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Har Gilo West: Critical Step Closer to De Facto Annexation of Gush Etzion Settlement Bloc

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June 6, 2018

On March 25, the Planning and Building Committee of the Gush Etzion Regional Council discussed a new plan designed to expand the Har Gilo settlement in the West Bank by 330 housing units, initiating the plan's approval process.

The plan for 330 housing units in "Har Gilo West" (TPS 401-4-1) would nearly double Har Gilo's current volume of 400 housing units, on land designated by the Israeli Civil Administration as "state land" and estimated by Ir Amim to be roughly 290 dunams (pending official confirmation) in size. Though publicized as an expansion of the Har Gilo settlement, the area demarcated for the plan ([see map](#)) is clearly distinct from Har Gilo, with the Palestinian village of Walaja and the Separation Barrier positioned in between the two. Har Gilo West would be built cheek by jowl with Walaja, along its southwestern edge, between the built-up area of the village and the "Walaja by-pass road" (see gray line outlining Walaja) that connects Har Gilo to Jerusalem. In effect, along with Har Gilo the new development would create a wall of settlement around the West Bank portion of Walaja, completing a series of steps to entirely seal the village off from its surroundings.

The new plan will stretch Har Gilo towards Jerusalem, its northwestern edge reaching just 500 meters from the Jerusalem municipal boundary. It will create a seamless connection from Jerusalem to Har Gilo and the area under the authority of the Gush Etzion Regional Council, which comprises the settlements around the Bethlehem area to the south of Jerusalem. Gush Etzion is one of the three settlement "blocs" adjacent to Jerusalem (including Ma'ale Adumim/E-1 in the east and Givat Ze'ev in the north) incorporated under the vision of "Greater Jerusalem" – a plan to exponentially expand the area of Jerusalem through the de facto annexation of these blocs.

In the last decade, Israeli authorities have established several dramatic facts on the ground – including completion of the Separation Barrier around Walaja and a national park built on its land – to strategically address Walaja's obstruction of Israel's plan to absorb the Gush Etzion bloc into Greater Jerusalem. Har Gilo West should be seen in the context of this overarching geo-political goal. It is one more measure in a

series of steps to disconnect the built-up area of Walaja from its surroundings, create an isolated enclave out of the village, and enable a contiguous Israeli controlled territory from Jerusalem to the Gush Etzion Regional Council.

Humanitarian and Geo-political Implications of Har Gilo West

Approval of the plan and construction of the 330 housing units will have significant implications for both the village of Walaja and the viability of the two state solution:

1. Despite the Civil Administration's claim that the land in question is "state land," it is likely that some or all of it is private Palestinian land, ownership of which is not recognized by Israel.
2. Walaja will become squeezed between the existing settlement of Har Gilo and the new "Har Gilo West" settlement. Given this precarious positioning, future steps to severely limit villagers' freedom of movement (already a problem in Walaja) can be anticipated.
3. Today, Walaja is surrounded by the Separation Barrier on three sides. The new plan runs along the southwestern border of the village (the only section not surrounded by the Barrier) and in some places, almost adjacent to the built-up area of Walaja. Construction of the new settlement will complete efforts to entirely seal off the village.
4. In a worst case scenario for Walaja (signaled by the significant uptick in demolitions over the past two and a half years), the end stage of the Greater Jerusalem strategy on the southern perimeter could be the complete uprooting of the village – an approach apparent in the case of the Bedouin village of Khan al-Ahmar, located in the eastern bloc of the Greater Jerusalem plan (Ma'ale/E-1). In a May 24 decision, the Supreme Court of Israel accepted arguments by the Israeli authorities that would allow the demolition of the entire Khan al-Ahmar village.

Direct implications for the two-state solution:

1. The new plan will further fragment the Bethlehem area into isolated enclaves – cleaving between Walaja and the West Bank villages of Husan and Batir to the west of Walaja and further disrupting land contiguity within a future Palestinian state.
2. The "expansion" of Har Gilo will stretch it almost to the border of Jerusalem, enabling the de facto annexation of Gush Etzion and the realization of "Greater Jerusalem" along the city's southern perimeter. Since January 2017, when US President Donald Trump assumed office, several bills have been initiated by government officials and coalition members to [redraw the boundaries of the city](#) toward this end. While the substance of these bills has yet to be realized on the ground, in recent years Israel has promoted its policy via construction of the Separation Barrier, building of strategic road infrastructure, home demolitions in Palestinian communities, and ongoing settlement expansion.
3. Settlement construction in the West Bank fractures Palestinian contiguity while construction around Jerusalem will complicate efforts to connect a future Palestinian Capital in East Jerusalem to the rest of the West Bank. Moreover, Israeli public opinion would likely be weighted least favorably toward withdrawal from settlements in "Greater Jerusalem," i.e. Har Gilo West, under any proposed peace plan.

The "Har Gilo West" plan has yet to be discussed by the Civil Administration's Higher Planning Council, a mandatory step before it can be deposited for public objections. All steps should be taken to oppose another plan with potentially fatal consequences for both an entire Palestinian community and the two state solution.

Background: A decade of positioning new facts on the ground in Walaja

The Separation Barrier

Construction of the Separation Barrier on Walaja land began in 2010. The route of the Barrier was designed to run close to the built-up area of the village with the goal of isolating it from land zoned for

“Greater Jerusalem.” Construction was halted in 2013 without explanation and resumed in May 2017, with most of the Barrier completed in just 3 months. Today the Barrier runs for more than 4.5 kilometers around three sides of the village. Roughly 600 meters have not yet been constructed due to engineering challenges related to the stability of the land zoned for construction. Earlier this year, Ir Amim exposed that the Israeli Authorities were aware of this problem prior to construction of the Barrier and intentionally chose an untenable route – one clearly flawed from a security perspective but one that nonetheless accomplished the goal of isolating Walaja and confiscating land to be left on the “Israeli side” of the Barrier.

Home Demolitions

For more than a decade, the Israeli authorities ceased issuing demolition orders and executing demolitions in the neighborhoods beyond the Separation Barrier – the neighborhoods of East Jerusalem left outside the Barrier when it was built around Jerusalem in the early 2000s. In April 2016, the northern part of Walaja (annexed to Jerusalem in 1967 and separated from the city by the Barrier in 2010) was the first neighborhood beyond the Barrier in which new demolition orders were issued and demolitions carried out. Since that time, the Jerusalem District Planning and Building Committee (under the authority of the Finance Ministry) has continued to issue demolition orders in Walaja and other neighborhoods beyond the Barrier.

Demolition orders have now been issued against more than half the homes in the annexed part of Walaja, and the number is constantly growing. Because the Israeli authorities have refused to approve a master plan for the annexed portion of the village, all of the homes constructed after 1967 (the majority of homes in the annexed area) are at risk of receiving demolition orders. Court petitions have thus far delayed execution of demolitions; in those cases in which people have not petitioned quickly enough, demolitions have been carried out immediately.

Nahal Refaim National Park

In 2013, the Jerusalem District Planning and Building Committee approved a plan for the Nahal Refaim National Park on 1,000 dunams of Walaja land (together with 200 dunams from Beit Jala), creating another concentric band of insulation around Walaja. The plan was advanced and the park developed in parallel to construction of the Barrier. While the Barrier physically isolates Walaja from its surroundings, the national park serves the role of “touristic settlement,” creating contiguity between Jerusalem and the settlements of the Gush Etzion Regional Council.

One effect of touristic settlement is the power to manipulate Israeli collective consciousness, in this case by using springs and open nature reserves to soften the line between Israeli and Palestinian neighborhoods in East Jerusalem. The Israeli government has invested 14 million shekels for the development of a visitor center at the Ein Haniya spring, formerly the social center of Walaja and now an area residents are prohibited from accessing, along with the rest of the 1,000 dunams of land from which they have been sundered. The spring and open nature reserve, together with proximity to West Jerusalem, will likely offer the conditions for an eminently marketable tourist destination for Israelis who would not have formerly “ventured” into the Walaja area - another case of “Israelizing” a Palestinian neighborhood.

Israeli authorities conducted an opening ceremony for the visitor center in January of this year. Since then, the spring and surrounding area has remained fenced off, closed to both Israeli and Palestinians, but will likely be reopened with the relocation of the checkpoint between Jerusalem and Walaja (see below).

Relocation of the Checkpoint

In February of this year, work began to relocate the checkpoint on the road between Jerusalem and Walaja. The checkpoint is currently located inside the area annexed to Jerusalem (see map); the new checkpoint will be located on the annexation line, 2.5 kilometers up the bypass road to the west. It will block Walaja residents’ (and, in general, Palestinian ID holders’) access to 1,000 dunams of their

agricultural land – land left on the Israeli side of the Barrier and declared as a national park – and further separate Walaja from its environment.

In a Jerusalem District Court appeal against the relocation of the checkpoint, village residents argued against the checkpoint's impact on access, claiming that permit approval did not adhere to the planning and building law. On March 6, the judge disregarded the appeal to protect residents' free access to their land but ordered the Municipality to "amend the technical irregularities" in the permit approval process. The District Planning and Building Committee met today to review the permit for the checkpoint to resolve these "irregularities," details of which will be forthcoming.

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