



State of Palestine
Palestine Liberation Organization
Negotiations Affairs Department

■ 5 June 2018 Marks **51 Years** of Israel's Colonial Occupation of Palestine



EAST JERUSALEM TODAY

**ONGOING KEY ISRAELI SETTLEMENT INFRASTRUCTURAL PROJECTS AND THE
IMPACT OF THE TRUMP'S DECLARATION OF JERUSALEM AS ISRAEL'S CAPITAL**

Introduction

Over the past five decades, Israel has aggressively attempted to undermine the Palestinian national identity of Jerusalem by creating a system of colonization that challenges the very existence of Palestinians in Jerusalem. Since 1967, Israel has pursued a number of illegal policies and practices to create a Jewish majority in the city, by progressively constructing colonial settlements, reducing Palestinian presence in the city, and isolating the city from the rest of the West Bank. In effect, the core of the Israeli colonization ideology is based on the displacement of the Palestinian population from their land to replace them with more of Israel's Jewish population.

Successive Israeli governments have adopted the same colonization plans, which have created today's reality in occupied East Jerusalem. In his unilateral declaration on December 6, 2017, President Trump stated "that Jerusalem is Israel's capital. This is nothing more, or less, than a recognition of reality. It is also the right thing to do. It's something that has to be done". This was merely recognition of Israeli colonization policies that have forcefully challenged and denied Palestinian identity, narrative, and the very existence of the Palestinian people in their homeland.

The recognition of Jerusalem as Israel's capital is recognition of Israel's spatial colonial segregation of the city, the colonization of more than 220,000 settlers, the existence of 15 illegal settlements, the demolition of over 3,500 Palestinian homes (with another 25,000 homes at risk of demolition), the revocation of the permanent residency status of over 14,500 Palestinians (and counting), and the eviction of Palestinians from their homes. It is an approval of Israeli strangulation of the city with its 153km long annexation wall and its military checkpoints all around the city, and a green light for Israel to commit more grave violations of international law and human rights against the Palestinian population of approximately 350,000 living in the occupied Palestinian capital today.

This briefing paper outlines key ongoing Israeli infrastructural settlement projects in occupied East Jerusalem and an explanation on how these projects help advance the construction and expansion of more Israeli settlements. It also provides an overview of how Trump's declaration has provided leeway to the current right-wing extremist Israeli government and Knesset to commit further violations against the land and people of Palestine.



Redrawing the 1967 border around Occupied East Jerusalem: Ongoing Key Israeli Settlement Infrastructural Projects

Israeli settlement roads and infrastructural projects are designed to link illegal Israeli settlements in the Occupied Palestinian state to West Jerusalem through different infrastructural projects. In addition to being in clear violation of international law, these settlement infrastructural projects will have devastating effects on the Palestinian population. Metropolitan East Jerusalem has historically generated approximately 35% of the Palestinian economy, and represents the political, spiritual and cultural center of Palestinian life. The settlement infrastructural projects will strengthen Israel's settlements in and around East Jerusalem, thereby suffocating the Palestinian part of the city, dividing its neighborhoods from one another, and deepening the physical disconnect of Palestinian East Jerusalem from the remainder of the West Bank. Therefore, the settlement infrastructural projects will make it harder to have East Jerusalem as the capital of the Palestinian state; without it, the two-state solution is unviable.

As an integral part of Israel's settlement enterprise, the settlement infrastructural projects are illegal under the Fourth Geneva Convention. The international community, including the UN Security Council, has affirmed on numerous occasions that Israel's unilateral changes to East Jerusalem have no legal validity and constitute a serious obstacle to the achievement of a comprehensive, just and lasting peace in the Middle East.

Large-scale settlement infrastructure projects are continuing in and around East Jerusalem. The most prominent of these include:

- **Light Rail:** In January 2018, the Transportation and Finance Ministries presented plans for five new light rail lines and 27 kilometers of tracks, set to cover Jerusalem by 2024. In the first phase construction of the second line of the Jerusalem light rail - the Green Line - and extension of the already existing Red Line. The Green Line will be 19 kilometers long, starting at the Hebrew University of Jerusalem Mount Scopus campus and ending in Gilo settlement, and will pass through French Hill settlement, Ramat Eshkol settlement, and the Israeli government ministries compound.
- **The Cable Car project** is one of the most dangerous settlement infrastructural projects around the Old City of Jerusalem. A project sponsored by the Israeli government and the Israeli Jerusalem Municipality to construct a cable car that is designed to operate within Jerusalem's discriminatory transportation system designed to serve the Israeli population and in particular Israeli settlers and Israeli hosted tourists in occupied East Jerusalem. The project will link West Jerusalem to the Old City south of Al Aqsa Mosque compound, Mount of Olives and Gethsemane Church.
- **The Eastern Ring Road:** Road and infrastructure preparation also continues in the expansion area between East Jerusalem and Ma'ale Adumim settlement, particularly in the eastern part of the area allocated for the E1 colonial project. Since January 2018, construction work has begun on the Eastern Ring Road in the section between the Palestinian communities of al-Za'ayyim and Anata. The road, which was never opened to traffic, is built with the annexation Wall in its middle, with one side designated for Israeli settlers and the other for Palestinians. On the side of the settlers, the road is meant to provide an additional entrance to Jerusalem from the east, to ease traffic congestion and to serve as a development route for the construction in the settlements north of Jerusalem. This road is part of the Israeli plan, which will allow Israel to go ahead with its E1 colonial project.

Just like the annexation wall that, when completed, the ring road will physically and functionally sever East Jerusalem from the remainder of the occupied West Bank. The ring road, together with its extensions, will effectively cut off Palestinian neighborhoods within East Jerusalem from one other, completely disrupting the fabric of life of more

than 350,000 Palestinians in occupied East Jerusalem, threatening prospects for urban growth and economic development, as well as the contiguity and viability of an independent State of Palestine.

Recent Key Development

On May 24, 2018, Israel's Supreme Court approved the demolition and forcible transfer of the entire community of Al-Khan al-Ahmar Abu al-Helu, a home to 35 Palestinian families with a total population of 180 people; of whom more than half are children and the majority are registered refugees with UNRWA that were forced out of Tel Arad in the Naqab in the early 1950's, then once again from the land they settled on, where Kfar-Adumim settlement is today.

This move is directly linked to the advancement of the E1 colonial project that threatens the existence of around 3,500 Palestinians, living in 18 Palestinian communities located on the eastern gateway of Jerusalem, to replace them with over 15,000 Israeli settlers. This project entrenches the presence and expansion of Israeli settlements in the occupied West Bank, including East Jerusalem, leads to the full isolation of Jerusalem and to the permanent severing of the West Bank into two parts, and makes the achievement of a sovereign, viable, contiguous Palestinian state impossible.

The ruling of an Israeli court to "legalize" forcible transfer, a war crime under article 49 of the Fourth Geneva Convention, is another blatant denial of Palestinian national and human rights and a testament to the complicity of Israel's "justice" system in consolidating its settlement enterprise, the systematic theft of Palestinian land and the commission of more violations, even war crimes, against the Palestinian people.



Credit: Francesca N

TIMELINE OF SELECTED EVENTS HIGHLIGHTING THE US ENCOURAGEMENT TO ISRAEL AND ITS COLONIAL SETTLEMENT ENTERPRISE

[6 DECEMBER 2017 - 14 MAY 2018]



6-12

TRUMP RECOGNIZES JERUSALEM AS ISRAEL'S CAPITAL.

US Congress approves cutting aid to the PNA.

16-12

US vetoes draft resolution on Jerusalem to the UNSC.

19-12

US envoy to the UN threatens UNGA members in case of voting in favor of Jerusalem resolution against recognition of Jerusalem as Israel's capital.

27-12

President Trump's Ambassador to Israel David Friedman requests US State Department to stop using the word "occupied".

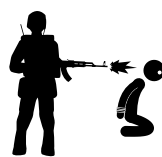
DECEMBER 2017

ISRAELI VIOLATIONS AGAINST OCCUPIED PALESTINE

COVERING
THE PERIOD 6
DECEMBER 2017 -
AND 14 MAY 2018



Israeli Settlement Announcements of +3,100 settlement units in construction and plans and +2,000 in tenders [till May 31st].



152

Palestinians Killed



nearly 6,000

Palestinians Injured



7-12

Netanyahu: "This is a historic day".

11-12

Lieberman tells the Arab Joint List in the Knesset: 'You are all war criminals'.

18-12

Naftali Bennett: "The Palestinian issue is a fake issue, just like the notion of a Palestinian state is a fake state. It's not a massive and central issue in the international or regional discourse... No one is talking about the Palestinians except for studios in London. It's really not a mainstream issue."

25-12

Miri Regev: "This land has a connection with only one people - the Jewish people -."



7-12

President Mahmoud Abbas says: "no measure or decision can change the Arab identity of Jerusalem."

7-12

Protests erupt throughout Occupied Palestine against Trump's decision.

14-12

Palestine becomes a member of the bureau of the assembly of States Members of the ICC.



7-12

International rejection of Trump's declaration.

11-12

Mogherini to Netanyahu, in response to his statement that all or most of the European countries will move their embassies to Jerusalem: "He can keep his expectations for others because, from the European Union member states' side, this move will not come."

19-12

UNGA endorses resolution with a majority vote on the right of the Palestinian people to self-determination.

21-12

UNGA votes that status of Jerusalem as Israel's capital as "null and void" reiterating the legal status of Jerusalem and objecting to any country moving its embassy to the holy city.

24-12

Guatemala - second country to decide moving its embassy to Jerusalem.



JANUARY 2018

16-1

US decides to freeze \$65 million in aid to UNRWA.

24-1

President Trump threatens to cut aid to Palestinians if they don't accept his terms, including Jerusalem's recognition as Israel's capital.

24-1

Trump: "We took Jerusalem off the table (...) so we don't have to talk about it anymore".



1-1

Knesset approves amendment to the Basic law "Jerusalem is the capital of Israel" requiring a majority vote of 80 MKs, out of 120 MKs to any further amendment to the Basic law.

30-1

Lieberman: "All we can do is work on managing the conflict with the Palestinians".

15-1

President Mahmoud Abbas calls for establishment of international mechanism to pursue peace efforts.

24-1

EU's Federica Mogherini to President Abbas:

"I want to reassure President Abbas of the firm commitment of the European Union to the two-state solution with Jerusalem as the shared capital of the two states,"

The European Union doesn't commit to any new steps on Palestine: Sanctions against the Israeli occupation are not mentioned.

FEBRUARY

1-2

Trump's envoy Jason Greenblatt tells EU envoys that settlements are not the obstacle to peace.

12-2

-Announcement of two new settlements West of Bethlehem and in the Jordan Valley.



-Announcement of a new settlement complex east of Ramallah.

2-2

The Israeli government imposes property tax on churches and UN buildings in Jerusalem.

15-2

Israel installs watchtowers and observation cameras on the entrance of Damascus gate.



21-2

Construction begins in Amichai settlement, (the first new settlement in 25 years).

25-2

Closure of the Holy Sepulcher church in response to Israeli measures.

1-2

EU Heads of Missions Report is leaked to international media:



Recommends member states to take stricter measures with the Israeli occupation.

20-2

UN Special Rapporteur on Torture Nils Melzer "I urgently appeal to all branches of Israel's Government to carefully consider not only its own international obligations, but also the consolidated legal and moral views of the international community, before whitewashing methods of interrogation that are more closely associated with barbarism than with civilization."

MARCH

26-3:

Trump signs "Taylor Force Act": which prevent the US State Department from transferring financial assistance to the PA as long as it continues to transfer allocations to the families of martyrs and prisoners in Israeli jails.

30-3

Greenblatt attacks return marches in Gaza and considers them "hostile".

6-3

Announcement of a new settlement in Hebron.



16-3

Announcement of a light rail for settlers in Salfit Governorate.



over **3,000** Palestinians Detained

7-3

Knesset approves the "Breach of Loyalty" bill, which explicitly permit the Israeli Ministry of Interior to (1) cancel permanent residency status provided to Palestinians in Jerusalem; and (2) revoke the permanent residency status of those who have committed a "breach of loyalty to the State of Israel."

13-3

The Israeli President, Reuven Rivlin, calls for imposing Israeli sovereignty over the occupied West Bank.

30-3

The start of the Great Return March protests in Gaza.

27-3

UN Envoy Nickolay Mladenov to UNSC: "Resolution 2334 calls on Israel to "immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem" and to fully respect all its legal obligations in this regard. No such steps were taken during the reporting period."



APRIL

1-4

The US blocks a draft resolution at the UNSC calling for an investigation into the killing of Palestinian protestors in Gaza.

8-4

The US blocks a UNSC statement calling on Israel to respect international law and the right of Palestinian civilians to peacefully protest.

25-4

News reports claim that Friedman and Greenblatt were pressing for the US administration to adopt the term "Judea and Samaria" instead of West Bank. The US Administration never denied such reports.



1-4

Israel refuses to conduct an independent investigation into the killing of Palestinian protestors in Gaza.

2-4

Israeli Officers: We will not change "shooting" policy in Gaza.

8-4

Lieberman threatens continue: "There are no innocent people in the Gaza Strip."

17-4

The Israeli Supreme Court rejects request for a decision to prevent the Israeli army from using live fire at Palestinian protestors in the Gaza Strip.



1-4

General Strike throughout occupied Palestine on the killing of 49 Palestinians during the protests of the Great March Return.

1-4

Rights organizations call for immediate criminal investigation into killing of Palestinians by Israeli military.

6-4

UN envoy: concerned about Gaza border and call on both parties to exercise restraint.

18-4

Geneva: UN experts denounce continued killing of civilians in Gaza.

26-4

Human Rights Watch: Israel's demolition of Palestinian schools could amount to war crimes.



This requires concrete steps by third States to ensure that their actions do not support illegal Israeli actions and policies or entrench or support the settlement-industrial complex, thereby aiding grave violations of international law.

Obligations attached to third States in this regard include: (1) a duty of non-recognition; (2) a duty of non-assistance; and (3) a duty to respect and promote the right of self-determination. The duty of non-recognition requires that States not recognize the unlawful situation created by Israel.³ This includes a duty not to recognize the annexation of occupied Palestinian territory, including East Jerusalem, by Israel; not to recognize the legal validity of Israeli settlements in occupied Palestinian territory, or take any actions which imply recognition of Israeli settlements as legal.⁴ Furthermore the duty of non-assistance prohibits States to aid or assist in the maintenance of the illegal situation created by another State.⁵

All States have an obligation to respect the inalienable right of self-determination of the Palestinian people as a peremptory norm of international law, and have an obligation to protect that right.⁶ The settlement-industrial complex necessarily denies Palestinians the right of self-determination.⁷

Here are some concrete steps that States can take to support Palestinian rights, end the occupation, and ensure that their dealings do not violate international law vis-à-vis Jerusalem, the State of Palestine, or the Palestinian people:

- **Distinguish.** Ensure that your State recognizes the difference between Israeli territory and territory occupied since 1967 in official dealings. It is paramount that official visits by diplomats and other officials are not held in occupied territory, including East Jerusalem. Such official visits may inadvertently imply recognition of Israeli illegal annexation.
- **Adopt Legislation.** It is vital for States to adopt legislation to end any actions or dealings within their jurisdiction which directly or indirectly contribute to the Israeli settlement-industrial complex.
 - » This includes adopting legal and administrative measures to stop, prevent, disincentivize, and discourage their citizens, corporations, companies and any other commercial and industrial enterprises within their jurisdiction from investing, constructing, or operating in settlements or the settlement-industrial complex.

3 Id., at 159.

4 ILC Draft Articles (2001), Art. 41, 5.

5 Id., at Art. 41(2).

6 International Law Commission Draft Articles on Responsibility of States for Internationally Wrongful Acts (2001), 40, 41.

7 ICJ Advisory Opinion (2004), 115.

- » This also includes a review of imports from settlements and ensuring that all products imported are correctly and properly labeled so as not to misguide consumers as to their origin. This is a first step to banning settlement products from international markets altogether since the origin of these products is a violation of international law.
- » Governments worldwide have made tangible efforts to these ends, including adopting relevant legislation on the matter of indication of origin of goods produced in the settlements.⁸ Although the Palestinian government welcomes such steps, they are preliminary measures toward a full cessation of any and all enterprise which profit from illegal settlements and ensure a viable and comprehensive two state solution.
- **Terminate Preferential Tax Treaties.** Other measures States can take to ensure adherence to their obligations under international law is to end any preferential tax treaties they may have with Israel regarding settlement products imported to their countries. Rather than encourage economic growth of settlements, States can take steps whereby public funds are not used toward the benefit of settlements. This also extends to the correct and appropriate labeling of products which originate in illegal settlements.
- **Guide Your Private Sector on their Obligations.** In an unprecedented step, the UN Human Rights Council earlier this year adopted a resolution on the unlawfulness of Israeli settlements and requires the Office of the High Commissioner for Human Rights (OHCHR) to create a database of all businesses operating in the settlements, to be updated annually.⁹
 - » In addition, UNSC resolution 2334 demands Israel accept the *de jure* application of customary international law and comply with its international legal obligations, cease all settlement activity, take immediate measures to stop Israel's human rights violations, among others.¹⁰
 - » Notably, UNSC resolution 2334 calls on all States "not to provide Israel with any assistance to be used specifically in connection with settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan[.]"¹¹

8 See European Commission: Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967, 11 Nov. 2015.

9 A/HRC/31/L.39 (2016), 17.

10 A/HRC/31/L.39 (2016).

11 A/HRC/31/L.39 (2016).