

Settlement Monitor

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. These items are drawn from international press and reports, as well as material from Geoffrey Aronson’s invaluable 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.

The Israeli Prime Minister and the Settlements

“Bibi’s Settlement Boom: March–November 2013” (excerpts) by Peace Now and Americans for Peace Now	1
“How 24,000 New Settlement Homes Allowed Netanyahu to Save Face” by Michael Omer-Man	5

U.S. Settlement Policy and the Peace Process

“State Department: What is the U.S. Position on Settlements?”	7
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Twenty Years of Settlement Growth

“Settlement Population Data since Oslo” by Peace Now	9
--	---

Palestinian Interactions with the West Bank Settlements

“Palestinian Children: The Invisible Workers of Israeli Settlements” by Dina Elmuti	10
“Eight Years after Evacuation of West Bank Settlement, Palestinian Owners Return to Land” by Chaim Levinson	12
“The Impact of Israeli Settler Violence on the Palestinian Olive Harvest: The Case of al-Mughayyir Village” (excerpts) by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA)	13

THE ISRAELI PRIME MINISTER AND THE SETTLEMENTS

“BIBI’S SETTLEMENT BOOM: MARCH-NOVEMBER 2013” (EXCERPTS)

This 9-page report was published jointly by the Israeli NGO Peace Now and its U.S. affiliate, Americans for Peace Now, in November 2013. The first half, offering general statistics and analysis, is presented below. The complete document, including the detailed list of settlement plans and issued tenders which makes up the report’s second half, is available at www.peacenow.org.

- During these first eight months of the new Netanyahu government, there has been a non-stop settlements construction and approval boom.

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- The most recent evidence of this came with the latest round of Palestinian prisoners released by Israel, which was accompanied by the publication of tenders for 2,258 new units in settlements, and the promotion of plans for 2,487 new units in settlements.
- These tenders and approvals were just the latest symptoms of the longstanding trend. Overall, since the establishment of the current government on 18 March 2013, tenders have been published for 3,472 new units in settlements, and plans have been promoted for no fewer than 8,943 new settlement units.
- These facts once again raise the very serious question about the motivations and intentions of Prime Minister Netanyahu with respect to peace, negotiations, and the two-state solution.

Negotiations or Settlements: What is the True Policy of the Netanyahu Government?

. . . Israeli prime minister Netanyahu has worked to sell the narrative that he is serious about peace and that the only obstruction on the road to successful negotiations for a two-state solution is Palestinian intransigence. Whether Netanyahu honestly believes he is serious when he talks about wanting peace is something only he knows for certain. However, as Netanyahu constantly reminds the world with respect to his adversaries—particularly Iran and the Palestinians—political leaders should be judged on their actions, not their words.

By this standard, Netanyahu's actions over the past eight months—the period since his new government took office—demonstrate the opposite of a commitment to peace and a two-state solution.

The data show unambiguously that Netanyahu, in his new term in office, and both before and after the launch of the latest peace effort, has forged ahead with settlements at a truly alarming pace. Prior to the start of the new peace effort, planning for settlement expansion continued unabated, as did construction on the ground. Since the start of talks, settlement-related approvals of every category have surged, with the evidence today pointing to the conclusion that Netanyahu elected to go with the Palestinian prisoner release option as cover for “bulk approvals” of settlement growth.

To be clear: there is nothing anomalous about these findings. The data for Netanyahu's current term in office is entirely consistent with his actions and policies during the previous four years in office, as documented exhaustively in our January 2013 analysis, [“Settlements & the Netanyahu Government: A Deliberate Policy of Undermining the Two-State Solution.”](#) At that time, we noted that during the first four years Netanyahu's government was in office, “its policies and actions in the West Bank and East Jerusalem disclose a clear intention to use settlements to systematically undermine and render impossible a realistic, viable two-state solution to the Israeli-Palestinian conflict.”

Looking ahead, the question is: can or will anyone convince Netanyahu to change course? The answer will be critical, given the damage that has already been done to the credibility of the current peace effort. It is all the more critical given that, assuming talks survive in the coming months, there is every likelihood that Netanyahu will once again seek to exploit the remaining two prisoner releases for further settlement-related provocations —provocations

that represent a real threat not only to the sustainability of talks, but to the viability of the two-state solution.

TENDERS

Over the past eight months, tenders have been issued for 3,472 new settlement units. Of these, 1,457 are in the West Bank and another 2,015 are in East Jerusalem. Assuming a settler family size of five people, this means housing for more than seventeen thousand new Israeli settlers. . . .

Issuance of tenders is one of the final steps before a construction can get started. The tender, which is issued after the approval and validation of a plan, is actually the governmental publication of a call for proposals to buy the rights to build the project. Once the bidding process is completed, the winning bidder can apply for a construction permit from the municipality. Once that permit has been issued, work can start. In general, construction may begin several months after the issuing of the tender.

PROMOTION OF PLANS

Over the past eight months, the Netanyahu government has promoted plans for 8,943 new settlement units. Of these, 6,521 are in the West Bank and another 2,422 in East Jerusalem.

Assuming a settler family size of five people, this means housing for more than forty-four thousand new Israeli settlers. . . .

The planning process for settlements includes a number of steps (for details, see Peace Now's document, [Making Sense of the Planning Process](#); for details of East Jerusalem planning, see this [presentation](#) by Danny Seidemann). Each step of the planning process takes a settlement plan closer to implementation. History has demonstrated clearly that approval of planning for settlements translates to settlement construction—that is, Israeli official arguments that planning approvals should not be controversial, since construction is still theoretical or a long way off, do not pass the laugh test.

It should be noted that there has been some confusion in the media about the total number of units involved. This is because during this period, some plans have been promoted multiple times, through different stages of the planning process. When we count the total number of units that have been promoted through the various stages of planning during this period, we get a much larger number (**11,873 units**). This number reflects the fact that some plans are being counted more than once. For example, a plan is considered as being promoted when a decision is made to take it up in the relevant planning committee, to determine if it will be deposited for public review. The plan is also counted as being promoted when a decision is taken to formally deposit the plan for public review (bureaucratically, an entirely distinct step from the planning committee consideration).

In terms of timing of promotion of plans during the past eight months, the breakdown is as follows, with some plans appearing multiple times:

- 5,577 units were promoted during the five months prior to the start of talks.
- 3,053 units were promoted in the two-week period around the first prisoners' release.

- 756 units were promoted during the two months of talks.
- 2,487 units were promoted at the time of the second round of prisoners' release.

THE PUBLIC DOMAIN

Over the past eight months, the Netanyahu government has promoted two major plans related to the public domain in East Jerusalem—one in Silwan, the other on Mount Scopus. The impact of these plans should not be underestimated.

Specifically, in tandem with the second prisoner release, Netanyahu permitted the promotion of the **Givati Parking Lot plan**, which involves construction of a huge settler-run visitor center outside of the Old City, near the Dung Gate. This site happens to also be the entrance to Silwan—an area targeted for years by settlers. Implementation of this project would have potentially devastating consequences for the two-state solution and for the current stability of Jerusalem.

In addition, Netanyahu permitted promotion of the **Mount Scopus Park plan**. As [Danny Seidemann](#) has written, this plan seeks “to link between the inner encirclement of the Old City and its visual basin . . . and the outer encirclement in Greater Jerusalem, as disclosed by the E-1 plan between Ma’ale Adumim and East Jerusalem. The new national park will be a bridge, forging a geographical link between the Old City basin and E1.”

In East Jerusalem, the battle to dominate the terrain is not limited to individual settler homes and housing projects. In recent years, it has increasingly focused on the public domain—parks, archeological areas and tourist facilities, etc. A large number of plans have been promoted in recent years that place huge areas of the public domain under the control of settlers and settler-linked groups, or that develop the areas of the benefit of a settler-oriented ideology. The underlying logic of such plans is to marginalize the Palestinian presence in core areas of East Jerusalem, to link up these areas to the Jewish Quarter of the Old City, and to create a contiguous Israeli/Jewish presence that anchoring [*sic*] Ma’ale Adumim and the proposed E-1 settlement to Israel.

BENEFITS TO SETTLERS

In addition to continued construction and approval of planning for more construction in settlements, on 4 August, days after the start of new Israeli-Palestinian peace talks, the Israeli government approved a new list of Israeli localities eligible for special benefits as national “priority development areas.” The **2013 list designated ninety settlements as national priority development areas**, including some settlements located deep inside the West Bank. These special benefits are designed to attract Israelis to move into the designated areas, and to entice those already living there to stay put.

CONSTRUCTION WITHOUT TENDERS

As [Peace Now](#) documented, the first six months of 2013, bridging between the two Netanyahu governments, saw a 70% increase in new construction starts in settlements, as compared to the same period in 2012. This comprised starts on 1,708 new settlement units, 180 of which were in illegal outposts (compared to 995 for the same period in 2012). Peace

Now documented, too, the completion of 1,794 settlement units. In total, 2,840 housing units were started, under construction, or completed during this period. Assuming a family of five, this translated to more than fourteen thousand new settlers.

Notably, 86% of the construction that was started during this period did not involve any tenders. This is why construction was able to surge ahead at a time when popular wisdom held that Netanyahu, in a show of good faith and generosity toward President Obama's new peace effort, was quietly "freezing" new settlement projects by [ceasing to issue tenders](#) for settlement construction. What few people understood, then or now, is that Israeli planning regulations grant authority over a great deal of settlement construction to settlement municipalities—meaning that decisions over construction in many settlements is in the hands of the settlers themselves.

...

"HOW 24,000 NEW SETTLEMENT HOMES ALLOWED NETANYAHU TO SAVE FACE"

This article was published by +972 Magazine on 11 November 2013. It was authored by +972's managing editor, Michael Omer-Man. The text is available at www.972mag.com.

Israeli prime minister Benjamin Netanyahu was outflanked from the right on Tuesday, purportedly surprised by [an announcement of 24,000](#)—yeah, you read that right—new settlement housing units in the West Bank.

Immediately following the first report of the unprecedented settlement expansion, Netanyahu announced he would block construction in E-1, one of the West's least favorite proposed settlement plans. Some eight hours later, he publicly reprimanded his housing minister, denied having advanced knowledge of the plans, and said they would be "reconsidered"—but not canceled.

The initial announcement drew immediate criticism and, coming as it did on the heels of one of Washington's harshest condemnations of Israeli settlement building in recent memory, increased the risk of what appeared to be a quickly deepening crisis brewing between Israel and the United States.

Part of that crisis was driven by the Israeli government throwing a diplomatic temper tantrum over what it fears is a bad deal between the P5+1 states and Iran over the latter's alleged nuclear arms program.

Fully aware of the situation's complexities considering the goal of Israel's primary diplomatic push on Iran, Palestinian negotiators mocked their Israeli and American counterparts on Tuesday, acquisitioning the language they have been using surrounding the Iran talks.

"All options are open," chief Palestinian [negotiator Saeb Erakat said in response](#) to the Israeli settlement announcement, clearly mocking the regular assurances Washington makes to Israel, repeating ad nauseam that "all options are on the table."

Another Palestinian negotiator and fellow Oslo veteran, Mohammad Shtayyeh, made even clearer use of Washington's growing bank of Iran-related sound bites. "We believe that it is better not to reach a deal than to reach a bad deal," he said, responding to the latest of Israeli settlement building announcements. Washington has repeatedly used the phrase to reassure Israel that it won't make a "bad deal" with Iran.

And maybe it is smart that the Palestinians started using the language of Iran nuclear talks. After all, they're all Netanyahu can talk about lately.

In his condemnation of the twenty-four thousand planned settlement units, Israel's prime minister didn't once mention Palestinians or the peace talks. Instead, Netanyahu explained that announcing one of the largest-ever tenders for new settlement construction "creates an unnecessary confrontation with the international community at a time when we are making an effort to persuade elements in the international community to reach a better deal with Iran."

And it's pretty likely that Netanyahu is telling the truth when he says he was unaware of the latest announcement ahead of time.

Housing Minister Uri Ariel, himself a settler, is at least bureaucratically responsible for the latest announcement. Ariel is a senior member of Naftali Bennett's Jewish Home party, which firmly opposes a two-state solution and advocates annexing the majority of the West Bank. Bennett in the past has said that [he has no problem with Netanyahu's peace process](#), because he is certain it will fail.

What if he, or more likely, someone in his party, decided to try and ensure that the talks fail, to make Netanyahu look bad in front of the Americans and Palestinians and to fire a warning shot, reminding the prime minister that strong elements in his own party oppose the peace process and two-state solution?

The other possibility is that Netanyahu's public about-face was calculated and not reactionary.

Last week, Secretary of State Kerry said—in [a joint interview](#) with Israeli and Palestinian television—that Israel's continued construction of settlements on land that will eventually be Palestine, "sends a message that somehow perhaps you're not really serious."

Netanyahu was irate.

So how could he save face and broadcast to the world that he is indeed "serious?" By stopping the largest planned settlement growth of the decade. And the best part—nobody loses but the Palestinians.

The Israeli Right doesn't actually lose anything because Netanyahu didn't order that the settlement building be canceled. The only thing he objected to, actually, was the timing of the announcement. The prime minister, who was called out by Kerry last week, in turn gets to reprimand his housing minister for announcing the settlement plans while the world's attention is on Israel. The "reconsideration" that he demanded, relates only to the timing and size of the announcement. The same plans will be open for bidding again soon, only announced more quietly and in smaller numbers.

Naftali Bennett's Jewish Home party also saves face. Under increasing pressure for sitting in a government that is—at least in theory—negotiating away chunks of the Land of Israel, Jewish Home can now show its supporters that it hasn't abandoned its ideology and will continue pushing to expand Israel's grip on what it swears will never be Palestine.

The Americans are in a bind, but they too come out on top. Kerry had his tough words for Netanyahu, both about Iran and about Palestine, and voilà—it worked. State Department spokeswoman Jen Psaki played into the possibility that Netanyahu was outflanked by his own, shortly before Netanyahu issued his "reversal," noting that these types of settlement announcements aren't always in the prime minister's control.

But anyone who hoped Kerry's harsh words about settlements last week were the beginning of a tougher American stance against the settlements will likely be disappointed. "I don't think we've been shy about our disapproval of settlements, so we've called them illegitimate," Psaki said, repeating the same tempered and seemingly exhausted language Washington has used for years. "We want to move forward." [See below for a transcript of Psaki's comments regarding settlements—Ed.]

Or rather: nothing to see here. Move along.

U.S. SETTLEMENT POLICY AND THE PEACE PROCESS

"STATE DEPARTMENT: WHAT IS THE U.S. POSITION ON SETTLEMENTS?"

In the following exchange, which took place on 14 August 2013, State Department spokesperson Jen Psaki answered Associated Press reporter Matt Lee's questions about the administration's stance on the expansion of Israel's settlements in East Jerusalem and the West Bank. The full transcript is available online at www.state.gov.

From Settlement Report, September–October 2013.

...

Does the United States believe that all Israeli settlement activity along—and we can include in that East Jerusalem construction—is all of it illegitimate?

Well, our position on Jerusalem has been clear and has been consistent for some time, which is that we believe it is a final status issue in terms of the discussion of that—of Jerusalem, right?

...

That is part of the discussion. We have, of course, expressed concerns about construction in East Jerusalem. That hasn't changed. Our position on settlements we have stated a number of times, and I just stated, and that has not changed either.

Okay. So you do not regard the construction in East Jerusalem as illegitimate. Is that correct?

Well, I think I just stated what we—what our longstanding position has been on construction. . . .

...

The nine hundred homes that were announced for construction in East Jerusalem. Is it fair to say you do not regard those as illegitimate?

Well, we—in terms of those specific—that specific announcement

...

—you know we oppose any unilateral action. Certainly we would include this, that attempt to prejudge final status issues, including the status of Jerusalem. That's where that building is taking place. That's our view on it.

Okay. So you're opposed to it, but you don't say that it's illegitimate?

I think you know our position.

Okay. So in terms of illegitimacy then, this legitimacy issue, are existing settlements illegitimate in the eyes of the administration in the West Bank? Settlements in the West Bank that currently exist now, are they illegitimate, meaning that they should not be part of Israel once there is a peace agreement?

Well, obviously, the question of borders will be worked through and is part of the discussion that will take place and will be ongoing in the weeks and months ahead.

So are existing settlements illegitimate?

Well, we have concerns about ongoing continued settlement activity.

Okay. Do you understand that there's a serious problem here? Because if you talk about—if all you're prepared to say is that you don't accept the legitimacy of continued settlement activity, you are only calling illegitimate settlements that have not been announced, settlements that are, say, a twinkle in the housing minister or whoever's eye. Once they are actually announced or built, you stop calling them illegitimate, and they—and you start saying that that's a—that's something to be decided between the parties. Okay?

Well, this has been our position for a number of years.

That's—well, right. But . . .

. . .

And I'm surprised that no one . . . has picked up on this before, because you have essentially—you don't oppose settlements at all, because once they're built or once they're announced, once plans for them—plans to build them are announced, you're not opposed to them anymore, because it's something for the parties to decide whether they're legitimate or not.

Well, certainly it will be—a big part of the discussion will be that process moving forward.

Right. Do you understand the problem? Do you understand the—

I understand what you're conveying. I'm happy to talk back with our team and see if there's any more clarification we can provide.

Okay. So tell me, am I wrong in thinking that the United States has no position at all except that it is to be decided by the parties on the legitimacy or illegitimacy of settlements that exist in the West Bank today?

I believe you are wrong, Matt. We'll get you some more clarification.

You believe I'm wrong? Okay.

We'll get you some more clarification.

. . .

—in fact, your longstanding position, going back all the way to 1967, and through George Herbert Walker Bush when he was representative at the United Nations, and on to Andrew Young, and on

and on and on, that the settlement, that Jerusalem—East Jerusalem, the West Bank, all territory occupied is contrary to the Fourth Geneva Convention, and any alteration stands contrary to that, that you will not support. That is your position, not to reconcile yourself to the facts on the ground, as has been suggested.

Duly noted.

...

TWENTY YEARS OF SETTLEMENT GROWTH

"SETTLEMENT POPULATION DATA SINCE OSLO"

This brief list of statistics was published on 17 October 2013 by Peace Now as the conclusion to a short report titled "The Two State Solution is Still Alive 20 Years after Oslo." It succinctly illustrates the dramatic expansion of Israeli settlements in the West Bank since the signing of the Oslo Accord in 1993. The full report can be found online at www.peacenow.org.il.

...

- **Population of Settlers Tripled:** According to the Israeli Central Bureau of Statistics, before the Oslo Accord (end of 1993), there were 110,066 settlers in the West Bank and another 6,234 in the Gaza Strip. Today, there are 341,418 settlers in the West Bank only. This is even more than triple the pre-Oslo population.
- **Half of the population growth** (114,000 residents) **was in only three settlements:**
 - Mod'in Ilit (an addition of 55,500 settlers),
 - Beitar Ilit (an addition of 38,500 residents) and
 - Ma'ale Adumim (an addition of 20,000 residents).
- **64% of population growth was in settlements west of the Geneva Initiative Line:** The number of settlers may have tripled, but 64% of the growth was in areas that, under the model of the Geneva Initiative, would stay under Israeli control as part of a land swap (see map).
- **86% of new settlers in isolated settlements** (*east of the Geneva Initiative line*) **joined religious or mixed religious/secular settlements, which are more ideologically motivated.** This means that the vast majority of settlers who came to live in the isolated settlements are ideological settlers. The settler movement did not succeed in filling the West Bank with hundreds of thousands of Israelis. Rather, the new settlers are almost exclusively religious ideological settlers who live in isolated settlements.
- *The total number of settlers living today east of the Geneva Initiative line composes **only 1.8% of the Israeli population.***
- **Outposts:** After Oslo, the Israeli government took upon itself not to establish new settlements. Instead, the government established a new type of settlement called "outposts," which are officially illegal under Israeli law, but at the same time are encouraged and supported by the government. Since Oslo, Israel has built one hundred new settlements, under the guise of outposts. The settlers

hope to turn outposts into large settlements with permanent houses and thousands of settlers. However:

- 80% of the buildings in the outposts are transportable: mobile homes and light-construction buildings.
 - Most of the outposts remain small in size, containing less than twenty to thirty families.
 - Only ten thousand settlers live in all of the outposts put together.
 - Only three outposts were legalized and recognized as new settlements (Sansanna, Bruchin and Rachelim); another six outposts are in different stages of legalization as “neighborhoods” of existing settlements, and the government has declared its intention to legalize another four outposts in the future.
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PALESTINIAN INTERACTIONS WITH THE WEST BANK SETTLEMENTS

“PALESTINIAN CHILDREN: THE INVISIBLE WORKERS OF ISRAELI SETTLEMENTS”

This piece was published in The Daily Beast’s Open Zion blog on 28 August 2013. It was authored by Dina Elmuti, a consultant with the child rights NGO, Defense for Children International – Palestine. The full text is online at www.thedailybeast.com.

The summer air grew considerably hotter as we drove down to the Jordan Valley. Its red fertile soil radiated heat beneath our feet as we walked toward the lush agricultural field dotted with young boys picking vegetables.

Wearing a red hoodie over his baseball cap, Omar, 17, quickly jumped off a tractor to greet us. He appeared thin and sunburned and his hands felt calloused from picking vegetables barehanded. Omar’s younger brother, Fouzi, 16, wearing a baseball cap and carrying his plastic bucket, followed close behind. Beads of sweat trickled down their faces as they proudly displayed the eggplants and peppers they had collected over the past five hours.

Four years ago, Omar became the primary breadwinner for his eight-member family after his father passed away. In significant debt due to medical bills, Omar began picking, cleaning and packaging fruits and vegetables near the agricultural fields of the Israeli settlement of Hamra in the Jordan Valley.

When balancing work and school became exhausting, both Omar and Fouzi left school to work full-time in the fields. Depending on the season, around ten thousand to twenty thousand Palestinian laborers work in Israeli agricultural settlements in the Jordan Valley. Approximately 5 to 10 percent of these workers are child laborers, according to the [Ma’an Development Center](#).

One of the most restricted places on earth, the Jordan Valley is home to vast swaths of rich agricultural land used by Israeli settlements. Since 1967, Israel has implemented systematic measures to ensure absolute control over the region, depriving Palestinians of their right to their own resources.

While Israeli settlers make up 13 percent of the population [of the West Bank], they effectively control 86 percent of the land. The annual value of agricultural production in the Jordan Valley

settlements is estimated at about \$132.6 million, according to a [report](#) by the Palestinian human rights organization, Al-Haq.

Omar and Fouzi are from the West Bank village of Duma, thirteen miles southeast of Nablus. During the months they work, they stay in storage units near the Hamra settlement, sleeping on tiny cots for months at a time.

“We work up to ten hours or more and we don’t get many breaks to drink water and rest throughout the day,” says Fouzi. “The units we sleep in are very cramped and humid; sometimes it feels like we’re choking, but we’re used to it.”

At the end of each week, they send the money they earn home to their mother. Child laborers earn an average of forty to sixty shekels (twelve to eighteen dollars) per day. This is not even enough to buy a bag of flour to feed her family, Omar and Fouzi’s mother, Muntaha, says.

Palestinian children as young as 11 work up to twelve hours a day, in temperatures that can reach up to 122 degrees Fahrenheit and drop to 32 degrees Fahrenheit.

Child laborers can suffer from injuries and chronic pain due to long hours, poor working conditions and the harsh physical nature of the work. The use of inorganic pesticides and fertilizers is [widespread and unregulated in the Jordan Valley](#), creating highly polluted runoff water with high levels of chemicals to which children are exposed.

Exposure to these chemicals can have grave long-term consequences including [hormonal, renal and nervous system abnormalities, and cancer](#).

Palestinian child laborers are undocumented, meaning no records of their hours worked are kept. They are paid in cash so that there is no proof of them working on settlements, and they have no official status, health insurance, or rights as employees. Settlers that employ them are well aware of this.

“Last year, one boy fell off the tractor and injured his back. He’s nearly paralyzed and didn’t have insurance so he can’t work,” shares Omar, eyeing the tractor he was just riding.

Undocumented child laborers are more vulnerable to exploitation, fearful of complaining or exposing any rights abuse that may jeopardize their source of income and safety.

“Cases of sexual assault and abuse are very common in settlements,” according to Amjad Jaber, director of the Palestinian Authority Ministry of Labor office in Jericho. “I hear horrific stories from many women and children, who are most vulnerable to the abuse.”

Limited vocational training or other alternatives forces many Palestinian families to turn to *waseets*. Families trust *waseets* to find work for their children in Israeli settlements. Many *waseets* were child laborers themselves.

Waseets generally take commissions from the wages of the child laborers they recruit. Some also collect fees for housing and transportation. Israeli settlers pay higher wages to *waseets* because their services make running the entire agricultural settlement enterprise affordable and profitable.

The Palestinian Authority prohibits children from working in the settlements, and under Israeli law, employing minors is illegal, which results in a workforce that is invisible under the law and not guaranteed basic protections and rights.

“I view the use of child labor inside settlements as a form of human trafficking,” said Khaled Quzmar, an attorney at [Defence for Children International – Palestine](#), who was involved in

drafting the Palestinian [Labor Law](#) that went into effect in 2000. (Disclosure: I am a consultant with DCI Palestine.)

“Child labor is a very complicated issue,” says Quzmar. “The fractured legal system in the West Bank makes it easy to exploit child labor because Palestinian Labor Law only applies to children working in areas under Palestinian Authority jurisdiction, not Israeli settlements.”

Sitting down with Omar and Fouzi’s mother, Muntaha, in Duma, the sound of distress in her voice over her dependency on her children’s work is clear.

“No mother wants to send her children to work in a settlement. Of course not,” Muntaha sighs. “But what choice do we have?”

“EIGHT YEARS AFTER EVACUATION OF WEST BANK SETTLEMENT, PALESTINIAN OWNERS RETURN TO LAND”

This piece was published in Ha’Aretz on 3 October 2013. It was authored by Chaim Levinson, the paper’s correspondent for West Bank settlements. The full text is online at www.haaretz.com.

Eight years after the evacuation of the settlement of [Homesh](#) and thirty-five years since it was founded, the original Palestinian owners are once again working their land.

The past eight years have seen attempts by Jewish extremists to reestablish Homesh, which Israel evacuated as part of the 2005 [disengagement from Gaza](#) and four settlements in the northern [West Bank](#). With the opening of the land to Palestinians once more, groups like Homesh Yeshivah, whose members are known to sleep in nearby caves, are likely to double their efforts to resettle the area.

On Thursday morning, the [Palestinian Authority](#) held a festive celebration as landowners arrived to work their land for the first time in eight years. The merry crowd climbed the abandoned orange water tower of Homesh and waved Palestinian flags from the top. They covered over a menorah symbol on the tower and spray-painted the words: “Palestine is here forever. The occupation will end.”

Three other settlements in the northern West Bank along with Homesh were in the Gaza disengagement led by Prime Minister Ariel Sharon. All of Homesh’s homes were demolished. Only a water tower was left standing.

Homesh was founded in 1978 in the area known in Israel as Samaria on seven hundred dunams (173 acres) of the land belonging to neighboring Palestinian village of Burqa, which has a land arrangement with ownership certified in the Land Registry. When the lands were confiscated from Burqa, the IDF cited military necessity—a common premise, subsequently banned by Israel’s Supreme Court. In 1980, the area was handed over to Jewish settlers, who established Homesh the same year. The government also confiscated other land nearby.

Even after Homesh was evacuated in the summer of 2005, the land seizure order remained in effect and the Palestinians were prohibited from entering the area.

In 2010, the landowners and the human rights organization Yesh Din petitioned the Supreme Court to put an end to the military requisition.

But just before the case came up for a hearing in the High Court in May this year, the head of the IDF Central Command, Maj. Gen. [Nitzan Alon](#), said he would rescind the seizure order without explaining why it had taken so long to do so. The government delayed action because the

previous Central Command chief, Avi Mizrahi, said the site had to be kept for military purposes. The defense ministry's legal advisers had said, however, that there was insufficient cause to hold all the land. In December 2011, when Alon took over IDF Central Command, he overturned Mizrahi's decision and paved the way for the return of the land.

As of two weeks ago, Homesh is no longer listed as a settlement, ending the military requisition.

The celebrating landowners moved about happily Thursday morning. Muhammad Salim Haj, 73, owns twenty dunams (five acres) there. He farmed the land before Homesh was established and, since then, he has not been to the site. He said he thought he would never return to his land. His plot is located up the hill where the concrete foundations of the settlement's houses ruined the soil. He hurried to plant an olive tree, nevertheless.

"They ruined the land," he said. "But we will try to plant olives and maybe even apples, too."

Iman Saif broke out in tears of joy as she searched for her family's plot. "We have twenty-three dunams (5.75 acres) here. I don't know where exactly. Everything here has changed. We will sow and harvest and water it. I'm happy. Very happy," she said.

Khaled Mansour, a resident of the al-Fara'a refugee camp whose family came from Haifa, joined the festivities but took a different tone from the locals. He held up a sign with the words, "To Hell," and an anti-Semitic depiction of a Jew with long sidelocks and a sword in front of his face. "I am helping the people of Burqa to drive out Homesh. This is a happy day. We will drive out all the settlers from our land," Mansour said.

Since the evacuation, the "Homesh Yeshivah" has tried to keep some form of Jewish hold on the site, sleeping in nearby caves—but none of them were present on Thursday. A settler movement named Homesh First has protested at the site occasionally, but security forces remove the demonstrators. Now, after the Palestinians have returned to the lands of Homesh, the efforts by extremist Jews to reestablish Homesh are expected to rise.

"THE IMPACT OF ISRAELI SETTLER VIOLENCE ON THE PALESTINIAN OLIVE HARVEST: THE CASE OF AL-MUGHAYYIR VILLAGE" (EXCERPTS)

This short case study was published by the UN Office for the Coordination of Humanitarian Affairs (OCHA) on 22 October 2013. The full document, which includes a map of al-Mughayyir and the surrounding area, is available online at www.unochaopt.org.

Al-Mughayyir is a Palestinian village located northeast of Ramallah, with a population of approximately 2,700. The community has traditionally relied on farming and herding, with olive oil the main agricultural produce.

In 1998, the Adei Ad settlement outpost was established without official Israeli authorization, partially on private land belonging to the Palestinian villages of Jalud and Turmus Ayya, and adjacent to agricultural land owned by al-Mughayyir. Over the past ten years, Palestinian families whose agricultural land is in the vicinity of the outpost have been subject to violent attacks by Israeli settlers when accessing their plots. Attacks have included physical assault and the damage to trees and property. The Israeli army has also imposed restrictions on the access of Palestinians to some of the agricultural and grazing lands in the vicinity of the outpost.

Settler Violence

Hussein Abu 'Alia, a 72-year-old father of nine from al-Mughayyir, owns a sixty-dunam plot of land in the vicinity of the Adei Ad outpost, which was originally planted with 600 olive trees:

I have faced endless troubles from Adei Ad outpost. In the beginning, we caught the settlers stealing olives from our trees. Then they started breaking off the branches, but they grew back and we also planted new trees to replace those damaged. Then, three years ago when we went to pick our olives, we were shocked to find the trees all yellow and dried up. We called the police, who discovered that the settlers had drilled into the trunks and injected them with a poisonous substance that killed the trees from the roots up. To date, I've had around three hundred olive trees vandalized by Israeli settlers.

The family of Halima al-Na'san, a 65-year-old mother of nine, owns an eight-dunam plot of land near Adei Ad, originally planted with 160 olive trees. She recalls an incident that took place in 2004.

My husband Jamil was driving the tractor home and two of my sons and I were driving in a car behind, when a group of armed settlers started chasing and shooting at us. We drove faster to escape and as we got close to the village, they threw some type of explosive device at our car. Luckily, we'd jumped out of the car a few moments before, because it was completely burned, together with three large containers of olives we'd picked that day that we were transporting. Everyone ran in a different direction. My son Mu'ayyad, who was only 13, hid inside a cave. A settler found him and put a gun to his head but people from the village came to help us and the settlers fled. Since that day, I've been constantly worried for my sons and Jamil and I encouraged them to go abroad. They could no longer continue working on the land, and there was nothing else they could do here. It hurts so much to lose your family, but we had no other choice to protect our sons.

Lack of Accountability

The failure by the Israeli authorities to adequately enforce the rule of law in relation to Israeli settler violence against Palestinians is a longstanding concern. Certain aspects of the current system, including the lack of thorough investigations and the requirement for Palestinians to file complaints or testify at police stations located inside Israeli settlements, actively work against the rule of law and discourage Palestinians from lodging complaints. According to Yesh Din, over 90 percent of complaints about settler violence filed with the Israeli police in the past six years were closed without indictment. Additionally, continued Israeli government support for unauthorized settlement activity, including the allocation of resources and retroactive 'legalization' of settlement outposts, promotes a culture of impunity that contributes to ongoing violence.

Over the past fourteen years, the al-Na'san and Abu 'Alia families have submitted dozens of complaints to the Israeli police regarding the attacks by Israeli settlers against them and their property. The majority of complaints were closed on the grounds of "offender unknown," despite the families providing evidence, including video footage taken during some of the attacks.

Hussein Abu 'Alia: I got tired of complaining to the Israeli police. You can't imagine how humiliated we feel every time we approach an Israeli police station to make a complaint. Sometimes,

they didn't even allow us in. I've submitted so many complaints that I can hardly count. I've gone back and forth between police stations and the courts for many years, but in the end the attackers are never held accountable for their actions. After the damage to my olive trees three years ago, they said they'd prosecute the attackers and compensate me for all my losses. But each time I call, they tell me they'll get back to me once they are done with my case, but they've never called. I no longer call because I've given up on them.

Limited Palestinian Access to Land in the Vicinity of Settlements

An estimated ninety Palestinian communities in the West Bank which have land within, or in the vicinity of, fifty-five Israeli settlements and settlement outposts can access their land only through "prior coordination" with the Israeli authorities. If "prior coordination" is approved, access is generally granted for a limited number of days during the annual olive harvest, when Israeli soldiers are deployed in the area. In some of these cases, entrance of Israelis is forbidden by military order during the olive harvest period. Farmers requesting this "prior coordination" during the 2012 olive harvest were generally able to access their olive groves at the coordinated times and relatively few incidents of settler violence were reported during these scheduled occasions. However, despite these measures, settler attacks during the olive harvest period continued. In addition, the current system has also proven largely ineffective in preventing attacks by settlers against Palestinian trees and crops, as most of these attacks occur outside the times allocated through the "prior coordination" process. Overall, the "prior coordination" regime places the onus on farmers whose access to their own lands is restricted, rather than enforcing the rule of law on Israeli settlers.

The Israeli army has made three classifications of Palestinian agricultural land in villages in the vicinity of Adei Ad, based on the proximity to the outpost: "no entry zone" areas; areas to which entry is subject to "prior coordination" and accompaniment by the Israeli army; and "unrestricted-access" areas. Furthermore, during the olive harvest period, Israelis are officially forbidden to enter areas near Adei Ad that require prior coordination. The olive groves that belong to al-Na'san and Abu 'Alia families are among the areas designated as requiring "prior coordination" and escort by the army. The families are permitted access to their olive groves twice a year: in spring for plowing and in autumn for harvesting. On these occasions, permission is granted for a few days or a designated number of hours. To obtain permission, they need to apply in advance through the Palestinian District Coordination Liaison (DCL), which in turn transfers the applications to the Israeli DCL, which then grants or rejects the request.

According to the farmers, this entails a lengthy process, with no guarantee that the application will be approved. Hussein elaborates:

This year, they didn't give us a permission to plough at all; they told us that the settlers were angry after an incident at Za'atara Junction in April 2013, when a settler was fatally stabbed, and the army said that they couldn't guarantee our safety against reprisals. Another problem is that the coordination for the olive harvest is restricted to olives only. Once the soldiers stopped my grandsons from picking almonds, claiming that the coordination is only for olives, even though the almond trees are in the same field!

Last year, I was allowed to plough my land. I hired twelve workers so I could finish the job within the limited time we were given. The next morning, an Israeli officer called to tell me that the army would not be able to escort us that day. It wasn't easy to go home after paying workers two hundred shekels each, so we started working without the army escort. Shortly after, armed settlers approached us, pointed their guns at us and told us to leave. When I reported this to the Israeli DCL, they told me it was my fault because I entered my land without their authorization, and that I should do as the settlers told me.

Undermining Rural Livelihoods

Since 2006, nearly one thousand olive trees belonging to the Abu 'Alia and al-Na'san families were vandalized. Settler violence has severely undermined the livelihoods of many families in this area, contributing to the relocation of some people in search of better livelihood opportunities elsewhere, including abroad. Those who continue to farm incur financial losses, partly because of difficulties in cultivating their land consistently, and because of the damage to their property or theft of their crops by settlers, in which case they lose both the money invested as well as the potential earnings from selling the crops.

Jamil al-Na'san: Our olive grove used to give us about thirty jerry cans of olive oil a year. The income we made covered all the expenses of maintaining the land; we were self-sufficient. But the settlers destroyed my olive trees. Now we have to cover all the expenses ourselves, hiring tractors and workers, just to hold on to our land. We're surviving on the money that our sons abroad send to us; otherwise we'd be depending on charity and handouts.

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