

Blocking Peace: The Myth of Israeli Settlement Blocs

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“There is a common acceptance [in Israel] that the so-called settlement blocs will remain part of Israel in any settlement, and that’s where the majority of construction is taking place.” (Israeli PM Benjamin Netanyahu¹)

Over the past few weeks, some news reports have suggested the idea that Israel might freeze settlement construction in the so-called “settlement blocs”. This Frequently Asked Questions (FAQ) explains the Palestinian position regarding the matter.

- **Why does Israel distinguish between “settlement blocs” and the rest of the Israeli settlements?**

Israel has created the term “settlement blocs” to attempt to legitimize construction in areas which it assumes would remain under Israeli control if a final status agreement is achieved. On the ground, a “settlement bloc” refers to a fixed area that is unilaterally defined by Israel and which is not limited to areas where construction has taken place. In actual terms, the blocs annex all illegal Israeli colonial settlements in that fixed area, including all land between them, thus maximizing the land available for illegal Israeli colonial settlement expansion. This is a deliberate attempt to colonize more land, and to thwart the emergence of a genuinely independent, sovereign, and contiguous Palestinian state, making a negotiated outcome implausible, if not impossible.

- **What is the difference between Israeli settlement blocs and the rest of the Israeli settlements?**

There is no difference. All Israeli colonial settlements in the Occupied State of Palestine are illegal under international law. Regardless of how Israel, the occupying power, refers to them, they all have the same effect and serve the same colonial purpose: To take as much Palestinian land as possible beyond the 1967 border, and to prevent the establishment of a contiguous, viable, independent and sovereign Palestinian State.

Ma’ale Adumim is as illegal as Ma’ale Mikhmas, Ariel as illegal as Ma’ale Efrayim, Kiryat Arba as illegal as Teqoa and Gilo is as illegal as Migron. They all serve the same purpose and are illegal under international law.

¹ <http://matzav.com/netanyahu-rules-out-dismantling-settlement-blocs>

- **Does the international community accept the Israeli concept of “blocs”?**

No. The international community does not confer legitimacy to Israeli settlement blocs. In the eyes of the international community all settlement activity is illegal and obstructs the effort to achieve a negotiated outcome.

For instance, according to the *UN Security Council Resolution 465 (1980)*: “Israel’s policy and practices of settling parts of its population and new immigrants in [the Palestinian and other Arab territories occupied since 1967, including Jerusalem] constitute a flagrant violation of the Fourth Geneva Convention... and a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.” The resolution calls on Israel to “dismantle the existing settlements.”

In addition, article 49(6) of the Fourth Geneva Convention, ratified by Israel in 1951, states: “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”

Meanwhile, the Rome Statute of the International Criminal Court of 1998 (Article 8(b)(viii)) defines “the transfer directly or indirectly by the Occupying Power of parts of its own civilian population into the territory it occupies” as a war crime indictable by the International Criminal Court.

- **Does the Road Map and other previous Israeli commitments differentiate between “Israeli settlement blocs” and the rest of illegal settlements?**

No. All previous commitments clearly state that Israel, the occupying power, has the obligation to cease all its settlement activities, including so-called “natural growth,” and makes no distinction between the so called “settlement blocs” and the rest of Israel’s colonial settlements.

- **What are the requirements for an Israeli cessation of settlement activities?**

Until a final status agreement is reached, a genuine and comprehensive cessation of settlement activity is the only way to safeguard the two-state solution and allow for the possibility of an end-of-conflict agreement to emerge. The international community has repeatedly called on Israel to cease all settlement activity. Ceasing settlement activity would include the following: 1) ending all settlement-related construction; 2) eliminating all subsidies and economic incentives for settlements and settlers; 3) ending all planning for settlements; 4) ceasing all land confiscations, home demolitions and other property destruction; and 5) ending the migration of settlers to the Occupied West Bank including Occupied East Jerusalem.

Furthermore, as the United Nations Independent Fact-Finding Mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, recommended, “Israel must, in compliance with article 49 of the Fourth Geneva Convention ... immediately initiate a process of withdrawal of all settlers from the OPT”.

- **Shouldn't Palestinians accept "blocs" as facts on the ground and relinquish the 1967 border?**

No. The 1967 border is the only internationally recognized border between Palestine and Israel, which is based on a painful concession made by the PLO in 1988 to accept a state on only 22% of historic Palestine. This major concession, made for the sake of peace, appears to have been forgotten by many. In this context, the Israeli annexation Wall and the so-called "settlement blocs" are part of a systematic policy of colonization that aims to destroy the prospects of a sovereign and viable Palestinian State.

- **What would be the effect of Palestine giving legitimacy to Israeli construction in the so called "settlement blocs"?**

Simply, it would mean recognizing Israel's illegal annexation of Occupied East Jerusalem, Israeli settlement presence as deep as 22 kilometers inside the Occupied West Bank taking valuable natural resources (Ariel), Israeli control over the Jordan Valley and the splitting of the Occupied West Bank in two (Ma'ale Adumim), and the annexation of rich Palestinian agricultural and natural resources and heritage sites in the Bethlehem/Hebron area (Gush Etzion). In other words, it means killing any possibility for an independent, sovereign, and contiguous Palestinian State to be created on the ground.

- **Shouldn't Palestine accept a temporary freeze in all settlements outside the so called "blocs" as a way to break the current "stalemate"?**

The way to break the current "stalemate" is not by asking the Occupied State of Palestine to make further concessions. Breaking the stalemate can only come about by ending the political, diplomatic and economic impunity Israel enjoys. Israel should be compelled to meet its obligations under previous agreements and international law.

The impunity granted by the international community to the State of Israel, through the signing of several bilateral and multilateral agreements, while Israel continues to violate international humanitarian law in Palestine, has allowed Israel to violate over 60 UN resolutions and the most basic treaties of international law, without consequence. This dark reality will not be changed by asking the Occupied State of Palestine to compromise its internationally recognized rights to the unilateral and illegal impositions of the Occupying Power, but by having the political will to implement decades of resolutions and signed agreements.

Only then will we be able to achieve the right framework for peace to be a reality rather than a PR game to camouflage Israel's colonial enterprise in Palestine.