
National Parks Bill Enabling Settler Group's Penetration into Silwan Advances

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This Thursday, November 15, an amendment to the National Parks, Nature Reserves and Memorial Sites Law will move to the Knesset Interior Committee on its way to final [combined] second and third readings. Amendment 17, “Planning for Housing in an Existing Neighborhood in a National Park,” is specifically designed to enable the right wing ELAD settler group to expand its settlement in the Wadi Hilweh section of Silwan by reversing a long-standing prohibition against residential construction in national parks.

Over the years, ELAD has taken over roughly 75 Palestinian homes in the neighborhood and since the Israel Nature and Parks Authority (INPA) awarded it daily management of City of David, has utilized this key touristic settlement to impose an exclusive, right wing Jewish narrative onto archeological digs embedded in a Palestinian neighborhood. The park sits just across the street from the Old City Walls and draws a purported half a million visitors every year. Amendment 17 will set the ground for a dangerous new phase in ELAD's penetration of Silwan. It is strongly anticipated that passage of the bill will usher in master plans for expansion of Israeli settlement in the neighborhood.

For the past decade, ELAD has been working strenuously to promote a master plan that would allow for residential construction in areas under its control in Wadi Hilweh. Removing this obstacle to approval of an ELAD initiated master plan for the area (TPS 11555) would allow for the complete subversion of existing protections enshrined in current national parks legislation. That Elad is the only entity promoting the bill – and that faced with objections by a spectrum of green groups, it created an exception to custom fit it to the City of David – demonstrates its essential unfitness to be managing a national park.

Of key importance is the split between “The Israeli Society for Preservation of Nature,” an environmental organization that has strongly opposed the amendment, and the Israel Nature and Parks Authority, the government agency responsible for management of national parks. For years, the INPA has enabled ELAD's agenda, most notably by awarding it the contract for daily management of the City of David. The director of the Jerusalem District of the INPA is a former ELAD member.

The amendment stipulates several conditions that must hold in order for a master plan for construction to be approved in a national park, including a number of conditions tailored to the specific case of Ir David.

- The national park must be declared in a residential area that pre-existed its declaration. **This provision provides the rationale for permitting construction: Residents deserve proper infrastructure and freedom to develop their neighborhood.**
- The National Park must serve for the preservation of archeological value, part of which lies underground, beneath the residential area; and most of the area of the neighborhood is designated (in the plan declaring the national park) as an area for archeological excavations. **This condition is specifically designed to fit the case of Ir David. The wording "reservation of archeological value" is actually copied verbatim from the Jerusalem Master Plan referring to the national park. This modification was made to reduce resistance from environmental organizations and MKs concerned that the legislation will be applied more globally to national parks in Israel.**
- The national park is under the jurisdiction of a local municipality. **In the case of Ir David, the local body is the Jerusalem Municipality, which has for years served as the third party in a park management structure that includes the INPA and ELAD.**
- The plan gives due consideration to the preservation of the historical, scenic and archeological value of the national park.

Amendment 17 was first discussed in the Knesset Interior Committee in January. ELAD's director, David Be'eri, was present at the session, during which MK Dudi Amsalem, then committee chair, invited him to "explain what you need." In a subsequent hearing just before the end of the Knesset Summer session, the Interior Committee held a second discussion on the amendment, voting to advance it for a first reading in the Knesset. Many of the professional representatives present, including the Ministry of Justice, opposed the amendment on the grounds of its anticipated damage to the integrity of national park land. Their concerns were overridden by the presiding ministers.

Supporters of the bill claim that the amendment will also benefit the Palestinian residents of Silwan by enabling upgrades to local infrastructures. Such claims are spurious given the long standing Israeli policy of thwarting significant master plans in Palestinian neighborhoods. This endemic discrimination in planning will be exacerbated by the amendment's provision that master plans for an area within a national park will require special approval by the Israel Nature and Parks Authority. Given the authority's long history of harassment of Palestinian landowners and residents, it is highly unlikely that it will approve master plans that serve the Palestinian population.

Promotion of this amendment lays bare the political drivers behind national park planning and development in East Jerusalem, an integral part of a larger settlement enterprise. National parks have become an effective tool for the state, working in cooperation with private bodies, to transfer administration and development powers for public, touristic, archaeological and educational projects into the hands of private right wing organizations; in so doing, enabling the Israelization of the Old City and surrounding band of Palestinian neighborhoods.

ELAD's operations extend to projects in the Tzurim Valley National Park, the Peace Forest (Ya'ar Shalom), and the Mount of Olives Cemetery. A plan for a massive new ELAD run visitor center – on the roof of which the planned cable car to the Old City will alight – has been approved at the entrance of Silwan, directly across from the walls of the Old City. The cable car has the potential to bring thousands of tourists per day from West Jerusalem to the Old City, over an invisible Green Line, into the hearts of Palestinian neighborhoods, to a constellation of state and settler operated sites that are effectively eroding Palestinian culture, narrative, and presence in the Old City and surrounding Palestinian neighborhoods.

Please address all inquiries to:

Betty Herschman

Director of International Relations & Advocacy

Ir Amim

Betty@ir-amim.org.il

054-308-5096