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SETTLEMENT MONITOR

EDITED BY GEOFFREY ARONSON

This section covers items—reprinted articles, statistics, and maps—pertaining to Israeli settlement activities in the Gaza Strip and the West Bank, including East Jerusalem, and the Golan Heights. Unless otherwise stated, the items in this section have been written by Geoffrey Aronson directly 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. Major documents relating to settlements appear in the Documents and Source Material section.

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THE NEW GOVERNMENT

SETTLEMENTS AND SHARON MOVE TO CENTER STAGE

From Settlement Report, March–April and May–June 2001.

The contention that the expansion of Israeli settlements in the occupied territories and Israeli-Palestinian peace are compatible is one of the principal assumptions upon which Arab-Israeli diplomacy during the past decade has been built. From the earliest days of the Madrid process, U.S. diplomacy worked energetically to satisfy an Israeli refusal to endorse a halt to settlements and to defer Palestinian demands for a “settlement freeze.” Only when Yasir Arafat conceded on this issue in 1993 was the stalemate that had attended the Madrid-mandated talks broken and the road to the historic Declaration of Principles at Oslo opened.

The popular enthusiasm supporting the Palestinian revolt that erupted in September 2000 against continuing Israeli occupation is in large part generated by a conclusion at odds with Oslo’s conventional wisdom but consistent with the history of the contest be-

tween Israel and the Palestinians. Settlements *do* matter. A diplomatic process that has permitted the doubling of Israel’s settler population in the West Bank and Gaza Strip and the increase of Israelis living in East Jerusalem by one-third is viewed by Palestinians as irrefutable evidence that the prevailing diplomatic assumptions are incapable of securing their sovereignty and independence.

The diplomatic vacuum created by the failure of final status talks and the persistence of the intifada has once again created an opportunity for the Palestinians to reintroduce this demand. The initiative undertaken by the Jordanian and Egyptian governments includes a settlement freeze by Israel “in all Palestinian areas conquered in 1967.” The Mitchell Committee, created at the Sharm al-Shaykh conference convened in October 2000 to investigate the outbreak of violence in September, has called for a complete freeze in settlement expansion and suggested that Israel evacuate some settlements for security reasons. The report notes that the Government of Israel (GOI) “should freeze all settlement activity, including the “natural growth” of existing settlements. The

kind of security cooperation desired by the GOI cannot for long coexist with settlement activity." The European Union (EU) repeated on 4 April 2000 that "all Israeli settlement activities are illegal and constitute a major obstacle to peace," and there is increasing pressure within the EU to exclude Israeli products produced in settlements from its free trade agreement with Israel.

The U.S. administration of President George W. Bush, while terming recent Israeli proposals for settlement expansion "provocative," has not altered American support for the "natural growth" of settlements established at a meeting between George Bush senior and Israeli prime minister Yitzhak Rabin in August 1993.

The government of Ariel Sharon opposes any effort to rewrite the diplomatic ground rules that have facilitated settlement expansion during the Madrid-Oslo period. It is equally insistent that the negotiating framework for this era continue to reflect Israel's ability to condition the process according to Israeli, and not Palestinian, requirements. The Sharon government insists, therefore, that Israeli settlement policy will continue to be guided by a commitment to maintain and support the "natural growth" of settlements.

Indeed, Ariel Sharon is a pragmatic expansionist who views Israeli settlement in the West Bank, Gaza Strip, East Jerusalem, and the Golan Heights as both an ideological imperative and a security asset. As Israel's new prime minister, Sharon faces the challenge of integrating these objectives into an overall policy toward Arafat's Palestinian Authority (PA) and the three million Palestinians under Israeli occupation who oppose Israel's colonization policies.

Sharon rejects absolutely the premise underlying the diplomatic efforts of the Barak government—beginning with the activation of the Stockholm channel in spring 2000 and ending in January 2001 at Taba—that it is possible and preferable to make the territorial sacrifices required to "end the conflict" with the Palestinians. The aftermath of former prime minister Ehud Barak's resounding electoral defeat has revealed that a majority within his own Labor party supports Sharon's view.

Sharon is one of the three or four Israelis who have had the most influence on the creation and expansion of Israeli settlements in the occupied territories since 1967. "Were there not Jewish settlements today on the Golan Heights in Judea and Samaria," Sharon

noted in 1995, "Israel would long ago have returned across the Green Line. The Jewish settlements are the only factor that has prevented the agreement of this [Rabin] government to withdraw and [has] created difficulties for it in the negotiations."

Each of these outposts represents a symbol of Sharon's effort to mold politics, demography, and geography according to Zionist preferences, and he is not prepared to surrender them easily. From Sharon's perspective, former U.S. president Bill Clinton's acknowledgment that the demographic transformation created by settlements is the basis for Israel's territorial claims in the occupied territories, including East Jerusalem, can be viewed as a victory and a continuing challenge for Israeli expansionists.

Sharon's leadership has been especially important in the creation of what former prime minister Rabin derisively termed "political settlements"—those sparsely populated outposts that dot the central highlands running in a north-south line between Jinin and Jerusalem. These settlements, which Rabin numbered at around 60, were conceived by Sharon to explicitly forestall the creation of a territorially viable Palestinian entity and to serve the tactical security function of dispersing the Israel Defense Forces (IDF) throughout the entire region.

The Oslo process accommodated these settlements as well as the larger outposts—Ma'ale Adumim, the Etzion bloc, Ariel—historically favored by much of Israel's ruling establishment. The map created by the Oslo II accord in September 1995 and last modified in March 2000 is almost a mirror image of Sharon's cantonization plan, which envisaged the creation of noncontiguous Palestinian cantons in the West Bank and Gaza Strip surrounded by Israeli settlements and roads. In contrast, the map of the Palestinian state proposed by Barak at Taba (see below) acknowledges that about 100 of these outposts fail to pass both the demographic and territorial preconditions for annexation by Israel.

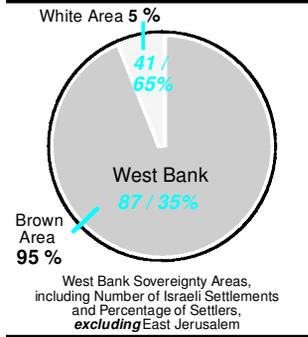
At this early stage in his tenure, and as distasteful as the notion is to Israeli policymakers today, Sharon has chosen not to alter the assessment upon which Israel's participation in the Oslo process is based—that is, that Arafat and the security apparatus he heads remain partners in the effort to secure Israel's settlement and security interests in the West Bank and Gaza Strip.

Partners must be accommodated if they are to remain partners. As a minister in the

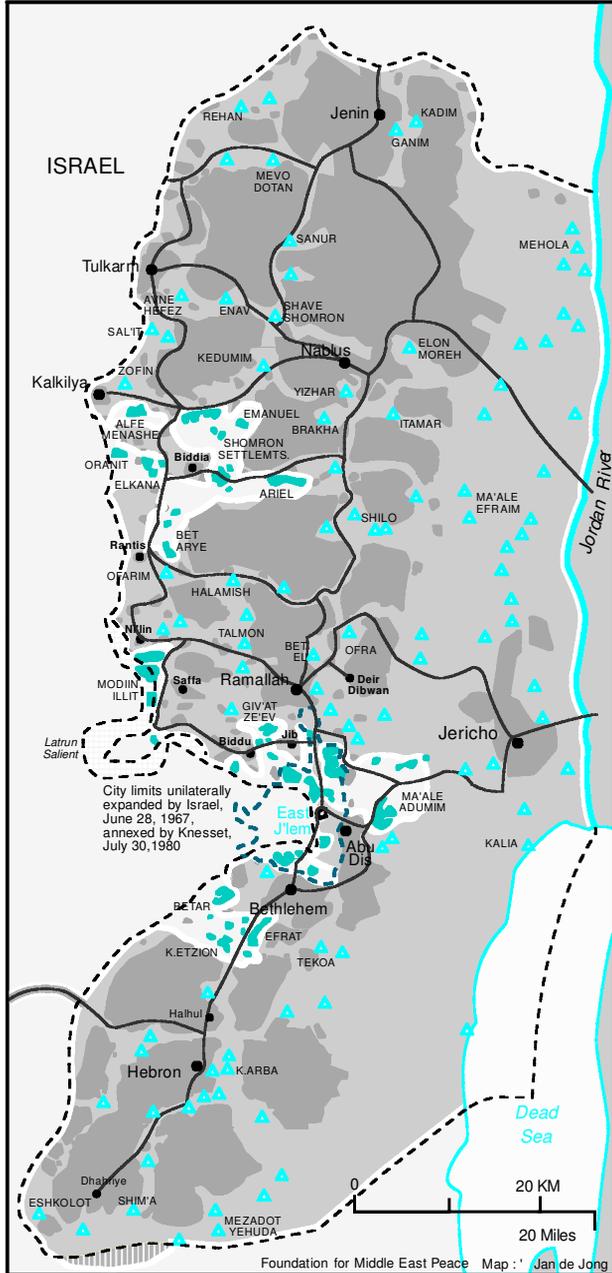
Final Status Map Presented by Israel – Taba, January 2001

Based on a 5% – West Bank Territorial Transfer to Israel

-  Palestinian Autonomous Areas (Areas A and B)
-  'Brown' Area: Palestinian Sovereignty
-  'White' Area: Israeli Sovereignty / Settlement Built-up Areas
-  No Man's Land as defined in Armistice Agreement 1949
-  Israeli territory offered as part of a 3% land-swap
-  Israeli Settlements within 'Brown' Areas



A Palestinian State – Historical Comparison



government of Benjamin Netanyahu, Sharon, in discussions with both Palestinian and U.S. officials, endeavored to establish an agreed-upon basis for the creation of a Palestinian state, albeit one hobbled in both its territorial and sovereign dimensions by Israeli territorial and security demands. Sharon's formula, however, was consistent with the Oslo process crafted for Rabin, with its focus upon "interim agreements" enhancing Israel's settlement objectives and its overall security.

Since that time, Sharon has expanded his notion of the territorial dimensions of the state of Palestine to include the 40 percent of the West Bank now classified as areas A (18.2%) and B (21.8%) and most of the Gaza Strip. While he does not come close to meet-

ing minimal Palestinian demands for a final status agreement, Sharon also does not require the kind of Palestinian concessions—first among which is an explicit agreement to "end the conflict"—unsuccessfully demanded by Barak.

As Sharon sees it, the challenge facing both Israelis and Palestinians after the guns fall silent, a challenge that the parties have failed to meet since the opening of "final status" talks last year, is not to repudiate but to reinvigorate Oslo's focus on interim solutions. The next step: the agreed-upon establishment of a Palestinian state that leaves Israel's settlement and security objectives intact.

NEW SETTLEMENTS UNDER SHARON

From a Peace Now Press Release, 20 May 2001.

The Israeli Peace Now movement revealed that fifteen new Israeli settlements have been built in the West Bank since Ariel Sharon was elected prime minister on 6 February 2001. These new settlements directly contradict the Sharon government's coalition guidelines stating that no new settlements will be established. They also call into question the sincerity of current Israeli diplomatic efforts to finesse the Mitchell Commission's call for a complete freeze on Israeli settlement construction, including expansion to accommodate "natural growth."

The following is a listing of the new settlements:

New Settlement	Date Discovered	Distance and Direction from Mother Settlement	Number of Structures
Givat Hahish North	3/19/01	547 yds. NE of Alon Shevut	5
Bat Ayin North	3/19/01	547 yds. NNE of Bat Ayin	4
Elazar West	3/19/01	218 yds. NW of Elazar	2
Enav West	5/12/01	765 yds. W of Enav	22
Hill 866	5/12/01	5,195 yds. E of Itamar	2
Karmeit Tzur West	3/19/01	437 yds. W of Karmeit Tzur	5
Tapuach West	5/12/01	2,187 yds. W of Kefar Tapuach	4
Mizpe Keramim	5/12/01	1,093 yds. SW of Kochav Hashachar	7
Neve Erez	5/12/01	874 yds. SE of Maale Michmash	5
Hill 833	3/19/01	383 yds. S of Maom	3
Mevo Dotan North	4/14/01	492 yds. N of Mevo Dotan	6
Hill 590	2/01	1202 yds. S of Nahliel	1
Ofra South	5/12/01	820 yds. SE of Ofra	6
Rachelim West	5/12/01	328 yds. W of Rachelim	6
Yakir South	5/12/01	1203 yds. S of Yakir	4

BARAK'S SETTLEMENT LEGACY

From Settlement Report, March–April 2001.

Settler population in the West Bank and Gaza: 203,068

Settler population increase during Barak's tenure, June 1999–December 2000: 22,419

Distinct settlement locations in the West Bank and Gaza: 200 sites

Government tenders issued for construction in West Bank and Gaza settlements, June 1999–September 2000: 3,499 units

Building sites in the West Bank and Gaza sold by the Israel Lands Administration, 2000: 2,804 lots

Building permits issued by the Housing Ministry in West Bank and Gaza settlements, January–October 2000: 1,184 units

Public construction starts in West Bank and Gaza settlements, 2000: 1,943 units

Shooting incidents against settlers/settlements, 1 October 2000–24 January 2001:

- Etzion bloc: 299
- From Bayt Jala toward Gilo: 53
- At Rachel's Tomb: 59
- From Bayt Sahur toward Har Homa: 10

Rock-throwing incidents against Israeli targets in the Etzion bloc, 1 October 2000–13 February 2001: 2,000

Closure frequency of Tunnel Road, linking the Etzion bloc to Jerusalem, 28 September 2001–13 February 2001: 91 times

Percentage increase in traffic along the main Jerusalem–Tel Aviv highway since the beginning of shooting incidents along Route 443 (the secondary route through the West Bank): 40 percent

Decrease in traffic along Route 443 since the beginning of the al-Aqsa intifada: 80 percent

DECONSTRUCTING THE TABA TALKS

From Settlement Report, March–April 2001.

The talks at Taba and Elat conducted by Israel and the Palestinian Authority in the waning weeks of the Barak government achieved both a conceptual and practical breakthrough on the central question of the territorial dimensions of a Palestinian state and the corresponding extent of Israeli annexation of territories occupied in June 1967. The Barak government, in a departure from positions put forward at the Camp David and Washington negotiations, modified long-standing territorially based security demands, allowing for a significant transformation of its settlement-related requirements. The Palestinians, in turn, for the first time presented a map acceding to Israel's annexation of some West Bank (and East Jerusalem) territory where settlements had created demographic realities that were hard to ignore in return for land of equal value in Israel. Despite what Palestinian negotiator Ahmad Qurai' described as "very tangible progress," considerable obstacles remained to resolving contradictory Palestinian territorial and Israeli settlement demands.

The final status map presented by Israeli negotiator Gilad Sher in January 2001 proposed Israel's annexation of 5 percent of the West Bank. A reconstruction of this proposal, based upon extensive investigation, appears above. The map is significant in a number of respects. On a conceptual level, it disaggre-

gates Israeli security demands from territorial/settlement issues.

Israel dropped demands for extensive lease-back arrangements in the Jordan Valley, along the southern West Bank perimeter and around Kiryat Arba, in contrast to the map presented by Israel in December 2000 [see p. 143 in *JPS* 119]. Instead, there were far more productive discussions about the creation of discreet, limited security points in the Jordan Valley, arrangements that would have no territorial or settlement dimension and that would not be conditioned on Israeli control of principal transport routes.

This new Israeli policy also established the basis for the reduction in Israel's territorial demands along east–west corridors in the Ariel and Ma'ale Adumim regions, a reduction that markedly increases the territorial continuity of the prospective Palestinian state. Corridors reaching to Keddumim and Shavei Shomron west of Nablus, to Shilo and Eli across Route 60, from Ma'ale Adumim to Beit El and Ofra northeast of Ramallah, and east of Ma'ale Adumim toward the Jordan Valley are no longer included in territory claimed by Israel. These settlement corridors protrude like slender but lengthy territorial "fingers" deep into Palestinian territory, controlling all its key crossroads and functionally cantoning it into sections that can be controlled much more easily than one contiguous bloc.

Israel's more restrictive application of this geopolitical mechanism made impossible the realization of another key element of Barak's settlement program—the incorporation of at least 80 percent of West Bank settlers into Israel, not counting those in annexed East Jerusalem. The Taba map would lower this threshold to 65 percent of West Bank settlers, excluding those in East Jerusalem. The Taba map signified that more than one-third of Israeli settlers, living in 87 West Bank settlements, would have to be evacuated. The value of real property in these outposts would be deducted from the compensation claims of Palestinian refugee property in Israel.

The final status map suggested by Israel at the Taba talks begins to address Palestinian concerns that the scale of Israel's settlement-related demands would decisively prejudice the territorial cohesion of the West Bank and that Arab East Jerusalem would be fragmented, jeopardizing the socioeconomic viability of a Palestinian state. Although improving Palestinian territorial contiguity and

unhindered road passage, Barak's map would nevertheless not solve remaining defects impacting upon both territorial continuity and transport corridors in crucial locations near Bethlehem, Jerusalem, Nablus, Qalqilya, and Ramallah.

The map presented by Palestinian negotiator Qurai' aimed at addressing these deficiencies. The Palestinian map represents a significant historical and diplomatic landmark. As Prime Minister Barak noted, it marked the first time that the Palestinians had incorporated the principle of Israeli annexation of West Bank territory into a formal proposal.

The Qurai' map illustrated three important Palestinian objectives: reducing the area to be annexed by Israel to twice the settlements' current built-up areas; minimizing the number of West Bank Palestinians to be annexed by Israel from more than 20,000 projected by Israel's Taba map to practically zero; and rejecting the annexation of any part of the Jerusalem area settlements of Ma'ale Adumim or Givat Ze'ev.

PA Planning Minister Nabil Shaath, in his February 2001 discussions with Secretary of State Colin Powell in Washington, brought out both the Israeli and Palestinian maps to demonstrate how much the parties had improved upon the current territorial division of the West Bank. Powell, according to one source, had never seen the maps. He explained that the Bush administration never said that Taba had not moved the parties closer. It had only noted that none of what transpired was binding upon the government of Ariel Sharon.

SHORT TAKES

Prime Minister-elect Sharon to U.S. Secretary of State Powell on Israel's intention to keep the settlements in the Jordan Valley as well as those located along the mountain ridges east of the Green Line: "We learned a lot from you Americans," Sharon explained. "We saw how you moved West using this method."

—Ha'Aretz, 26 February 2001

Ma'ariv: In the army's view, is there room for the evacuation of isolated settlements as part of an agreement with the Palestinians?

Deputy Chief of Staff Moshe Ya'alon: From the tactical security point of view, the evacuation of settlements today could provide some advantage, but from a strategic vantage, it would be a terrible mistake. It would

mean that we are withdrawing as a consequence of violence. To my sorrow this happened to us [in October 2000, when the IDF, under fire, evacuated] Joseph's Tomb, and we have seen how much this action raised Palestinian spirits.

—Ma'ariv, 16 February 2001

"We were calm for seven years in order to give a chance to the negotiations, of which I have been a keen supporter. But the Israelis used that time in order to negotiate interim agreements that were never implemented and to continue their policy of a fait accompli on the ground: the new settlements, the expropriations, the confiscation of land, the keeping of prisoners in the jails. Why should calm now be restored? So that they can resume the same policy? We have the right to self-determination, like all the peoples of the world."

—Marwan Barghouti, *Fatah* secretary-general in the West Bank, *Le Monde*, 26 October 2000

"I learned the strength and power of the past when Sharon explained why it is forbidden to evacuate [the ten families living in] Kefar Darom because Kefar Darom repelled the Egyptian attack in 1948. Were Sharon not my prime minister, I would die laughing. If there were, God forbid, an Egyptian attack today, would Kefar Darom, would any settlement, stop it? Is there a security person among us who would endorse such an outdated security concept?"

"And the settlement in Hebron—is this also security? I am sure that Yigal Allon [the patron of the first settlement in Hebron in 1968] is already tired from turning in his grave from seeing his dream of Hebron turn into a permanent nightmare. Given that the idea of establishing a radical Jewish community in the heart of a crowded Arab city was from the first, a foolhardy notion that threw together scoundrels speaking in the name of the Torah with those speaking in the name of the Qur'an, who together oppress our lives. We must remove this wild settlement from the heart of Hebron, because it will be the center of the most dangerous conflict in the entire region.

"And if we cry about the first settlements, about those settlement to come we protest and do all that is necessary to thwart their creation. Don't tell us that new settlements will not be established, this false and ridiculous story we have heard for many years already. The entire world knows the perverse trick of Beit El G and Kedumim H, built

only according to “natural growth.” The expansion of settlements is exactly the same, if not worse, than the creation of new ones. An absolute freeze of settlement is required, because we want to encourage the initiative supporting the end of settlement in return for an end to violence.”

—Yossi Sarid, Yedi'ot Aharonot,
20 April 2001

THE INTIFADA REMAINS AN ANTI-COLONIAL REVOLT

The following article by Graham Usher, entitled “Returning to the Cause: The Intifada Remains an Anti-Colonial Revolt—and Umm Tuba Proves It,” was carried by the 26 April–2 May 2001 edition of al-Ahram Weekly Internet edition.

For some, the intifada is—or is becoming—an ethnic-religious conflict, an interpretation given substance by the increasing savagery of the Israeli repression and by the aegis of certain combatants, whether it is the Brigades of al-Aqsa on the Palestinian side or the Temple Mount Faithful on the Israeli.

For most Palestinians, however, the cause of the revolt remains what it was on 29 September 2000, less a religious struggle over the sanctity of Jerusalem's Haram al-Sharif, more a national fight over the plight of Umm Tuba and dozens of Palestinian villages like it.

Together with its sister village Sur al-Bahir, Umm Tuba was annexed to “municipal Jerusalem” after Israel's 1967 occupation of the West Bank and Gaza. Since then, “we have become imprisoned by a wall of settlements,” says Abu Jalal, chairman of Umm Tuba's Land Defense Committee. “First the Israelis built East Talpiot to our north. Then Gilo to the west.”

And then Har Homa (“Mountain Wall”) to the south, built on 1,851 dunams of Umm Tuba land at Jabal Abu Ghunaym, including 1,400 m² owned by Abu Jalal. Today Har Homa's new apartment towers and ring roads spread over the mountain like the wings of a bird poised to devour the few hundred dunams that remain.

And devour it will. On 28 March, Israel's Jerusalem municipality issued 19 demolition orders on Palestinian homes in East Jerusalem, including five at Umm Tuba. The given reason was that all the dwellings had been built without a license. The actual reason, in the eyes of the Abu Tier family who own the land on which the Umm Tuba homes were built, is that their construction thwarts the

municipality's plan for a feeder road linking Har Homa to the “eastern sector” of a new Jerusalem ring road.

Approved by Israel's Interior Ministry in September 2000, the ring road will confiscate 658 dunams of Palestinian land through the Jerusalem villages (among others) of Abu Tur, Ras al-Amud, and Sur al-Bahir, all locales where the demolition orders are pending. It will also link the 15 “Greater Jerusalem” settlements one to the other and all to West Jerusalem and sever the villages from their West Bank hinterland.

And together with the ongoing construction at Jerusalem's Har Homa, Ma'ale Adumim, and Givat Ze'ev settlements, it destroys the capacity of Palestinian East Jerusalem ever becoming “a prime metropolitan city, with real prospects for urban development and employment,” says the Dutch settlement expert Jan de Jong. It is also in grave violation of international law and UN resolutions, though those powers appear to have little purchase in the occupied territories.

Nor is this how Israel sees things, whether from the “peace camp” or from the “nonbelligerency” (if increasingly belligerent) camp allied with Ariel Sharon. For the Left, Israeli sovereignty over the Jerusalem settlements is part of the Jewish “national consensus,” which they claim is a “fact” implicitly recognized by the Palestinian negotiators at both Camp David and Taba.

For the Right, aside from the usual stuff about Jerusalem being the “eternal, united capital of the Jewish people,” the expansion of settlements like Har Homa and Ma'ale Adumim is necessary to meet the “housing crunch in Jerusalem faced by many young couples,” in the words of a municipality spokesperson.

The first argument is disingenuous. While Palestinian negotiators may have conceded the principle of Israeli sovereignty over the Jerusalem settlements at Camp David and Taba, they did so on the basis of the settlements' existing built-up limits and on condition that equivalent land would be “swapped” from inside Israel. As for the “housing crunch,” that is nonsense.

On 20 March, the Jerusalem municipality approved plans for another 2,832 housing units to be built at Har Homa. Two weeks later, Israel's Housing Ministry put out tenders for 710 housing units in West Bank settlements, including 496 at Ma'ale Adumim, all in the name of “natural growth” and firmly within the Israeli government guidelines.

In a riposte, and citing the Housing Ministry's own statistics, Israel's Peace Now movement showed that of the 3,470 units tendered at Ma'ale Adumim between 1994 and 2000, 1,610 (47 percent) had stayed unsold. It revealed that of the 2,200 units offered for sale at Har Homa between 1999 and 2000, 1,670 (76 percent) had no buyers, and of the 810 units put on the market at Givat Ze'ev, a colossal 790 (97 percent) had no takers.

What Peace Now leaders were reluctant to admit, at least publicly, was the cause of this downturn in "need." And that was a decision taken by Yasir Arafat's Fatah movement three weeks into the uprising, seven years after negotiations began at Oslo and four years after a joint Palestinian-Israeli peace tent was pitched to protest settlement expansion "peacefully" at the foot of Jabal Abu Ghunaym. The decision was to use arms against the settlements, whether by launching mortars on those in Gaza, shooting at Gilo from Bayt Jala or indeed firing the occasional pot shot at Har Homa from Bayt Sahur.

"That could be the future here, in Jerusalem, in Umm Tuba," says Abu Jalal, who can hear sounds of war every night from Bethlehem. "The house demolitions will cause a confrontation in the village, like what happened when they started building Har Homa in 1996. But the expansion of the settlement into the village proper could turn us into a military front line, like Bayt Jala."

This need not be the future. The tendering of the units at Ma'ale Adumim drew a rare U.S. rebuke that Israel's ongoing settlement construction risked "further inflaming an already volatile situation in the region." The European Union explicitly condemned the expansion at Har Homa, adding that "all settlement activities are illegal and constitute a major obstacle to peace." And at the core of the current Egyptian-Jordanian proposal for resuming negotiations between Israel and the Palestinians is the demand for a "total and immediate freeze on all settlement activities, including those in East Jerusalem."

But these strictures are on paper. Unless backed up by the real sanctions, Israel will ignore them and the Palestinians will have to fight with the only means they have. And these include building "illegal" houses to prevent the further alienation of their land as in Umm Tuba or, as at Har Homa, firing shots to deter ordinary Israelis from becoming another generation of colonists.

CENTER OF THE STORM: A CASE STUDY OF HUMAN RIGHTS IN HEBRON

This 82-page report by Human Rights Watch, released 11 April 2001, is based on research carried out in Hebron over five weeks, including interviews with more than 180 witnesses, officials, international observers, medical personnel, and settler representatives. These excerpts were taken from the section "Settler Attacks and the Lack of an IDF Response."

Hebron's H-2 Area

Four small Jewish settlements are located in the heart of Hebron and are home to a population of some 500 Jews. The area surrounding the four settlements, as well as the Cave of the Patriarchs (known to Muslims as the Ibrahimi Mosque) and a road connecting the downtown Hebron settlements to the larger Kiryat Arba and Givat Harsina settlements, remains under full Israeli control and is known as "H2," after its designation under the special Hebron redeployment protocol signed in 1997. Some 30,000 Palestinians live in the H2 area. The settlers living in downtown Hebron are widely considered to include some of the most extremist Israeli settlers living in the West Bank, and tensions between the settlers and their Palestinian neighbors have long been marked by severe tensions, often exploding into violence.

The 500 settlers living in downtown Hebron are protected by a large contingent of IDF soldiers—in fact, the number of IDF soldiers deployed there in 1999 outnumbered the number of IDF soldiers then deployed in all of Israeli-occupied southern Lebanon, according to then-deputy defense minister Ephraim Sneh.¹ The virtual blanketing of the H2 area with IDF checkpoints, the constant patrolling of the town by IDF soldiers, and the ubiquitous deployment of IDF positions on the rooftops of Palestinian and settler homes ensures that most settler attacks must be witnessed by IDF soldiers. In many cases, the attacks or abuses take place within meters of IDF soldiers without any intervention on their part.

Israeli settlers are not always the initiators of attacks, and Human Rights Watch has doc-

1. Associated Press, "Deputy Defense Minister: More Soldiers in Hebron than in Lebanon," 9 August 1999; Arieh O'Sullivan, "Sneh Tells Settlers: More IDF in Hebron Than in Lebanon," *Jerusalem Post*, 9 August 1999.

umented cases of physical attacks on Israeli settlers by Palestinian civilians. On 20 February 2001, for example, a young Palestinian woman from Dura village near Hebron stabbed and lightly wounded a 19-year-old yeshiva student, Hananel Jerafi, in the H2 area of Hebron. Since the outbreak of clashes in late September 2000, Israeli settlers living in downtown Hebron have also regularly come under fire from Palestinian gunmen, an issue documented elsewhere in this report. But in the H2 area of Hebron, as in other Israeli-controlled areas in Hebron district such as the Baqa'a Valley, it is clear that the majority of physical attacks are initiated by Israeli settlers and that the IDF has consistently failed in its obligation to protect Palestinian civilians from attacks by Israeli settlers. In effect, settlers are using the protection provided by the IDF to attack Palestinian civilians. In most cases investigated by Human Rights Watch, the IDF has only intervened to protect the Israeli settlers from counterattack.

Since the beginning of the recent clashes, the H2 area of Hebron has been under a nearly continuous curfew, which requires Palestinians to remain within their homes 24 hours per day.² The curfew does not apply to Israeli settlers, who are allowed to go freely about their daily activities.³ In many instances of settler abuses documented by Human Rights Watch, the settlers used their ability to move around freely during curfew—and the fact that Palestinians were confined to their homes at the time—to carry out attacks on Palestinians and their property.

In early November, settlers used the cover of curfew to paint provocative anti-Islamic slogans on the walls of a mosque in the vegetable market outside the settlement of Avraham Avino. The slogans, which had been painted over but were still readable at the time of a 6 November 2000 visit by Human Rights Watch researchers, read in

2. The curfew, which is discussed in greater detail below, is normally lifted for several hours every few days to allow Palestinians to buy essential supplies.

3. The Israeli authorities do prevent the Israeli settlers from entering the Palestinian market area, because this area has been the site of many clashes provoked by the settlers, who claim the market was built on Jewish property following the 1929 Hebron massacre. All Israelis, including settlers, are also prohibited from entering territory under full Palestinian control (area A) because of security concerns.

Hebrew “Muhammad is a pig” and “Muhammad is a *manyak* [transliterated Arabic slur for homosexual]” and had a Star of David painted underneath.⁴

The Palestinian market adjacent to the Avraham Avino settlement is one of the most frequent flash points in Hebron. It has been the scene of numerous confrontations between Palestinians and settlers, who believe the market was built “on Jewish property, stolen by Arabs, after the 1929 massacre.” During the brief periods when the curfew has been lifted, settlers have often organized protests, some of them violent, at the vegetable market.

On Thursday, 2 November 2000, the IDF announced for the first time in 33 days that the curfew would be lifted for more than a few hours. The next morning, when the market reopened, a group of 20 mostly women settlers arrived and began disrupting the market. In many protests, women settlers are able to be more confrontational without risking an IDF response, because male IDF soldiers are not allowed to come into physical contact with the female settlers. One 55-year-old merchant described the attack: “The [women] settlers ripped down all the clothes [displayed] outside and stepped on them, they took some clothes with them. They were screaming in Arabic, ‘Close! Close! It is forbidden for you to be open!’ It was a Friday. They told us to go home. We closed our shops to protect our goods.”⁵

When a large crowd of Palestinians gathered to confront the settler women, the settlers left the market and the IDF responded by firing concussion grenades into the angry Palestinian crowd. Ahmad Abu Neni, a 55-year-old blind man who supports his family by selling cleaning supplies from a kiosk located directly adjacent to the IDF post at the market’s entrance, was first attacked by the settlers and then hit with one of the IDF concussion grenades.

On November 3, between 9:00 and 10:00 A.M., I was at the door of my shop, selling cleaning supplies. The settlers attacked me and threw over my shop, took things, and closed it. Then the army fired a sound bomb at me and it set my clothes on fire. I was unconscious when they took me to the hospital. . . . They didn’t just attack me but the whole area. They were yelling, “Close, close, close the shops.” They

4. Human Rights Watch interview with Kawther Salaam, Hebron, 6 November 2000.

5. Human Rights Watch interview, 6 November 2000.

physically assaulted me. They pushed me hard into my shop, so I fell down.⁶

The market was attacked again on 31 December 2000, the day the militant Benjamin Kahane and his wife were killed in a road-side attack.⁷ The blind Abu Neni was again victimized in the attack, when settlers hit him with a heavy brick in the back as he was attempting to lock up his shop. He had to be carried all the way out of H2 before he could be put in a car and taken to the hospital, as Palestinian cars, including ambulances, are prohibited from entering the H2 area. When his shop was attacked for a third time by settlers on 31 January 2001, all the remaining goods were destroyed. He estimated his loss in the three attacks at 2,000 shekels (U.S. \$500), a huge sum for an aging blind man whose only source of income was his small shop.

On 10 March 2001, settlers began attacking Palestinians following the shooting by a Palestinian gunman of Elad Pass, an Israeli settler who was apparently participating in the operation of an illegal roadblock at the time of the shooting. . . . Following the settler attack on the Palestinian vegetable market, the IDF surrounded a large part of the Palestinian market with barbed wire and declared it a "closed military zone," effectively giving in to settler demands that the market be shut down.⁸

On 27 March 2001, the day after a Palestinian gunman killed ten-month-old Shalhavet Pass and wounded her father in front of the Avraham Avino settlement (see above), Israeli settlers vented their rage on the Palestinian community. At about 5:00 A.M. on 27 March 2001, a group of about 50 armed settlers attempted to enter the Pales-

tinian neighborhood of [Abu Sunayna] from where the Palestinian sniper had fired, but were pushed back by IDF soldiers. Several of the settlers opened fire on the Palestinian neighborhood when the IDF stopped them from proceeding. The IDF ordered the settlers to stop shooting, but the gunmen were not arrested: "I saw two settlers open fire. The soldiers didn't arrest them, but only carried to go back."⁹ Settlers continued to attempt to enter the Palestinian neighborhoods and also attacked the Palestinian vegetable market. . . .

Settlers burned at least five Palestinian shops and also torched the offices of the Waqf Islamic authority, tasked with maintaining and administering Islamic holy sites in Hebron.¹⁰ On the night of 1 April 2001, Jewish settlers exploded a gas canister inside a Palestinian store in Hebron, destroying three Palestinian stores and lightly wounding six Israeli border policemen walking by the store. Seven other gas canisters readied for similar explosions were discovered nearby.¹¹ Soldiers stationed nearby reportedly saw the settlers attacking the store before the explosion, but did not intervene because "that's police work," as one soldier told an international journalist.¹² Hebron IDF commander Noam Tivon blamed the attack on a group of about 40 young settlers associated with a Nablus yeshiva, but blamed the Hebron settler leaders for not taking measures to prevent anti-Palestinian violence as he had requested them to do. . . .

Many previous settler attacks have taken place in the area surrounding the Avraham Avino settlement. The Sharabati family's house adjoins the Avraham Avino settlement, and a significant part of their house has been forcibly taken over by settlers and incorporated into the settlement itself. The family enclosed the remaining parts of the home in wire mesh following a settler rock-throwing incident which injured a family member

6. Human Rights Watch interview with Ahmad Abu Neni, Hebron, 9 February 2001.

7. Benjamin Kahane was the son of the assassinated Rabbi Meir Kahane, founder of the banned Kach movement, which advocates the mass expulsion of Arabs from the occupied West Bank and Gaza Strip and which continues to enjoy significant clandestine support among militant Hebron settlers. Benjamin Kahane was the founder of Kahane Chai, a similarly extremist party that was outlawed following the assassination of Prime Minister Yitzhak Rabin. Deborah Sontag, "Son of Slain Rabbi Kahane Dies with Wife in West Bank Ambush," *New York Times*, 1 January 2001.

8. Human Rights Watch telephone interview with Rick Polhamus, Christian Peacemaking Team (CPT) volunteer, Hebron, 28 March 2001.

9. Ibid.

10. Agence France-Presse, "Jewish Settlers Torch Palestinian Shops in Hebron Over Infant Killing," 28 March 2001; Greg Myre, "Hebron Settlers Demand Sharon Take a Tough Line with Palestinians," Associated Press, 28 March 2001.

11. Margot Dudkevitch, "Police: Jews Behind Hebron Blast that Wounded Border Policemen," *Jerusalem Post*, 3 April 2001; Agence France-Presse, "Jewish Settlers Blow Up Palestinian Shop in Hebron, Israeli Soldiers Injured," 2 April 2001.

12. Christine Hauser, "Palestinians, Settlers, Army: Hebron's Explosive Mix," *Reuters*, 2 April 2001.

about one year ago. Since the beginning of the current unrest, attacks by settlers against the family home have intensified, according to the family.

The settlers cut our barbed wire fence and then came over the fencing to take the metal plates [covering the mesh to give privacy to the family], they took seven of them. There is a wall where we put our plants and they come and knock them down [with sticks]. They shout very bad words at us, including religious curses, insults against our prophet in Arabic. . . . The soldiers are close by, there are three checkpoints near the house, they are manned 24 hours per day. I know the soldiers can hear the settlers when they attack. The soldiers have never stopped the settlers. . . .

The situation has gotten worse since the intifada. They attacked [last] Thursday, Friday and Saturday. . . . If we could collect the stones the settlers have thrown at us, we would have enough to build a new house.¹³

The day after the 26 March 2001 killing of Shalhavet Pass (see above), settlers from the Avraham Avino settlement cut through the wire mesh protecting the Sharabati home, climbed into the family's courtyard and set their couch on fire. Settlers also pelted the Sharabati home with eggs and paint.¹⁴

Muhammad al-Alabi, a 48-year-old shopkeeper, lives in a house adjoining the settlement of Beit Hadasah. On 4 November, a Saturday, at about 7:45 P.M., his son was doing his ablutions prior to evening prayer when a metal rod came crashing through the kitchen window. His son grabbed the rod and yelled to his father that the settlers were attacking their home. Alabi entered the kitchen and he looked out of the broken window:

I saw three settlers on the roof, there could have been more since I don't think three of them would come alone. One of them was fifteen, the other two in their twenties. After they put the stick in the window, they went down from the wall to the balcony. They started throwing stones with slingshots. One had a water hose and started spraying water.¹⁵

IDF soldiers stationed on the building had a clear view of the attack, but did not attempt to stop it, only pointing their guns at the inhabitants of the home to prevent them from retaliating. Muhammad al-Alabi called

the IDF command, explained what happened, and was promised that the IDF would protect the home the next time. The next day a group of eleven or twelve young settlers, boys and girls, began throwing stones with slingshots and spraying water again. The IDF soldiers again did not try to stop the attack, but the police did come to the house after the attack and took a complaint.¹⁶

On 3 October 2000, when the H2 area of Hebron was in its fifth day of continuous curfew, 18-month-old Samar Sharabati was playing on the roof of her home with her sister at about 3:00 P.M. A group of settlers walking from Beit Hadasah settlement to Tal Rumayda settlement noticed the girls on the roof and began throwing rocks at them. Samar was hit with a rock in her left eye and was bleeding. "We could see the settlers [who had thrown the stones]," her father said, adding that army personnel were stationed on a neighboring roof. "Of course the army saw the settlers throw the rocks."¹⁷ The IDF stationed on the roof took no action in response to the incident.

Families living near the Tal Rumayda settlement, a collection of trailers which marks the most recent expansion of settlements in Hebron, have also suffered abuse. In August, prior to the outbreak of hostilities, settlers from Tal Rumayda destroyed some 350 grapevines belonging to Zakariya al-Bakri, whose home adjoins the settlement.¹⁸ The settlers continue to encroach on his property, and by the time of a February 2001 visit by Human Rights Watch, the IDF had surrounded the entire home with coils of razor wire, and settlers from Tal Rumayda were walking in the yard. In January 2001, settlers poisoned three cats and two dogs belonging to the family. When Human Rights Watch visited the home on 11 February 2001, many of the windows were broken, door locks had been jammed, and rocks thrown from the Tal Rumayda settlement were everywhere. The Bakri family has virtually moved out of their home because of the constant settler attacks, and are building a new home in the Palestinian-controlled area of the city.

On Friday, 6 October 2000, two settlers from Tal Rumayda settlement approached

13. Human Rights Watch interview with A. Sharabati, Hebron, 1 November 2000.

14. Greg Myre, "Trouble Continues in Hebron," Associated Press, 2 April 2001.

15. Human Rights Watch interview with Muhammad al-Alabi, Hebron, 6 November 2000.

16. *Ibid.*

17. Human Rights Watch interview with Z. S., Hebron, 6 November 2000.

18. Human Rights Watch interview with Wisal al-Bakri, Hebron, 14 February 2001.

the home of the Abu 'Aisha family, located directly across the street from Tal Rumayda, at around noon. The settlers, young men aged about 18, proceeded to rip out the protective mesh covering the aeration holes of the basement water storage tanks and dumped an unknown white substance into the water. Chemical analysis later determined that the substance was not poisonous, but the pollution had made the water undrinkable. The IDF has a position located directly adjacent to the Abu 'Aisha home. Soldiers walked back and forth in the street during the incident but did not attempt to stop the settlers. When the Abu 'Aisha family tried to complain to the soldiers, they were told to go to the police because "We are not here to protect you, we are here to protect the settlers."¹⁹ . . .

On 19 October 2000, settlers from Tal Rumayda used large stones to block a walkway leading from the Abu Heikal family home down to the main road in front of the settlement, one of many attempts by the settlers to prevent Palestinians from using roads passing near the settlements. Fariat Abu Heikal, the mother of the family and a school principal, contacted the Israeli police station by phone when she noticed the settlers were building the wall, but when she spoke to them in Arabic—an official language of Israel—the police said they didn't speak Arabic and hung up the phone. Her 17-year-old daughter found the completed wall when she returned from school and at-

tempted to climb over. The settlers attacked her by hitting her on the back with an ax handle and throwing water on her. The obstruction of the path and the attack took place within several meters of two IDF positions, but the soldiers did not attempt to intervene. After the attack, the Israeli police came and suggested to the family that they make a complaint at the police station in Kiryat Arba settlement. The family refused, as earlier complaints were never acted upon. The family asked that the police take a complaint on the spot, but the police refused to do so.²⁰ The wall blocking the path remains in place. . . .

On 8 December 2000, vandals destroyed more than 1,000 phone connections in a switchbox located across the street from the Avraham Avino settlement, cutting the phone access of most of the Palestinian population inside the Israeli-controlled H2 area. Settlers were believed to have been responsible for the vandalism, as the attack took place during the curfew period when Palestinians are not allowed to go outdoors. IDF soldiers were stationed only 30 or 40 meters away from the switchbox. Palestinian repairmen were not allowed to enter the H2 area during the curfew and had to carry out the extensive repairs during the short periods when curfew was lifted, so most Palestinian families did not get their phone service restored until early January 2001.²¹

19. Human Rights Watch interview with Rima Abu 'Aisha, Hebron, 1 November 2000.

20. Human Rights Watch interview with Fariat Abu Heikal, Hebron, 4 November 2000.

21. Human Rights Watch interview with Bob Holmes, CPT volunteer, Hebron, 9 February 2001.