

# Settlement Monitor

EDITED BY GEOFFREY ARONSON

*This section covers items—reprinted articles, statistics, and maps—pertaining to Israeli settlement activities in the West Bank, including East Jerusalem, and the Golan Heights. Unless otherwise stated, the items have been written by Geoffrey Aronson for this section or drawn from material written by him for Report on Israeli Settlement in the Occupied Territories (hereinafter Settlement Report), a Washington-based bimonthly newsletter published by the Foundation for Middle East Peace. JPS is grateful to the foundation for permission to draw on its material.*

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## PREPARING FOR PEACE NEGOTIATIONS

### “LAND SWAPS—A GUIDE”

*From Settlement Report, July–August 2013.*

U.S. Secretary of State John Kerry is continuing his efforts with Israel’s Prime Minister Benjamin Netanyahu and PLO Chairman Mahmud Abbas to begin negotiations in earnest to end Israel’s occupation of the West Bank and Gaza Strip and to establish a Palestinian state at peace with Israel. Such negotiations will necessarily address competing Israeli and Palestinian demands for territory.

The idea of a “swap” of territory between Israel and Palestine—according to which Israel annexes territory in the West Bank and East Jerusalem and Palestine annexes Israeli territory as part of a final status peace agreement—has featured in every negotiating forum conducted since 2000. The strategic

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objective of Palestinians in a final status peace treaty is to limit changes to the June 1967 line and remove Israeli settlements and settlers from the occupied areas. The long-standing strategic objective of the Israelis is almost the mirror image of the Palestinians' objective—to maximize the number of settlers, and to a lesser degree the size of West Bank territory under internationally recognized sovereign Israeli control, while minimizing the number of Palestinians annexed as citizens to Israel.

The primary Israeli rationale for supporting the swap concept is that it offers Palestinians a mechanism to accommodate Israel's demands for the annexation of territorially and demographically significant West Bank and Jerusalem settlements and other areas at a marginal territorial cost to Israel.

Palestinians consider the entire concept of swaps an imposition and yet another manifestation of Israel's superior power. They do not view it with enthusiasm or expect comparative strategic gain from the Israeli territories they would annex, and the maps outlining their territorial demands upon Israel reflect this minimalist view [see below].

The PLO as a matter of principle and declared policy disavows any claim to sovereign Israeli territory as defined by the June 1967 line. It views swaps as a means of maintaining the core Palestinian demand that sovereign Palestinian territory comprise no less than that defined by the armistice line.

The Netanyahu government has neither formally recognized nor diplomatically supported the swap concept, nor do some in the Palestinian leadership, particularly members of Hamas. Furthermore, there is no consensus for selecting "swappable" territory in Israel or the West Bank. There are also unresolved issues related to the qualitative and quantitative nature of any potential arrangement, resulting from the Palestinian demand for "equal" swaps.

During Israeli-Palestinian negotiations, Palestinian swap proposals have changed little in terms of identifying areas of the West Bank and East Jerusalem that Palestine is prepared to surrender or of identifying swap areas in Israel.

In contrast, while the Netanyahu government rejected the swaps concept, Israeli territories defined by previous Israeli governments as suitable for swaps have *increased* from 1 percent to 5 percent. At the same time some of the proposed swap areas themselves have changed in location and in character.

Formal negotiations during the last decade record a progressive *reduction*, from 9 percent to 7.9 percent, in West Bank lands that Israel would annex (excluding the Jordan Valley). This decrease in Israel's territorial appetite owes nothing, however, to a reconsideration of the territorial costs it will be called upon to pay, since the territories that Israel has identified within its borders for swapping are considered marginal.

Israel views the swaps process as a vehicle for making permanent, critical, and strategic territorial gains in the West Bank at no significant cost. Palestinians, in contrast, have not viewed the swaps process as a way to reduce Israel's territorial claims or to maximize the territorial price Israel will have to pay for satisfying its appetite for land in the West Bank and East Jerusalem. Rather, the Palestinians' core negotiating strategy centers on a refusal to contemplate Israel's annexation of more than 2 percent of the West Bank (113 square kilometers). In addition, the areas the Palestinians have marked for annexation are

noteworthy because they do not advantage Palestinian interests, certainly not to the degree that Israel is advantaged by annexation of West Bank territories, nor are they of such value to convince Israel to reconsider the dimensions or locations of the territories it demands in the West Bank.

It has been almost five years since negotiators engaged on the issue of swaps, or indeed on any of the central issues at the heart of the conflict. There is no evidence that the PLO has revised its views of the nature or dimensions of the territorial exchange that it envisages in a final status agreement. Nor is there any indication that Hamas is reconsidering its opposition in principle to a negotiated peace agreement, including a land swap component.

Statements earlier this year in support of the swaps concept by the Qatari foreign minister during an Arab League visit to Washington revived interest in the idea, but the current Israeli government, led by Prime Minister Benjamin Netanyahu, unlike governments led by Barak and Olmert, has not sought to integrate land swaps into a diplomatic plan.

### *The Swaps in Diplomacy—A Short Review Camp David*

#### **ISRAELI PROPOSAL**

111 settlements / 374,327 settlers annexed<sup>1</sup>  
 34 settlements / 18,977 settlers evacuated  
 733 km<sup>2</sup> West Bank territory annexed to Israel  
 507 km<sup>2</sup> leased by Israel  
 114 km<sup>2</sup> Israeli land annexed to Palestine

At the Camp David summit, held in the United States from 11 July to 25 July 2000, Israeli prime minister Ehud Barak proposed annexing 9 percent of the West Bank, including 80 percent of West Bank settlers and all those residing in East Jerusalem, while offering a 1 percent swap of land opposite Gaza. Israel's territorial claim increases to 21 percent of the West Bank if Jordan Valley security-related claims are included.

There was no Palestinian proposal on swaps.

### *Taba*

#### **ISRAELI PROPOSAL**

64 settlements / 335,331 settlers annexed  
 81 settlements / 57,973 settlers evacuated  
 340 km<sup>2</sup> West Bank territory annexed to Israel  
 0 km<sup>2</sup> Israeli land annexed to Palestine

At the Taba negotiations, conducted from 21 to 27 January 2001, for the first time both parties presented maps showing their ideas for borders of the proposed two states. Israel recognized the

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1. Numbers for settlers annexed and evacuated are based on 2003 settler population figures.

4 June 1967 borders as the basis for negotiations. During the talks, Israel proposed annexing 6 percent of the West Bank (including 80 percent of settlers) and leasing 2 percent of West Bank land. It also proposed a swap of 3 percent and the creation of a West Bank–Gaza corridor under Israeli sovereignty.

The PLO proposed a 2 percent annexation by Israel (including 65 percent of settlers) for a 2 percent swap of land in Israel of equal value, establishing a 1:1 ratio, at least concerning the size of swapped territory.

At Taba, as at Camp David, the manner in which the two sides measured the West Bank and land swaps differed. Israel claimed that the West Bank–Gaza corridor—calculated at 3 percent of the West Bank—should count as part of the land swap, even though it would remain sovereign Israeli territory. Palestinian negotiators rejected this idea. The PLO insisted that the Latrun salient (no-man’s land) in its entirety is part of the West Bank and thus should be counted as Palestinian land. Israel did not accept this approach.

### ***Geneva Initiative***

34 settlements / 285,688 settlers annexed  
111 settlements / 107,616 settlers evacuated  
207 km<sup>2</sup> West Bank territory annexed to Israel  
207 km<sup>2</sup> Israeli land annexed to Palestine

The Geneva Initiative was the product of an extended but informal simulation by Israeli and Palestinian political figures that began in December 2003.

Under its terms, Israel would annex Ma’ale Adumim, Givat Ze’ev, and Gush Etzion. In return, Israel would transfer to Palestine land in the Bayt Jubrin area, including Tal Bayt Mirsam, Tal ‘Itun, and Khirbat Naqiq. East Jerusalem territory annexed by Israel would be compensated by a land swap of Israeli territory adjacent to the Gaza Strip. A corridor under Israeli sovereignty would link the West Bank and the Gaza Strip.

### ***Disengagement***

0 settlements / 0 settlers annexed  
21 settlements: 17 in Gaza, 4 in the West Bank / 8,408 settlers evacuated  
NA West Bank territory annexed to Israel  
NA Israeli land annexed to Palestine

Israel unilaterally, if informally, reaffirmed the sanctity of the June 1967 armistice line as applied to the Gaza Strip and renounced all territorial claims there in carrying out “disengagement” in Gaza in September 2005. There was no place in the process for land swaps, either in the process, which was unilateral; in Gaza territory, which was completely evacuated; in security considerations, which were accommodated in an entirely new Israeli paradigm that did not require annexation; or in the concept of settlement or demographic “facts on the ground,” as all 7,500 settlers in Gaza were removed completely and the seventeen settlements evacuated. Four settlements in the West Bank were evacuated, but remained subject to full Israeli security control (Area C).

***Olmert Map***

69 settlements / 435,626 settlers annexed  
 71 settlements / 65,048 settlers evacuated  
 444 km<sup>2</sup> West Bank territory annexed to Israel  
 286 km<sup>2</sup> Israeli territory annexed to Palestine

***PLO 1.5 Percent Map***

35 settlements / 305,473 settlers annexed  
 105 settlements / 195,201 settlers evacuated  
 86.19 km<sup>2</sup> West Bank territory annexed to Israel  
 96.29 km<sup>2</sup> Israeli territory annexed to Palestine

Israeli prime minister Ehud Olmert presented a map to PLO Chairman Mahmud Abbas on 16 September 2008 that represented the culmination of Israeli proposals presented in post–Annapolis conference discussions from November 2007 to September 2008. Olmert rejected Abbas’s request for a copy of the map, details of which Abbas jotted on a napkin. The map in the public domain is based on the projection created by Abbas’s experts.

The Olmert map proposes the annexation of 444 square kilometers, or 7.9 percent of the West Bank. In defining the areas for annexation to Israel, the map is dependent conceptually upon the trajectory of the separation barrier, particularly as it relates to Ariel, Ma’ale Adumim, and metropolitan Jerusalem, which are annexed in their most territorially unrestrained dimensions to satisfy three principal Israeli aims:

- to include the vast majority (87 percent) of settlers;
- to assure the capacity of settlements to expand in the future by annexing where possible their undeveloped hinterlands and in the process broaden Israel’s narrow “waist;”
- to deny the Palestinians territories critical for development in order to impair their sovereign capacity.

To compensate for Israel’s expansive territorial demands in the West Bank, Olmert offered to swap the Israeli territories (2 percent) identified in the Geneva Initiative map, particularly in the southern Hebron Hills. These included small areas peripheral to Palestine’s development needs in Beisan/Beit She’an, the southern and western Hebron Hills, and around the eastern perimeter of Gaza. Only in the last case is there some potential to establish offsetting value to Palestine for West Bank territory sought by Israel.

Notably absent from Olmert’s swap areas was the Halutza Sands region, which was initially suggested by Prime Minister Barak at Camp David. In the wake of Halutza’s identification as a possible swap, the government of Israeli prime minister Ariel Sharon began to develop this area to remove it from the Israeli reservoir of territories available to swap. This process of planning and settling Israeli areas identified for possible swaps in order to remove them from consideration continues, notably in the Amatzia region, west of Hebron, identified in the Geneva Initiative. In addition, Israeli government sentiment soured on the transfer to Palestine of large tracts of territory like Halutza, no matter how marginal. Instead, bits and pieces of inconsequential Israeli

territory devoid of any strategic value to Palestine were identified. In all cases, the swap areas defined by Olmert are delimited by populated Israeli localities.

The Palestinian map presented in the course of the Annapolis discussions during 2008 marked the first time that the PLO presented specific demands for Israeli territory in a swap. The so-called Two Percent map in fact identifies only 1.5 percent of the West Bank for annexation to Israel while outlining swap territory of 2 percent in Israel.

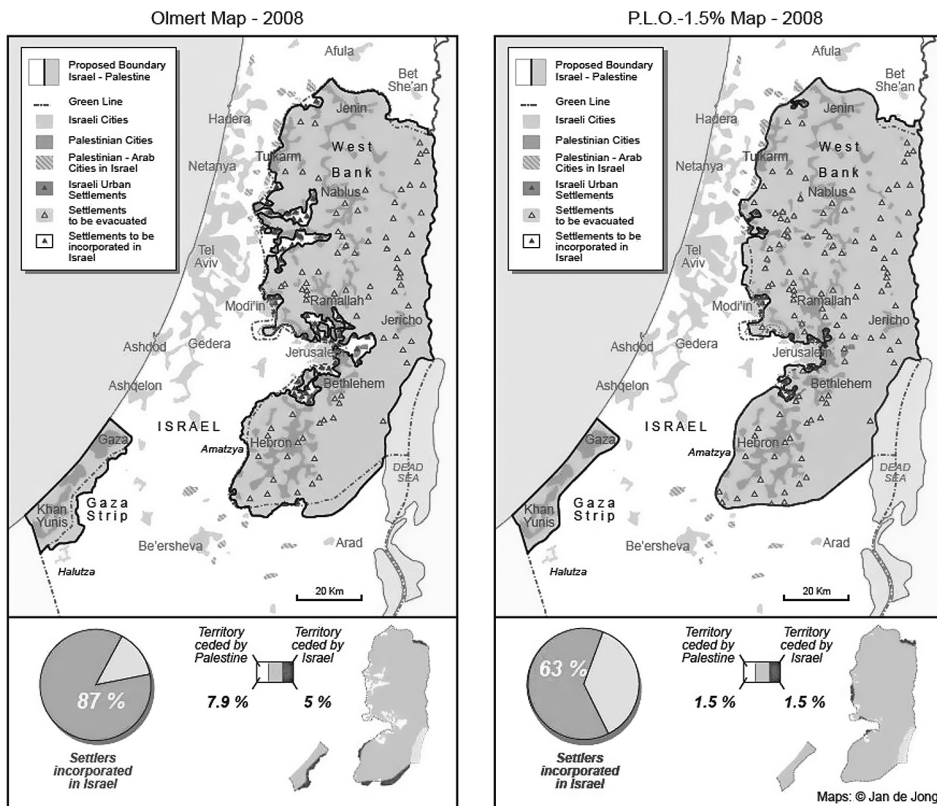
In identifying swap lands, the PLO generally sought Israeli territory nearby those areas to be annexed by Israel. Although proximity is thus identified as a PLO interest, the size of the swap territory and its value do not appear to have been critical criteria in the selection process. In the Battir area, south of Jerusalem, where Palestinians historically resided, these legacy considerations appear to have been important factors.

The PLO map [see below] expresses the abiding Palestinian interest in minimizing the extent of Israel's annexation of West Bank territory. It acknowledges Israel's overriding interest in East Jerusalem and the Etzion bloc settlements, constricting them, however, to a less generous definition of their area than demanded by Israel. It highlights the settlements' proximity to the Green Line and population density as factors in determining their annexation.

“LAND SWAPS OPTIONS” (MAP)

From Settlement Report, July–August 2013.

LAND SWAP OPTIONS



**"WHILE ISRAEL IS TALKING ABOUT PEACE. . ."**

*This report was published by the PLO Negotiations Affairs Department in July 2013. The full document can be found online at [www.nad-plo.org](http://www.nad-plo.org).*

*"Construction in Judea and Samaria<sup>2</sup> will continue, and is continuing still today, but we must be aware of what is happening around us" (Israeli PM Benjamin Netanyahu, 30 June 2013).*

Since January 2013, U.S. President Obama and Secretary of State Kerry have led a new effort in order to resume negotiations between Israel and Palestine. Israeli PM Benjamin Netanyahu has declared that he is willing to negotiate "without preconditions." Such an Israeli approach, illustrated by Israeli facts on the ground, is an Israeli attempt at normalizing daily aggression, oppression, discrimination and attacks against the occupied people of Palestine. It shows once again that Israel is not interested about reaching a just and lasting peace but rather in maintaining the status quo while resisting international pressure.

An Israeli commitment to the two-state solution in line with the vision of Palestine and the rest of the international community would be a positive step. Unfortunately, statements and actions made by prominent members of the Israeli government prove that there is a clear rift within the Israeli government on the issue of the peace process, while Palestine and the international community is exerting effort to resume meaningful negotiations. Many prominent figures of the ruling Israeli coalition are publicly opposing the two-state solution. At the same time, continued actions on the ground, many of which fall under the banner of Israel's illegal settlement enterprise, demonstrate a clear intention to destroy the possibility of two states living side by side.

This report summarizes Israeli attacks and other acts of aggression committed by the Israeli Occupation Authorities, military forces and settlers against the people of Palestine in the recent period when Israeli officials have been "talking about talking."

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Since Secretary Kerry began his efforts to resume negotiations, Israel has forcibly displaced 582 people, including 307 children, through demolishing their homes. The main concentration of home demolitions is in occupied East Jerusalem and the Jordan Valley. This is an average of twenty-two people forced from their homes every week since Secretary Kerry assumed his current position.

Eviction and forced displacement: Palestinian families of Shamasna and Kiswani, are on the verge of displacement and eviction in the Shaykh Jarrah neighborhood. An Israeli settler organization active in the neighborhood was pressing for the eviction.

Land Confiscation: Israeli authorities are in the process of approving the confiscation of 200 dunams of land in Waljah village, West of the town of Bayt Jala, for the future expansion of Gilo settlement and others. The Israeli government has also decided to build the annexation wall in the Cremisan Area of Bayt Jala which will leave the predominantly Christian community of Bayt Jala and the rest of the Bethlehem district disconnected from one of their last green areas. Israel plans to link the settlements of Gilo and Har Gilo.

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2. Biblical name for the West Bank.

SUMMARY OF HOME DEMOLITIONS (JANUARY-JUNE 2013):										
Structures Demolished			People Displaced				People Affected			
Res	Other	Total	Adults	Children	Unknown	Total	Adults	Children	Unknown	Total
131	206	337	275	307	0	582	528	580	100	1208
Total People Displaced and Affected										
Adults			Children			Unknown			Total	
803			887			100			1794	

Excavation in the Magharbeh Neighborhood: There are three new sites undergoing extensive construction in the southern part of the old city. Expansive excavation work is also taking place at Magharbeh gate in three locations: 1. Underneath the bridge; 2. South of Aqsa mosque by the Marwani Mosque; and 3. In Wadi Hilweh, the valley which runs through Silwan.

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### ***Focus on June: Details of Israeli Violations Awaiting Secretary Kerry***

*“We’re running out of time. If we do not succeed now, we may not get another chance,”* (Secretary John Kerry, 3 June).

June brought serious efforts conducted by the U.S. administration in order to resume negotiations between Israel and Palestine. While the Palestinian side has worked in close coordination with Secretary Kerry and his team, in order to create the right environment for meaningful negotiations, the Israeli side has continued its occupation and colonization activities, further closing the window of opportunity for the establishment of a free and sovereign Palestinian state and the two-state solution.

Some of the Israeli policies conducted during the month of June resulted in the death of one Palestinian and another fifty-six injured, meaning that almost two Palestinians were injured on a daily basis either by Israeli occupation forces or settlers. During the same period of time, 371 Palestinians were arrested (on average twelve arrested daily).

Regarding settlement construction, Israel approved the construction of 1,169 units during June, including the settlement of Burchin (Salfit Area), settlements in the so-called “Gush Etzion” area (Bethlehem–Hebron) and the illegal settlement of Har Homa (between Bethlehem and Jerusalem). That is equivalent to thirty-nine units per day, or more than the average number of daily units built by PM Netanyahu’s government during his 2009–2013 term of office (twenty-four units per day).

While continuing settlement construction all over the occupied state of Palestine, Israel demolished ten Palestinian homes as well as occupying another eight Palestinian homes.

Israeli military raids and attacks against Palestinians and their property continued during June. Israeli occupation forces conducted 536 raids within the occupied state of Palestine (an average of eighteen daily raids) as well as imposing 430 flying checkpoints.

Israeli settlers continued to attack Palestinians with impunity, carrying out seventy-six attacks on defenseless Palestinian communities (an average of 2.5 attacks per day). The combined number of



attacks conducted by settlers and Israeli occupation forces against Palestinian people reached 185 (six per day on average), while combined attacks against Palestinian property reached 121 (an average of four daily attacks).

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### ***Focus on Settlements: A Clear Increase during 2013***

*“The idea of a Palestinian state reached a dead end. There has never been so much time invested in something so pointless . . . we should build, build, build”* (Israel’s Minister of Industry, Trade and Labor Naftali Bennett).

The Israeli government’s commitment to settlement expansion has been fully upheld during the second term of Prime Minister Netanyahu. Official Israeli government statistics revealed that **during the first quarter of 2013, construction in the West Bank increased by 335% in comparison to the last quarter of 2012** – reaching the highest level in seven years.

#### **SETTLEMENT ACTIVITY**

##### *New settlement units:*

Between January and June 2013, **construction of 1,000 new housing units began in the West Bank**, which includes occupied East Jerusalem. Many of the construction sites are located deep inside the West Bank. In addition, since January, there have been **15,800 settlement housing units** in various stages of planning, approval and development in the occupied state of Palestine.<sup>3</sup>

- On 15 January, tenders were issued for eighty-four units in Kiryat Arba settlement in Hebron and 154 units in Efrat settlement in Bethlehem.
- On 16 January and 18 February, publication of “depositing”<sup>4</sup> for **255 units in Ofra settlement** and **620 in Eli Settlement** in Ramallah.
- In February, publication of validation before issuing tenders for ninety units in Bet El in Ramallah, and eighty-six units in Tal Meashe in Jenin.
- In April, discussion for validation before publication for 112 units in Ma’ale Adumim settlement in Jerusalem and 170 units in Rotem settlement in Tubas.
- In May, publication of depositing for 694 units in Aley Zahav settlement and 732 units in Mod’in Ilit settlement in Ramallah.
- Ongoing preparation for the infrastructure for 625 units in Pigsat Ze’ev and 942 units in Har Homa settlements. Also the **approval of eight units in Beit Orot** in occupied East Jerusalem.
- On 26 June, construction permits were approved for **sixty-nine units in Har Homa C** by the Israeli Municipality in East Jerusalem.
- On 9 June, a settlement plan was advanced by the Israeli government for the **approval 550 units in Burchin settlement**.

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3. IRAMIM & Peace Now

4. A technical stage of the settlement building process

- On 6 June, a plan was advanced for the approval of **675 units in the settlement of Itamar**. This settlement is located deep inside the West Bank (twenty-eight kilometers from the Green Line, east of Nablus District).
- On 14 May, the Government announced its intention to establish four new settlements of: Mitzpe Lachish, Givat Assaf, Ma'ale Rehavam, and Haroe.
- In late May, 1,000 new housing units were approved: **300 homes in Ramot settlement and 797 in Gilo settlement**, aimed at further severing Bethlehem from East Jerusalem
- On 25 April, a plan for eleven units in East Talpiot was deposited for approval (plan no. 12989A). In addition, the Israeli minister of housing declared he plans to expand a hostel for the elderly in East Talpiot with another fifty units.

*Other settlement activities:*

- Approval for the new cable car connecting the Mount of Olives with the old city of occupied East Jerusalem.
- Approval of a new dumpsite near Shufat and Anata village, threatening Palestinians living in that area with eviction and forced displacement.

*Settlement Road Network:*

- Road #4: ongoing construction in Bayt Safafa, south of Jerusalem
- Road #20: In May, the Israeli PM officially opened a settler road which was built on lands belong to Palestinians from Hizma and Bayt Hanina. The road connects the settlements of the West Bank with West Jerusalem and Tel Aviv.
- Road #21: ongoing construction between Shu'fat and Bayt Hanina to be connected with road #20 and to advance the approval for the expansion of Ramot Shlomo settlement.
- East Ring Road: approval of the new road to connect the settlements in the south such as Har Homa, North and with West Jerusalem.
- A plan for a ramp to Jerusalem from Ma'ale Adumim settlement road was approved for validation in May 2013.

### ***Conclusion: End Israel's Impunity, Protect Palestine and Its People***

*"Settlement activity embodies the core of the policy of colonial military occupation of the land of the Palestinian people and all of the brutality of aggression and racial discrimination against our people that this policy entails"* (President Mahmud Abbas).

In the short period during which Israel has talked about peace, as a response to U.S. efforts to resume negotiations, the Palestinian people have been subjected to numerous and appalling violations at the hands of their supposed partner in those talks. These are not merely violations which prejudice the outcome of the two-state solution, not merely violations which make the prospect of meaningful negotiations incredibly difficult, not merely violations which breach international law and almost every basic human right, but violations which are physically and continuously harming the lives and livelihoods of normal people. Palestinians face daily terror attacks and violence from the Israeli military and settlers who are granted full support from the Israeli government and its officials.

What is most shocking is that these policies and violations are carried out with a complete lack of accountability. This impunity that Israel currently enjoys is not the right environment for meaningful negotiations. The only way to open a door for credible negotiations is for Israel to implement previous agreements and respect international law. The only party able to ensure this environment is the international community.

The facts are clear. For peace to prevail, Israel's impunity must end.

#### "STATE DEPARTMENT: NO CONSEQUENCES FOR SETTLEMENT"

*In the following exchange, which took place on 13 June 2013, State Dept. spokesperson Ms. Jen Psaki answered questions about the administration's policies regarding Israel's settlements in the West Bank. The full transcript is available online at [www.state.gov](http://www.state.gov).*

*From Settlement Report, July–August 2013.*

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*Isn't part of the problem here that despite the U.S. condemnation of settlement building, the Israelis have absolutely no incentive to stop it? I mean, they know that they're going to have the U.S. support ad infinitum. And is it—shouldn't there be consequences? Shouldn't the U.S. be sort of saying, okay, we hold a lot of aid—we send a lot of aid to Israel; shouldn't there be some kind of consequences for the Israelis going ahead and deliberately tarnishing the waters that the secretary's trying to build here?*

Well, our focus right now is not on consequences as much as working with both sides to try to move them back to the table. So I don't have anything new or any new policy on that front. Certainly we find this unhelpful, as I just said.

*But diplomacy has always been about a carrot and stick thing. And I mean, working with the two sides isn't actually getting you anywhere. We're still stuck now where we were sort of sixty years ago. Despite the secretary's efforts, the Israelis are still moving forward with plans which you yourself concede are unhelpful. . . . Shouldn't there be some kind of modification of the U.S. policy in that case to sort of say, "If you guys do this, we're going to do that"? . . .*

That's not the current plan. . . .

*So in other words, there are consequences for the Palestinians if they do things [at the UN] that are unhelpful, but there are not consequences—and there are no plans to have consequences—for the Israelis if they do things that are unhelpful to the process. Is that correct? Is that correct? . . .*

There's no change in our policy on either front. . . .

*Okay. So there are no consequences for the Israelis but plenty of consequences for the Palestinians?*

Again, we consider aid to all sides—as you know, because you know how the Congressional process works—on a very regular basis.

*I just want to make sure that I understand it.*

We make points to both sides about actions they would take that would be unhelpful. And we—that is why moving both sides back to the table for a peace process is so important.

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## **A NEW TREND IN THE POLITICS OF WATER AND LAND**

**“WEST BANK WATER SHORTAGES FORCING PALESTINIANS TO LEASE LAND FROM SETTLERS”**

*This piece was published in Ha’Aretz on 2 August 2013. It was authored by Amira Hass, the paper’s correspondent for the occupied territories. The full text is online at [www.haaretz.com](http://www.haaretz.com).*

Settlers in the Jordan Valley are leasing some of their land to local Palestinians and to Israeli citizens, but both sides prefer to keep the matter a secret. Official Israeli sources say they know nothing about the matter, and that in any case it is not common and there are only a few marginal cases involved.

The Palestinians are forced to lease the land from the settlers because of a shortage of land and water, which Israeli policy in the Jordan Valley has brought on, and because of limitations placed on the marketing of their produce. The Israelis are leasing land from the settlers because their small numbers do not match the huge area of land the state has allocated to the settlements since the occupation of the West Bank in 1967.

This leasing is against the rules of the Jordan Valley Regional Council and the World Zionist Organization’s Settlement Department, which in practice holds the majority of the agricultural land or the state in the Jordan Valley. The council’s regulations ban the leasing of land to non-citizens. Nonetheless, such leasing is embarrassing for the Palestinians since the farmed land is land Israel confiscated through various means from Palestinian communities and residents, then allocated it to settlers in the Jordan Valley.

*Ha’Aretz* spoke with some ten Palestinians in various spots in the Jordan Valley who lease land from the residents of a number of settlements. A few of them at first hid the fact that they are leasing, saying that they were employees of the Israeli who holds the land. A number of them said the practice has existed since at least the middle of the 1990s, when Israel started the regime of travel permits that limited their movement, but that it grew in the 2000s alongside the closing of the Israeli labor market for most West Bank residents. The size of the plots the Palestinians are leasing vary from a few dunams per person to hundreds of dunams.

A number of the lessees are Israeli citizens, Jews and Arabs, who hire Palestinian workers from the Jordan Valley. In a number of cases, the Israeli lessee only signs the documents and in practice the employers are his relatives, Palestinians who live in the Jordan Valley. In some cases, especially when the leased plot is not large, the deal is done without signing any documents at all. There are also a very few cases of partnerships between Jews and Palestinians from the Jordan Valley.

Dror Etkes, who investigates Israel's policy of taking control of the land in the West Bank, is now finishing a project of mapping and analysis of Israeli agriculture in the West Bank. He says he has managed to map some 6,000 dunams (about 1,500 acres) in the Jordan Valley that Israelis have leased to Palestinians—or their representatives. Etkes estimates there is more.

The IDF's Civil Administration in the territories said it did not know about the matter.

### ***Settler leader: "Don't know of such cases"***

The chairman of the agricultural committee of the Jordan Valley Regional Council, Zvi Avner, told *Ha'Aretz* that he personally does not know of any such cases of settlers leasing land to Palestinians. "It may be that it happens here or there at the margins," he said. But this could not be a widespread occurrence, he emphasized. Avner claimed that the lands of the settlements in the Jordan Valley are state land. In a few cases the lessees are residents of a community far from the farm land and they sleep in the fields during the week. In many cases, the leased land is far from the settlements themselves, and Etkes says this is an incentive in its own right for the settlers to lease the land to Palestinians.

All the lessees told *Ha'Aretz* that their produce is labeled as "Israeli" and therefore they are not required to transport it to Israel through far-off crossings, as they are required to do with "Palestinian" produce. For them, this is a significant cost saving. But the lessees complain that in most cases they make very little profit, or even lose money, because of the fierce competition with Israeli farmers who have subsidies and advanced mechanization.

The lessees told Etkes and *Ha'Aretz* that they pay from NIS 40 to NIS 300 per dunam per year in areas where there is an infrastructure for water. The payment for water is separate and the Palestinians pay the Israelis about NIS 3 per cubic meter of water. This price guarantees a profit for the lessor since the price he pays for the water he supposedly uses is lower.

Avner, who has headed the agricultural committee for the past seventeen years, told *Ha'Aretz* that Israeli farmers in the Jordan Valley pay on average NIS 2.10 per cubic meter for water. The quota for water for Israeli farmers in the Jordan Valley is 42,000 cubic meters for each plot of thirty-five dunams, and the price has three levels, starting at NIS 1.90 for about 50 percent of the water.

Over the years, Israel has taken control of some 77 percent of the land in the Jordan Valley—some 1.25 million dunams out of 1.612 million. These are the natural land reserves of the Palestinian communities there, whether for grazing or farming.

### ***Rich in Water***

The Jordan Valley is especially rich in natural water sources. The Palestinian Authority sees the area as the future grain basket for the Palestinian state and an area where they can settle and develop, similar to what has happened on the Jordanian side of the border. But under the temporary Oslo accords, Israel still controls the water resources of the West Bank and sets the water quotas for the Palestinians through its veto on all new water drilling for Palestinians, and its refusal to approve the reconstruction of wells that have been ruined.

Most of Israel's water drilling in the West Bank, some 69 percent, is in the Jordan Valley. The water produced from these wells is given to the settlements in the Jordan Valley, except for a few

Palestinian villages in the north and central Jordan Valley, whose wells were dried out by the Israeli drilling and which now get from the Mekorot national water company a water quota that is decreasing every year.

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## DEVELOPING SETTLER DIPLOMACY

**"DANI DAYAN BOLDLY GOES WHERE NO SETTLER LEADER HAS GONE BEFORE: WASHINGTON"**

*This piece was published in Ha'Aretz on 23 June 2013. It was authored by Barak Ravid, the paper's diplomatic correspondent. The full text is online at [www.haaretz.com](http://www.haaretz.com).*

Three and a half years ago Dani Dayan, the head of the Yesha Council of settlements, and his director general Naftali Bennett sat with Dr. Dore Gold in his research institute in Jerusalem's Katamon neighborhood and asked him for advice. This was after the Bar-Ilan University speech in which Prime Minister Benjamin Netanyahu for the first time expressed consent to the establishment of a Palestinian state, and at the height of the contacts with the U.S. administration to discuss a freeze on construction in the settlements (See Documents in *JPS* 153).

"We want to establish a diplomatic arm for the Yesha Council, to begin to present to the world a thesis that contradicts the Bar-Ilan speech, or even to open a bureau in Washington," said Dayan at the meeting. "What do you think?"

Gold, who served as Israel's ambassador to the United Nations and as Netanyahu's diplomatic adviser during his first term as prime minister, is familiar with the world of diplomacy and with U.S. politics. "Save the money on the airline ticket," he said. "You won't cross the threshold of anyone in Washington."

A lot of water has flowed in the Potomac since then. Bennett entered politics and settled into the office of the economics minister, Gold has been playing around with the idea of a government post as an ambassador or a diplomatic adviser, and Dayan left his job as head of the Yesha Council.

Dayan was disappointed by Gold's pessimism, but didn't discard the idea. On Friday, when he flew to Washington, he was on his way to setting a precedent. Dayan will be the first representative of the settler leadership to enter the gates of U.S. administration institutions. Dayan will arrive at the meetings with a new title: chief foreign envoy of the Yesha Council.

Dani Dayan is very likable. In addition to his clever and cynical sense of humor, he breaks the stereotype of the average settler. He's secular. He has a background in high tech. He's rational rather than messianic. Until he moved to a settlement he lived in Tel Aviv.

When we sat in a café over a double espresso and a soda a few days ago he blended into the landscape, despite the fact that in the last election most of the people around him voted for parties ranging from Hadash (a left-wing Arab-Jewish party) to Labor.

Make no mistake. Dayan's views place him on the far right. But as opposed to many of his colleagues in the Yesha Council and on the right, he is a liberal. He publicly opposes homophobia

and xenophobia, harshly attacks right wingers who claim that the “price tag” retaliation attacks against Arabs are nothing more than graffiti, and also admits that the Palestinian national movement is authentic. He claims that he is not a poster boy of the Yesha Council, and believes that he represents most of the settlers—those who oppose a Palestinian state and are identified with the right, but are not extremists, believe in democracy and reject the hilltop youth.

Since January, when he left his job as head of the Yesha Council after six years, Dayan, fifty-eight, has rediscovered himself. When you speak to him you realize at once that something has changed. He is radiant. Flourishing. When Communications Minister Gilad Erdan (Likud) offered him the job of director general of his ministry, he politely refused and explained that he was otherwise occupied. “I’m enjoying myself very much,” he says. “I’m doing what I really love.”

He devotes most of his time to establishing the diplomatic arm of the settler leadership. He wants to imitate Peace Now or the Geneva Initiative—only on the right. He runs around to meetings with foreign diplomats, briefings to the international media and conferences about the Israeli-Palestinian conflict in London and Washington. In the time that’s left he is carefully nurturing a social media persona with thousands of Facebook followers and a Twitter account on which he tweets in Hebrew and English against the two-state solution.

Dayan feels that there has been a change in the attitude of the international community towards the settlers in the past year. The United States and the European Community countries believe that the settlements are in contradiction of international law, that they are an obstacle to peace and must be removed. But they understand that the settlers are a significant political player that cannot be ignored. “From total indifference and treating us like lepers with whom one doesn’t speak, the situation has changed—now there’s curiosity and an eagerness to hear what we have to say,” notes Dayan.

For example, one day last October, Dayan’s cell phone rang. It was former U.S. ambassador to Israel Martin Indyk, who is currently the vice president and director of foreign policy at the Brookings Institution in Washington. The two, each of whom was at different meetings in the Knesset, arranged to meet in the Knesset cafeteria.

While talking to Indyk about “the situation” Dayan realized that he was actually in the midst of an “audition.” At the end of the meeting Indyk invited him to participate in the Saban Forum—one of the most prestigious events in Washington dealing with Israel-U.S. relations. The Israeli participants—politicians, academics, diplomats and journalists—are traditionally identified with the left. Dayan was the first representative of the settlers.

George Mitchell, the special envoy for Middle East peace during the first term of U.S. president Barack Obama, has never agreed to meet with Dayan or any representative of the Yesha Council. All requests were turned down at best, or ignored at worst. The only liaison for Dayan and the settlers was the U.S. consul general in Jerusalem, who is actually credentialed to the Palestinian Authority. Nowadays Dayan is invited to dinners in the home of U.S. Ambassador to Israel Dan Shapiro. When one of the most senior advisors to President Obama visited Israel a few weeks ago he sat with Dayan for two hours.

There has also been a change in the attitude of the international media. Last August, the *New York Times*, which is known for an editorial policy critical of the settlements, wrote a flattering

portrait of him entitled “A Settler Leader, Worldly and Pragmatic.” A month earlier Dayan published an article in the *Times* entitled “The Settlers are Here to Stay.” In March, he published another article in which he declared that “The Two-State Formula is Impossible.”

But the most interesting example is the British newspaper *The Guardian*, compared to which the *New York Times* looks like the mouthpiece of the Yesha Council. Many European leaders read the op-ed page of the *Guardian* with their morning coffee. Two weeks ago Dayan published an article in the paper entitled “What You Call ‘Settlements’ are on Solid Moral Ground.” Dayan claimed that the settlements are not an obstacle to peace and that the world must recognize the fact that the settlers are not the problem but part of the future solution.

The article received 565 responses. Some were erased by the editors, apparently because they contained various types of curses and invective. The rest consisted mainly of harsh criticism of Dayan and of the *Guardian* itself for publishing the article. “The Al Qaida manifesto demands the return of Al Andalus in Spain where I live. Perhaps we should have an article by one of them explaining how the land is theirs. I am appalled that such a propaganda article has appeared in the *Guardian*,” wrote one respondent. Many bloggers also published posts attacking the *Guardian*.

One can think of many reasons for the change in the attitude of the international community towards the settlers. The stagnation of the peace process, the lack of hope for the two-state solution and the outcome of the recent election in Israel are some of them. “My explanation is that for the first time in twenty years the world is beginning to internalize that we don’t necessarily have to travel on the two-state highway,” says Dayan. “We’ve reached a crossroads and everyone is asking themselves where do we go now. People have understood that ignoring the settlers was a mistake and only undermined the attempts to find solutions.”

After many years of opposing the idea, Dayan now believes that the settlers have to present a genuine and serious diplomatic plan as an alternative to the two-state solution. He has no consolidated plan as yet, but his basic assumption is that there will be permanent Israeli control in Judea and Samaria and no foreign sovereignty west of the Jordan River.

Dayan is opposed to right-wing proposals such as the “Stability Initiative” of HaBayit HaYehudi head Naftali Bennett, to annex Area C on the West Bank (which is under full Israeli security control) to Israel, and also rejects left-wing warnings of the danger that Israel will become a binational state at best or an apartheid state at worst.

He explains that in the coming thirty years we have to invest in making the status quo more tolerable by improving the texture of life of the Palestinians and the Jews on the West Bank, investing in the Palestinian economy, reducing to a minimum infringements to the Palestinians’ human rights, and even removing the separation fence. In the future, he believes, it will be possible to deal with the Palestinians’ right to self-determination and their nationalist aspirations in the framework of some kind of agreement with Jordan.

To Dayan’s credit it should be said that as opposed to many members of the settler leadership, he thinks out of the box. The problem is that his ideas are somewhat simplistic, overly optimistic and ignore facts that don’t conform to them. Dayan dreams of a new Middle East. A right wing Shimon Peres if you will. It’s not certain that the two men would agree with the comparison.