlements in the occupied territory and continues the economic blurring of the Green Line. On the same day, the Knesset also advanced another bill through its second and third readings that would, if passed, allow tax funds to be transferred between settlements and communities inside of sovereign Israel.</p> <p><a href="#">May 29, 2018</a>: The Knesset's Interior Committee sent a bill to the Knesset plenum which seeks to extend Israeli law into the West Bank in order to send certain Israeli tax revenues to settlements.</p>	<p>Friedman's <a href="#">comments to the press</a> that there is no "waiting period" preventing Israel from annexing West Bank land and that, anticipating such a move, he intends to set up a committee (presumably in the State Department and/or Embassy) "as soon as possible" to examine any Israeli annexation plan to make sure it is in line with the Vision. This is the third annexation body the Bennet has announced the creation of during his short time as the Israeli Defense Minister during the current transition government. Though it is not clear if any/all of these government bodies overlap.</p> <p><a href="#">January 28, 2020</a>: Following the unveiling of the Trump Administration's "<a href="#">Vision</a>" for a settlement to the Israeli-Palestinian conflict, the Israeli PM told reporters that he will ask his Security Cabinet to vote on bill to annex the Jordan Valley and all settlements(approximately 30% of the West Bank) on Sunday, February 3rd - but also said that his government will "need to do some work to define exactly [what we will annex]." Following his initial promise, several rounds of new reports suggested, and then un-suggested, and then re-suggested that Netanyahu would delay/soften/reframe this promise to bring annexation to a vote. For full analysis of the Trump Administration "Vision," <a href="#">see this list of resources</a>.</p>	

# FMEP's Annexation Tracking Tables

## Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>Current Israeli law allows tax funds to be transferred between communities inside of sovereign Israel, a tax sharing arrangement that stops at the Green Line; the bill advanced this week will allow a one-directional transfer from Israel into West Bank settlements, with the Interior Committee discussion making it clear that the law will not allow tax revenue from wealthy West Bank settlements to be brought into sovereign Israel.</p> <p><a href="#">May 28, 2018</a>: The Israeli Knesset advanced a bill through its first reading that, if passed, will give the Jerusalem District Court jurisdiction over land disputes in the occupied West Bank. For more, see the February 25, 2018 entry regarding the Israeli Cabinet's decision to give government-backing to the bill.</p> <p><a href="#">February 13, 2018</a>: The Knesset passed a bill to extend Israeli domestic law over universities and colleges in the settlements. Known as the "Ariel Bill," it effectively annexes colleges and universities in settlements by bringing them under the authority of the domestic Israeli Council for Higher Education. This bill paves the way for establishment of a medical school funded by</p>	<p><a href="#">January 9, 2020</a>: Israeli Defense Minister Naftali Bennett announced that he has created an inter-ministerial taskforce to develop settlement and annexation plans for the future of Area C in the West Bank. Haaretz reports that the committee's agenda <a href="#">includes</a>: 1) Allowing Jews to privately purchase land in the West Bank. [See here for a detailed explanation of this complicated matter]. 2) Connecting unauthorized outposts to water and electricity. 3) Granting official recognition to unauthorized outposts that are located near established settlements by recognizing them as "neighborhoods" of the settlement. 4) Repealing a military order that empowers the Civil Administration to evict settlers from privately owned Palestinian land with or without a Palestinian-initiated petition to have the settlers removed. And, 5) Legalizing 30 sheep farms in the West Bank that are under pending demolition orders.</p> <p><a href="#">January 5, 2020</a>: An inter-ministerial committee created to plan the annexation of the Jordan Valley <a href="#">held its first meeting</a>, in an effort to prepare an official proposal for how Israel can annex the Jordan Valley. The committee - <a href="#">dubbed</a> the "Sovereignty Committee" - is headed by the Prime Minister's Office Director General Ronen Peretz and includes</p>	

# FMEP's Annexation Tracking Tables

## Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]

Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>U.S. settlement backer (and key Netanyahu and Trump supporter) Sheldon Adelson.</p> <p><a href="#">January 3, 2018</a>: After much debate and consideration of how to advance, the Knesset House Committee instructed lawmakers to discuss how every new bill can be applied to the settlements - either directly or through a military order. Following a heated debate in which Meretz party members were removed from the chamber, the House Committee voted to issue these instructions based on the recommendation of the Knesset's legal advisor, as an alternative to a proposal by MK Yoav Kisch's (Likud) that would have changed the official rules of the Knesset to require bills to include a written legal explanation of how the law can be applied to the settlements. Instead, the House Committee issued instructions to lawmakers telling them to discuss the legal applicability of the laws they are drafting, but not requiring them to write it. Chairman of the Knesset House Committee MK Yoav Kisch (Likud) said "many laws have been legislated to this day without a clear definition of how they will be implemented - by primary legislation or by general order. We won't allow this situation anymore. This decision</p>	<p>representatives from the Foreign Ministry, the Israel Defense Forces, and the National Security Council.</p> <p><a href="#">January 2020</a>: A new report revealed that in <a href="#">January 2020</a>, some 66% (two-thirds) of the total amount of land auctioned by the Israel Lands Authority was located in the occupied territory. The Israel Lands Authority is the governmental body which controls 90% of the land in Israel, and thus controls the supply and zoning of land for development, including land in the West Bank used for settlement construction.</p> <p><a href="#">December 27, 2019</a>: Following his victory in the Likud primary vote, Netanyahu laid out a 6-point plan he will implement if he goes on to win the March 2020 elections: "First, we will finalize our borders; second, we will push the US to recognize our sovereignty in the Jordan Valley and the northern Dead Sea; third, we will push for US recognition of our extension of sovereignty over all the communities in Judea and Samaria, all of them without exception; fourth, we will push for a historic defense alliance with the US that will preserve Israeli freedom of action; fifth, stop Iran and its allies decisively; and sixth, push for normalization and agreements that will lead to peace accords with Arab countries. The opportunities are within reach."</p>	



# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>will lead to a change in attitude towards Judea and Samaria residents, and thus a new situation will begin which will put an end to the discrimination against them.”</p> <p><a href="#">May 2, 2016</a>: Justice Minister Ayelet Shaked(Jewish Home) announced her intention to revive past efforts to pass the so-called "Civil Law" bill. That bill, first introduced in 2014, would force the Israeli army to issue military orders extending Israeli domestic law over the settlements. In 2014, Israel’s attorney general criticized the bill for undermining the authority of the Israeli Defense Forces (IDF) Central Command. Education Minister Naftali Bennet (Jewish Home), when asked about Shaked’s bill, said, “I believe that all of Judea and Samaria should be under Israeli law, just as it is in the Golan Heights, though the whole world would object.” MK Tzipi Livni (Likud) said, “The right-wing government is quietly beginning the process of annexation in order to impose its ideology there. The end result of this is the collapse of the idea of having two states, the beginning of two completely different legal systems in one country, enormous damage to Israel’s image internationally and, ultimately, 2.5 million</p>	<p><a href="#">November 1, 2019</a>: Israeli Minister of Transportation Bezalel Smotrich <a href="#">unveiled</a> a new government plan to advance Israeli “sovereignty through transportation.” The plan calls for massive investment (USD \$283 million) in new/ expanded roads and rails lines, for the express purpose of more seamlessly integrating Israeli settlements into Israel proper. Smotrich made clear that his ultimate goal is the complete integration of the West Bank into the national planning mechanisms of Israel proper. The move will erase the government’s current distinction between transportation projects in the West Bank (across the Green Line) and Israel proper [fun note: the Israeli Ministry of Foreign Affairs has an official map posted on its website entitled, “<a href="#">Transportation and Built-Up Areas</a>” that includes the entire West Bank as part of Israel]. Smotrich created a new bureau for “Judea and Samaria Planning” within the Transportation Ministry to oversee the implementation of this project, and more generally ensure that the ministry is geared towards serving the settlements as a matter of normal business. The institutionalization of such <a href="#">bureaucratic structures</a> within the Israeli government is a significant, and often overlooked, mechanism by which the Israeli</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
<p>Palestinians with the right to vote and a Knesset majority.”</p>	<p>government has been engaging in annexation for years. The new bureau - much like parallel structures former Minister Ayelet Shaked <a href="#">set up</a> in the Justice Ministry - is a formal and public statement that the Israeli government is pursuing (and allocating resources to) annexing the settlements.</p> <p><a href="#">September 2019</a>: The Israeli Defense Ministry and the Israeli army reportedly <a href="#">drafted legal opinions</a> in support of canceling a pre-1967 Jordanian law that bars private land sales in the West Bank to non-Arabs. The move is required in order to allow Israeli settlers to directly purchase West Bank land. Those opinions have been submitted for consideration by the Israeli Deputy Attorney General, who, <a href="#">according to Haaretz</a>, is expected to approve them with the backing of the Attorney General.</p> <p><a href="#">July 30, 2019</a>: the Israeli Cabinet unanimously <a href="#">approved</a> the issuance of building permits for 715 Palestinian structures in Area C of the West Bank. As stated by MK Bezalel Smotrich - a cabinet member who voted in favor of the permits - the move is meant to increase Israel’s control over all events and people in Area C. In an extraordinary move, U.S. Ambassador David Friedman <a href="#">attended</a> the Israeli cabinet meeting at</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>which the permits were approved, which came just just one day ahead of Jared Kushner’s <a href="#">arrival</a> to Israel. The connection to U.S. diplomats further indicates that the move was designed to entrench and normalize Israeli control over Area C (60% of the West Bank) - an objective the Trump Administration has clearly embraced.</p> <p><a href="#">May 21, 2019</a>: Israeli Prime Minister Benjamin Netanyahu doubled-down on his pledge to annex the West Bank, lending even a greater sense of inevitability to Israeli annexation. Netanyahu’s latest remarks were in response to a <a href="#">letter</a> warning of the dangers of annexation signed by hundreds of former Israeli security officials. Netanyahu defiantly tweeted his defense of annexation: “The region in Judea and Samaria are not just a guarantee of Israel’s security – its also the inheritance of our ancestors...The same ‘experts’ supported the Iran nuclear deal and warned that ‘Bibi is taking a wrong turn and ruining the alliance with America.’”</p> <p><a href="#">April 18, 2019</a>: Israeli Tourism Minister Yariv Levin - who has emerged as a frontrunner to be given the Justice Ministry portfolio in the next government - announced that his ministry had launched a new grant program to expedite funding channels for the construction of hotels in</p>	



# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>settlements located in Area C of the West Bank. Under previously Israeli law, hotel projects in settlements had to receive special approval from the government; the new program expedites and normalizes that process. These grants are more than an economic program. Investing in the growing tourism industry inside of settlements in the West Bank is a strategic endeavor intended to entrench settlements, provide for their expansion, normalize their existence within the international community, and advance their seamless integration into Israeli territory.</p> <p><a href="#">February 5, 2019</a>: Tourism Minister Yariv Levin said: “The application of Israeli sovereignty over all of the Land of Israel is in my eyes not a question of if but how we do it and when we get to it. In my view, it should start with applying laws that have specific relevance not only for the residents themselves, but also for the territory.”</p> <p><a href="#">October 31, 2018</a>: Settler-aligned media outlet Arutz Sheva reports that Israeli Cabinet ministers are close to reaching a deal to <a href="#">double the size</a> of the Israeli Civil Administration, adding 280 employees of which, according to reports, 150 will be Palestinians. The Civil Administration (CIVAD) is the branch of the Israeli Defense Ministry which acts as the sovereign ruling power over all civilian affairs - including building laws -</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>in the occupied territories, and <a href="#">explicitly</a> does so “through the lens of Israel’s interests,” in violation of international law. Finance Minister Moshe Kahlon and Israeli Defense Minister Avigdor Liberman are expected to reach a deal on expanding the CIVAD and present it to the full Israeli Cabinet for approval by the end of November. Prime Minister Netanyahu reportedly supports the plan.</p> <p><a href="#">October 8, 2018</a>: After months of pressure from senior government officials, this week the head of the Israeli Defense Forces <a href="#">agreed</a> to allow the government to directly apply two Israeli laws over the West Bank settlements. One law, allowing settlers to share their egg quotas with farmers in Israeli proper, was passed by the Knesset in <a href="#">June 2018</a>. The second law, regulating the production and sale of organic produce, was passed in 2005.<a href="#">February 25, 2018</a>: The Ministerial Committee for Legislation voted to support a bill that would strip the High Court of Justice of its jurisdiction over certain West Bank petitions and transfer that jurisdiction to the Jerusalem District Court. Under the proposed law, Palestinians living in the West Bank seeking legal recourse in disputes with settlers or the Israeli military - including with respect to travel permits, building permits, land ownership, and freedom of information - would be forced to go</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>to the Jerusalem District Court. In effect, the proposal normalizes and institutionalizes the application of Israel’s domestic legal system on the West Bank. Only after a ruling by the Jerusalem District Court could cases be appealed to the High Court of Justice. Since 1967, the court of first jurisdiction for cases related to Palestinians living in the West Bank has been the Israeli High Court of Justice, reflecting the extraordinary nature of Israeli judges in effect issuing extra-territorial legal rulings. Justice Minister Ayelet Shaked (Jewish Home), who sponsored the bill, made clear that her goal is to strengthen the position of settlers in court cases involving Palestinians. An official at the Justice Ministry elaborated, saying that Shaked views the High Court of Justice as "overly concerned with international law and with protecting the rights of the ‘occupied’ population in Judea Samaria.”</p> <p><a href="#">January 21, 2018</a>: For the first time, Israeli Cabinet members discussed whether or not 12 new bills are applicable to the settlements. Apparently (though not reported by Israeli press previous to this date), Israeli Attorney General Avichai Mandelblit issued new procedures to clarify</p>	



# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p>instructions sent to the Cabinet by Shaked and Levin. The Attorney General’s procedures require Ministers to prepare, as part of their preliminary formulation of a bill, a legal opinion on whether the law can be applied to the territories with or without a new military order. As part of the Cabinet's discussion of the 12 new bills on Jan 21, 2018, the Cabinet decided that at least two proposed bills - regulatory egg quotas and a privacy bill - can apply to the settlements without a military order.</p> <p><a href="#">January 3, 2018</a>: Justice Minister Ayelet Shaked (Jewish Home) told the Knesset House Committee that she has decided to reorganize the Justice Ministry in her continuing push to apply domestic laws to the settlements. Shaked explained "The Judea and Samaria area has moved from the administrative department to the public-constitutional department under the direction of Deputy Attorney General Raz Nizri. Within this department we have established a new unit that is responsible, among other things, for the subject of legislative equality in Judea and Samaria." Shaked announced that attorney Avinoam (Avi) Segal was appointed in December 2017 to head this new unit.</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	<p><a href="#">June 6, 2017</a>: In her capacity as the Chair of the Ministerial Committee for Legislation (a body of Cabinet ministers who vote on whether the government will support Knesset legislation), Justice Minister Ayelet Shaked, along with Tourism Minister Yariv Levin, issues a directive that the committee will not consider endorsing any legislation that does not state how it can be applied to the settlements. Since Shaked controls the committee's agenda, she can single handedly require all legislation that seeks government support to include an argument for such applicability before the bill is filed for consideration. Justice Minister Shaked <u>stated</u> that “the rule must be that the law applies to the settlers unless there is good reason not to. Not the opposite.” Jewish Home MK Shuli Moallem-Refaeli <u>said</u> she had “no desire to conceal” the government’s intention to annex the West Bank.</p> <p><a href="#">May 2017</a>: The Justice Ministry held a seminar for the legal advisers in government ministries, as part of an effort to establish a system for applying Israeli laws to the settlements. Reportedly, each government ministry will have an official who is tasked</p>	

# FMEP's Annexation Tracking Tables

Systematically Applying Israeli Domestic Law in the West Bank [Table 2 of 3]		
Knesset/Party Action	Executive/Ministerial Action	Judicial Action
	with coordinating his/her ministry’s system of laws as they pertain to the West Bank, and the Justice Ministry will hire additional staff to coordinate the activity of each ministry under the authority of the deputies attorney general in charge of constitutional and	
<div><b>Key Resources</b><ul style="list-style-type: none"><li>• “The Age of Regularization: The Zandberg Committee Expropriation Report for Retroactive Authorization of Israeli Outposts and Illegal Construction in the Settlements: Analysis, Ramifications and Implementation” (<a href="#">Yesh Din</a>)</li><li>• “Israel and Annexation by Lawfare” (Michael Sfard, <a href="#">The New York Review of Books</a>)</li><li>• “One Rule, Two Legal Systems” (<a href="#">ACRI</a>)</li><li>• ACRI Position Paper on applying sovereignty over the settlements (<a href="#">ACRI</a>)</li><li>• “The End of Israel's Enlightened Occupation” (<a href="#">+972 Mag</a>)</li><li>• “The Knesset Wants Apartheid” (<a href="#">Haaretz Editorial Board</a>)</li><li>• “Israel's Democratic Erosion” (<a href="#">The Century Foundation</a>)</li></ul></div>		



# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p><a href="#">July 29, 2020</a>: The Knesset Foreign Affairs &amp; Defense Committee convened, for the first time since the new government was formed, for a hearing “on the battle for Area C and illegal, European funded Palestinian Authority construction in areas under full Israeli jurisdiction.” The hearing was called by committee chair Likud MK Zvi Hauser after Hauser participated in a West Bank tour led by the the radical settler group Regavim, which (among other things) works to consolidate Israeli control over the West Bank. The setter-run Arutz Sheva media outlet reports that the goal in convening the hearing was to have the committee “initiate a significant move” to annex all of Area C.</p> <p><a href="#">July 13, 2020</a>: MKs Bezalel Smotrich (Yamina) and Haim Katz (Likud), co-chairs of the Israel Land Caucus — a pro-Greater Israel body within the Knesset — <b>filed a bill</b> in the Knesset to have Israel both annex all of its settlements in the West Bank and preserve its control over Area C (in anticipation of future annexation). The bill is <b>modeled</b> after a <b>January 2018 resolution</b> passed unanimously by the Likud Party (with Prime Minister Netanyahu’s consent), a</p>	<p><a href="#">January 2020</a>: A new report revealed that some 66% (two-thirds) of the total amount of land auctioned by the Israel Lands Authority was located in the occupied territory. The Israel Lands Authority is a governmental body which controls 90% of the land in Israel, and thus controls the supply and zoning of land for development, including land in the West Bank used for settlement construction. While the data is only for a single month, the disproportionate focus in the ILA on developing land in the West Bank, as opposed to inside Israel, where housing prices are rising, is notable.</p> <p><a href="#">November 19, 2019</a>: Israeli Prime Minister Netanyahu agreed to support and expedite the passage of a Knesset bill providing for the annexation of the Jordan Valley. The bill was introduced on November 3rd by Likud MK Sharren Haskell, and it calls for extending Israeli sovereignty over the area.</p> <p><a href="#">September 10, 2019</a>: Israeli Prime Minister Netanyahu announced that, if re-elected, he will immediately move to annex the Jordan Valley. Notably, Netanayhu said that he would have enacted his Jordan Valley annexation plan before the elections, but was refrained from</p>	<p><a href="#">July 2020</a>: The radical settler group Regavim <b>filed a petition</b> with the Jerusalem District Court asking the court to compel the demolition of Palestinian buildings located near the village of Nahalin, claiming that the newly built structures lack Israeli permits and that the Israeli Civil Administration has failed to act. The group says Palestinians built 20 structures outside of the village, on land that is technically in Area C (the village of Nahalin is designated as Area B under the Oslo Accords, but some village lands fall into Area C). Regavim asked the Civil Administration to take advantage of <b>new powers it granted itself in June 2017 (via a military order)</b> that allows it to demolish “new construction” a mere 96 hours after warning Palestinians of its intent (in effect depriving Palestinians of any meaningful opportunity to challenge the planned demolition). Boosting Regavim’s mission, on July 7th newly crowned Settlement Affairs Minister Tzipi Hotovely <b>toured</b> the Mount Hebron Regional settlement council jurisdiction. Hotovely emphasized that part of her mission is to “prevent the Palestinian takeover of Area C” - an Orwellian framing suggesting that Israel is the victim of Palestinian aggressors seeking to steal Israeli land, when exactly the opposite is the</p>

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>fact used by the authors of the new bill as incontrovertible proof that the bill should easily receive backing from the government and be quickly passed by the Knesset. The Israel Land Caucus is calling on Netanyahu to bring the bill up for a vote in the Security Cabinet this Sunday (July 19th), and its co-authors have requested that the legislation be fast-tracked in the Knesset. A spokesman for the Israel Land Caucus <b>told The Jerusalem Post</b> that the bill calls for Israel to unilaterally annex all settlements, outposts, and roads. Though the bill's authors do not have a map to show the exact areas the bill will annex, they say their plan does not leave any settlements or outposts as isolated enclaves. Additionally, the bill would bring the entirety of Area C more directly under Israel's control by requiring Palestinians to gain the approval of the Israeli security cabinet (as opposed to the Israeli Civil Administration) for any construction there. It would also ban international organizations and governments from conducting activities and projects in Area C.</p> <p><b>March 18, 2020:</b> Likud MK Miki Zohar submitted two bills to the Knesset on, one of which provides for the annexation of the Jordan Valley by applying Israeli sovereignty over the area (the other proposes the death penalty for Palestinian</p>	<p>doing so because the Israeli Attorney General advised against a caretaker government taking a decision of this magnitude. Under Netanyahu's plan, Israel would annex land constituting nearly a quarter of the West Bank (22.3%) including 30 settlements and 18 illegal outposts. <b>According</b> to Peace Now, 20% of the targeted land (62,000 acres) is privately owned by Palestinians. Netanyahu's <b>claim</b> that the plan "does not annex a single Palestinian. Not even one" is a lie. In fact, approximately 8,775 Palestinians live in 48 Palestinian herding communities located in the area he plans to annex.</p> <p><b>October 9, 2018:</b> In a lengthy <b>profile</b> published by The Atlantic, Israeli Justice Minister Ayelet Shaked shed new light on the Jewish Home's plan for the annexation of the West Bank's Area C. Shaked said, "We can definitely take in 100,000 Palestinian citizens. These processes take time to ripen. At the moment, the annexation plan looks like science fiction, but I think that slowly, gradually, people will see what's going on in the Middle East and realize that it really could happen."</p> <p><b>June 6, 2018:</b> Israeli Foreign Minister Tzipi Hotovely asked the travel site TripAdvisor to designate "Israel" as the location of hotels that are located in Area C settlements (the site</p>	<p>case.</p> <p><b>February 24, 2020:</b> Members of the joint U.S.-Israeli team tasked with mapping Israel's annexation of West Bank land under the Trump Plan met for the first time to "explore the terrain."</p>



# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>political prisoners). Commenting on the bills, Zohar said that he hopes the legislation will “embarrass” Likud rivals Benny Gantz and Avigdor Liberman</p> <p><a href="#">November 19, 2019</a>: With the backing of Netanyahu, MK Sharren Haskel tweeted that she submitted a request to exempt a bill to annex the Jordan Valley from the mandatory 6-week waiting period. Note: Knesset was dissolved before the request was granted or the bill called to vote.</p> <p><a href="#">November 4, 2019</a>: Yamina party leader Ayelet Shaked filed a bill with the Knesset to unilaterally annex the Jordan Valley, the Ma’ale Adumim settlement just east of Jerusalem, and all 22 settlements and 75,000 Israeli settlers in what is broadly termed the Etzion “settlement bloc” located south of Bethlehem. Shaked’s bill calls for Israel to “apply sovereignty” to these settlements, which in practice would constitute the annexation of the settlements.</p> <p><a href="#">November 3, 2019</a>: Likud MK Sharren Haskel submitted a draft bill for the annexation of the Jordan Valley, a bill she has introduced previously without success.</p>	<p>currently lists the location, accurately, as “Palestinian Territories”). In a letter to the CEO, Hotovely argued that “There must be no politicization of sites in Judea and Samaria that fall under Israeli control.” TripAdvisor declined the suggestion, replying that the site “complies with international tourism industry standards.”</p> <p><a href="#">March 4-6, 2018</a>: During the annual AIPAC Policy Conference in Washington, DC, settler leaders and Israeli lawmakers publicly promoted the idea of annexation of settlements.</p> <p><a href="#">February 16, 2018</a>: A settler-aligned media outlet, Arutz Sheva, reported that the Ministerial Committee on Legislation is set to vote on a bill, introduced by MK Sharren Haskel (Likud), that would annex the Jordan Valley.</p> <p><a href="#">February 12, 2018</a>: At a Likud faction meeting, Netanyahu reportedly told Party leaders that the United States has been engaged in discussions about the “Annexation/Sovereignty Bill.” Following a White House denial (“Reports that the United States discussed with Israel an annexation plan for the West Bank are false”) Netanyahu was quickly forced to retract his</p>	



# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p><a href="#">May 20, 2019</a>: Likud MK Sharran Haskel filed a bill with the Knesset to annex the Jordan Valley to Israel. Haskel also <a href="#">filed the bill</a> in the previous Knesset session, but the bill was put on hold by more senior lawmakers. The new bill provides that Israeli annexation of the Jordan Valley should be subject to a referendum among the residents living there.</p> <p><a href="#">March 2019</a>: According to anonymous sources, Israel and the U.S. are in discussions regarding Israel's annexation of the Ariel, Ma'aleh Adumim, and Etzion "settlement blocs" shortly after the upcoming Israeli elections, scheduled for April 9th. The Times of Israel report suggests that officials are discussing a scenario where Netanyahu could move to unilaterally annex those areas – or promise to annex those areas in order to shore up right-wing support during the election – with "some degree of American backing."</p> <p><a href="#">December 25, 2018</a>: At a <a href="#">conference</a> highlighting the Jewish history of Hebron, several senior Israeli lawmakers - including several cabinet ministers, Speaker of the Knesset Yuli Edelstein, and settler leaders - signed a</p>	<p>claim, issuing a carefully worded statement saying that that Israel has "updated the Americans on the (annexation) initiatives being raised in the Knesset, and the Americans expressed their unequivocal position that they are committed to advancing President Trump's peace plan."</p> <p><a href="#">February 12, 2018</a>: Israeli President Reuven Rivlin (Likud) stated, "As Reuven Rivlin, I was born into the belief that the land of Israel is entirely ours...I am in favor of extending sovereignty, on the condition of equal rights for all of the residents of the area."</p> <p><a href="#">February 8, 2018</a>: Prime Minister Netanyahu intervened to block the Ministerial Committee for Legislation from voting on the "Annexation/Sovereignty Bill," citing pressure from the United States.</p> <p><a href="#">January 9, 2018</a>: Finance Minister Moshe Kahlon (Kulanu) told his fellow Cabinet members - to their surprise - that "it's time to annex the settlement blocs." Kahlon's</p>	

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>document that reads: “We, the undersigned, hereby express deep solidarity with the roots of the Jewish people in Hebron and the support of the Jewish community in Hebron that has clung to the city despite all the difficulties. We declare an unambiguous commitment to the continued existence, security and prosperity of Hebron as the city of both our forefathers and children.” MK Bezalel Smotrich (Jewish Home), a co-organizer of the conference, further said: “Hebron is a litmus test. What is happening in Hebron shows our Jewish pulse....[those who call for settlers to leave Hebron] understand very well that if Hebron grows and develops, the entire settlement enterprise will grow and develop, so they invest in harming Hebron. But they will continue to shout and complain while we will continue to build, reach the people and connect with our roots.” The conference was organized by the Israel Land Caucus.</p> <p><a href="#">December 5, 2018</a>: MK Bezalel Smotrich (HaBayit HaYehudi) called for the entire Civil Administration to be disbanded. Smotrich <a href="#">announced</a> that he will seek government backing for a bill to achieve that end during the next meeting of the Israeli Cabinet, scheduled for December 9th. Under the bill, Israeli settlers in the West Bank will come under the full</p>	<p>support for unilateral annexation is notable because Kulanu is the most left-wing party in the current governing coalition, and Kahlon is viewed as a centrist in Israeli political terms. Kahlon has also in the past been a proponent of a negotiated two-state solution in which Israel would annex the settlement blocs, but evacuate elsewhere.</p> <p><a href="#">October 29, 2017</a>: After raising <a href="#">expectations</a> that the "Greater Jerusalem Bill" will be advanced, Prime Minister Netanyahu declined to have the Ministerial Committee for Legislation vote on the bill, citing the need to coordinate the measure with the United States. The media speculated about Saudi Arabia playing a role in Netanyahu’s sudden reversal, which might have prompted an unnamed U.S. official to tell the press: "It's fair to say that the U.S. is discouraging actions that it believes will unduly distract the principals from focusing on the advancement of peace negotiations. The Jerusalem expansion bill was considered by the administration to be one of those actions.”</p> <p><a href="#">October 3, 2017</a>: Prime Minister Netanyahu announced his support for the "Greater</p>	

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>sovereignty of domestic Israeli institutions, while Palestinians will be ruled by “Regional Liaison administrations.” The bill would effectively annex the entire West Bank to Israel.</p> <p><a href="#">June 13, 2018</a>: The Knesset is moving a bill that would transfer the responsibility of “managing” rural land in Area C of the occupied West Bank to the Settlement Division of the World Zionist Organization (WZO), a body dedicated to the establishment and development of settlements, whose activities have been dogged by fraud and illegalities for decades. The bill was introduced by MKs Bezalel Smotrich (Jewish Home), Yoav Kisch (Likud), and David Bitan (Likud), and it passed through the first of three Knesset readings on June 13th. Reportedly, the bill will be put on hold for two weeks so the government has time to examine the possibility of achieving the same result through a Cabinet decision, avoiding the politics and pushback that might come in Knesset debate. Under international law Israel, as an occupying power, cannot grant non-governmental organizations the authority to manage lands outside of its borders.</p> <p><a href="#">June 7, 2018</a>: MK Bezalel Smotrich (Jewish Home) announced that he has submitted a new bill to dismantle the Israeli Civil Administration,</p>	<p>Jerusalem Bill” while visiting the Ma’ale Adumim settlement with a delegation of Likud Party leaders.</p> <p><a href="#">August 29, 2017</a>: At an event in the Barkan settlement marking 50 years since Israel took control of the West Bank, Prime Minister Netanyahu said, “We are here to stay, forever. There will be no more uprooting of settlements in the land of Israel...we will not fold. We are guarding Samaria against those who want to uproot us. We will deepen our roots, build, strengthen, and settle.”</p> <p><a href="#">June 28, 2017</a>: At a cornerstone-laying ceremony for a new medical school in the Ariel settlement, Prime Minister Netanyahu declared: “Ariel will always be part of the State of Israel...we love the city of Ariel and will continue to build it.” The Ariel University medical school is dedicated to American tycoon <a href="#">Sheldon Adelson</a>, who donated USD \$20 million to the project.</p> <p><a href="#">March 14, 2017</a>: Prime Minister Netanyahu again delayed the Ministerial Committee for Legislation’s consideration of the Ma’ale Adumim/ E-1 annexation bill, reportedly in</p>	



# FMEP's Annexation Tracking Tables

Unilateral Annexation of Areas in the West Bank [Table 3 of 3]		
Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>the governing body of the West Bank (operating under the Israeli Defense Ministry). The report on Smotrich’s new bill does not mention anything regarding the future of the Palestinians, who lives are governed, in virtually every aspect, by the Civil Administration.</p> <p><a href="#">June 3, 2018</a>: The Knesset’s Foreign Affairs &amp; Defense Subcommittee on Judea and Samaria - held an hearing entitled, “the Palestinian Authority’s strategic takeover of Area C.” Area C constitutes 60% of the occupied West Bank over which the Oslo Accords granted Israel - on an interim basis - full civil and security control. During the hearing the Defense Ministry’s settlement affairs secretary, Kobu Eliraz, told Knesset members that the Defense Ministry is “familiar” with the Palestinian Authority’s alleged efforts to take over Area C and is “pursuing operative, legal and administrative measures to stop it. We have an orderly work plan in place that includes clear objectives.” Eliraz also noted that the Defense Ministry has stopped nearly all “illegal” funding from the</p>	<p>order to avoid friction during a trip by Jason Greenblatt, the special envoy of the Trump Administration. The Jewish Home Party leaders reportedly agreed to the delay.</p> <p><a href="#">January 22, 2017</a>: Citing a recent conversation with (then) President-Elect Donald Trump, the Israeli Cabinet delayed officially submitting the Ma'ale Adumim/E-1 annexation bill to the Ministerial Committee for Legislation (the body of Cabinet Members who vote on whether or not to give government-backing to proposed legislation in the Knesset) until after President Trump and Prime Minister Netanyahu meet. A source in the Cabinet meeting told the Times of Israel that Prime Minister Netanyahu said, “I support Israeli sovereignty over Ma’ale Adumim...There is no question about Ma’ale Adumim, and in any future accord it will be under Israeli sovereignty. But right now, at the request of the U.S. administration, we were asked not to surprise them but to formulate a joint policy.”</p>	

# FMEP's Annexation Tracking Tables

Unilateral Annexation of Areas in the West Bank [Table 3 of 3]		
Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>European Union for Palestinian communities in Area C. The facts well-documented facts regarding construction, <a href="#">demolition</a>, <a href="#">displacement</a>, and settlement growth show clearly that it is, in fact, Israel who is implementing an unapologetic and undisguised takeover of Area C. The Knesset hearing is part of the effort to normalize Israeli annexation of Area C.</p> <p><a href="#">May 27, 2018</a>: MK Eitan Cabel (Labor, the largest faction in the Zionist Union coalition) published an op-ed in the Hebrew edition of Haaretz arguing that Israel should define and then apply Israeli law to the “settlement blocs,” which he defines to include Ma’ale Adumim, the Etzion Bloc, the Jordan Valley, Ariel, Karnei Shomron, and more. Cabel promised to release and campaign for the full plan (presumably with more details) sometime soon.</p> <p><a href="#">March 27, 2018</a>: In an interview with the Arutz Sheva news outlet regarding data published by the Israeli Civil Administration that shows Palestinians outnumber Jews between the Mediterranean Sea and Jordan Valley, Deputy Defense Minister and MK Rabbi Eli Ben-Dahan (Jewish Home) said "We have to focus on the main issue. We are in Judea and Samaria</p>		

# FMEP's Annexation Tracking Tables

Unilateral Annexation of Areas in the West Bank [Table 3 of 3]		
Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>because this is our land, and we are here so that we will never leave it. Sovereignty must be applied in Judea and Samaria as soon as possible.” Ben-Dahan went on to suggest that “Even if we apply Israeli law in Judea and Samaria, full civil rights are not just given, and certainly not on the first day. We will have to wait several years as is customary in every country.”</p> <p><a href="#">February 5, 2018</a>: The Israel Land Caucus held a conference to draw support for the "Annexation/Sovereignty Bill," which was drafted by MK Yoav Kisch (Likud) and referenced a recent a Likud Central Committee resolution.</p> <p><a href="#">January 28, 2018</a>: Based on the recently passed Likud Central Committee resolution (below), MK Yoav Kisch (Likud) unveiled a new settlement “Annexation Bill” which would apply Israeli law to “settlement areas in Judea and Samaria.” The bill reads, “In the 70th year of the rebirth of the State of Israel and after the 50th anniversary of the return of the Jewish people to its historic homeland in Judea and Samaria (West Bank) ...we move to designate the status of these territories as an inseparable part of the sovereign State of Israel.” The Likud Party</p>		



## FMEP's Annexation Tracking Tables

### Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>also launched a new online campaign, "Unifying Behind Sovereignty," to pressure lawmakers to support the bill.</p> <p><a href="#">January 18, 2018</a>: MK Sharren Haskel (Likud) announced a new bill to annex Israeli settlements in the Jordan Valley. The bill was soon after submitted to the Ministerial Committee on Legislation, seeking government support for the initiative.</p> <p><a href="#">January 2, 2018</a>: The Knesset passed an amendment to the "Basic Law: Jerusalem, Capital of Israel" which - among many harmful effects - will make it easier for the Knesset to pass legislation to change Jerusalem's municipal borders to de facto annex settlements, and/or cut out Palestinian neighborhoods.</p> <p><a href="#">January 1, 2018</a>: The Likud Central Committee voted to adopt a resolution calling for the annexation of settlements and unlimited construction in them. While Prime Minister Netanyahu did not directly comment on the resolution, it was widely understood that it was passed with his consent and is part of a growing push to have Netanyahu advance the "Greater Jerusalem" Bill.</p>		

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p><a href="#"><u>November 8, 2017</u></a>: The Knesset held a special discussion initiated by MK Yoel Hasson (Zionist Union) on the "Greater Jerusalem Bill." The bill's author, author, Minister of Jerusalem Affairs, Ze'ev Elkin (Likud), argued that the bill would solve "the demographic threat to Jewish Jerusalem" by adding Israel settlers to the Municipality while cutting out Palestinian neighborhoods. Right-wing Knesset Members were critical of the portion of the bill related to Palestinian neighborhoods, fearing that it implied a softening of Israeli claims to all of East Jerusalem, undermined their call for Jerusalem to be the eternal, united capital of Israel, and could lead towards the partition of the city in the future.</p> <p><a href="#"><u>September 11, 2017</u></a>: MK Bezalel Smotrich (Jewish Home - National Union faction) unveils his annexation plan, titled "Israel's decisive plan for a Jewish state and an end to the conflict." The plan - which Smotrich dubbed "victory by settlement" - calls for Israel to annex the entire West Bank and provide financial incentives to Palestinians to emigrate. Palestinians who stay in Israel would have to swear allegiance to the state and would not be able to vote in national</p>		

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>elections. The Jerusalem Post reports that Naftali Bennet and Ayelet Shaked - two senior leaders of the Jewish Home party - do not support Smotrich's plan, and that Smotrich's National Union faction might choose to run as their own party in the next election.</p> <p><a href="#">October 30, 2017</a>: After Netanyahu abruptly delayed the advancement of the "Greater Jerusalem Bill," citing U.S. pressure, Transportation Minister Yisrael Katz (Likud) told the press, "The Americans have known about the law for months. I spoke about it in depth with [Trump envoy Jason] Greenblatt and [US Ambassador to Israel David] Friedman, and they never expressed any opposition...I've decided to remove the clause applying [Israeli] sovereignty [to the 19 towns which will be annexed to Jerusalem] from the law, to make it feasible politically to pass the bill."</p> <p><a href="#">October 16, 2017</a>: The newly-elected head of Israel's ostensibly center-Left Labor Party, Avi Gabbay, shocked the Israeli political landscape with his comments on several matters, including settlements, in a series of interviews. Gabbay told Israel's Channel 2, "If you make a peace deal, solutions can be</p>		



# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>found that do not necessitate evacuation [of settlements].”</p> <p><a href="#">July 10, 2017</a>: MK Yoav Kisch (Likud) unveiled “<a href="#">The Bill for the 'Jerusalem and Its Daughters' Law</a>” [P/20/4386] (called the "Greater Jerusalem Bill”), which seeks to add 19 settlements into the Jerusalem Municipality, and simultaneously excise from the municipality those Palestinian neighborhoods of Jerusalem that are located east of the separation barrier. This would be, in effect, the de facto annexation of 19 West Bank settlements by Israel. In the bill's official explanation, the authors <a href="#">write</a> "the bill stipulates that the residents of Jerusalem's surroundings...will become part of Jerusalem. This way, Jerusalem will add a population which will preserve the demographic balance...” Intelligence Minister Yisrael Katz (Likud), <a href="#">said</a>, “The most important goal is to strengthen the Jewish majority in Jerusalem.”</p> <p><a href="#">March 2, 2017</a>: The Times of Israel reported that leaders of the Jewish Home party (including Education Minister Naftali Bennett) intend to renew their push for the annexation of the settlement of Ma’ale</p>		

# FMEP's Annexation Tracking Tables

Unilateral Annexation of Areas in the West Bank [Table 3 of 3]		
Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<p>Adumim and the adjacent area (where the long-planned E-1 settlement is to be located), after it was postponed by the Israeli Cabinet last month.</p> <p><a href="#">January 1, 2017</a>: Education Minister Naftali Bennett (Jewish Home) announced his expectation that a bill to annex the Ma'ale Adumim settlement (including the E-1 area, which is within the Ma'ale Adumim municipal boundaries) will receive government backing and be introduced in the Knesset by the end of the month, following the inauguration of U.S. President Donald Trump. The bill was written by MKs Bezalel Smotrich (Bayit Yehudi) and Yoav Kisch (Likud).</p>		

# FMEP's Annexation Tracking Tables

## Unilateral Annexation of Areas in the West Bank [Table 3 of 3]

Knesset/Party Action	Executive/Ministerial/Judicial Action	Diplomatic Action
<b>Key Resources</b> <ul style="list-style-type: none"> <li>• “The Age of Regularization: The Zandberg Committee Expropriation Report for Retroactive Authorization of Israeli Outposts and Illegal Construction in the Settlements: Analysis, Ramifications and Implementation” (<a href="#">Yesh Din</a>)</li> <li>• “From Creeping to Leaping: Annexation in the Trump-Netanyahu Era” (Ori Nir &amp; Debra Shushan, <a href="#">Americans for Peace Now</a>)</li> <li>• “Annexation Moves Intensify: Greater Jerusalem Bills Hits Ministerial Committee on Legislation on Sunday” (<a href="#">Ir Amim</a>)</li> <li>• “Escalation in Israel's Settlement Policy: The Creation of De-Facto Annexation” (<a href="#">Peace Now</a>)</li> <li>• “One Giant Likud Leap Toward Apartheid” (<a href="#">Peace Now</a>)</li> <li>• “Israel’s Annexation Crusade in Jerusalem: The Role of Ma'ale Adumim and the E1 Corridor” (<a href="#">Al-Shabaka</a>)</li> <li>• “Killing the Two-State Solution Through the Suspension of Disbelief” (<a href="#">Lara Friedman</a>)</li> <li>• “Creeping Annexation” (<a href="#">J Street</a>)</li> <li>• “Settlement Bloc(kage)s on the Road to Peace” (<a href="#">Americans for Peace Now</a>)</li> <li>• “Will Israel Annex the Jordan Valley?” (<a href="#">Al-Monitor</a>)</li> <li>• “Report of Special Rapporteur on Situation of Human Rights in Palestinian Territories” (<a href="#">United Nations</a>)</li> <li>• “Annexation - at what cost?” (<a href="#">Times of Israel</a>)</li> <li>• “Reversing Israel’s Deepening Annexation of East Jerusalem” (<a href="#">International Crisis Group</a>)</li> </ul>		