

Netanyahu to his cabinet ministers: "I decided to remove the political limitations on construction in East Jerusalem" (January 22, 2017)

Ir Amim: The Dire Ramifications of Implementing Netanyahu's Declaration

One of the anticipated outcomes of the attitude emanating from President Trump's White House concerning the Israeli-Palestinian conflict is a loosening of the reins which held back to some degree unbridled promotion of East Jerusalem building plans. In this spirit, Prime Minister Netanyahu declared yesterday (January 22) that he intends to remove the political limitations on promoting building plans in the city.

During President Obama's administration, Israel promoted building plans on a very large scale, although since failure of the Kerry peace talks (2013-2014) there has been a significant slowdown in approval of building plans and publishing tenders, together with carrying out large-scale construction in numerous areas through previously approved plans.

Following is a list of building plans which have been halted for several years. In as much as Netanyahu's statement indicates a green light to advance these plans they are liable to have a destructive impact on the future possibility of establishing a Palestinian capital in Jerusalem and preservation of Palestinian territorial contiguity between Jerusalem and the West Bank. Therefore advancement of these plans will be a serious threat to reaching a two-state solution.

The plans are listed according to their place in the approval process, together with their implications, starting from the most important plan, which is farthest along in the planning processes):

1. **Givat Hamatos A (TPS 14295):** A plan to create a new Israeli neighborhood beyond the Green Line in Jerusalem, the first since construction of Har Homa in 1997. The plan includes 2,600 housing units. Construction of the new neighborhood to the east of Beit Safafa will almost complete the establishment of a continuous Israeli built-up stretch (from Har Homa through Givat Hamatos to Gilo) along the southern perimeter of East Jerusalem, cutting it off from Bethlehem and the southern West Bank. Construction of the neighborhood will also surround the neighborhood of Beit Safafa with Israeli neighborhoods on all sides.

The plan completed the approval procedures in September 2014. Most of the area is defined as state land, where it is necessary for the Israel Land Authority to publish tenders for construction of the housing units. Some 10 percent of the territory is privately owned and landowners can submit requests for building permits to the Local Planning and Building Committee. Despite the time which has passed since the plan's approval, tenders have not been published and landowners have also not requested building permits. As the bureaucratic procedures for submitting building permits and publishing tenders are completed, this plan can move forward quickly.

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2. **E1:** The plan for the E1 area between Ma'ale Adumim and Jerusalem includes a minimum of 3,700 housing units and 2,100 hotel rooms spread over 2,185 dunams. [Proposed legislation to annex this area to Jerusalem, together with Ma'ale Adumim](#), is being promoted. Construction in E1 will create Israeli territorial contiguity from East Jerusalem to the settlement of Ma'ale Adumim. This continuous stretch will separate the northern and southern West Bank while cutting off Jerusalem from the West Bank from the east.

Thousands of Bedouins living in the area suffer from harsh treatment and extensive home demolitions. Israeli construction in E1 will result in the eviction of some 2,000 Bedouins currently living in the area and the closure of the only roads that enable Palestinians to travel between the northern and southern West Bank.

This plan was last advanced in December 2012 in response to the recognition by the United Nations General Assembly of Palestine as a non-member observer state. On December 5, 2012, the Civil Administration's High Planning Committee approved the deposit of two plans totaling 3,426 housing units in E1 (plans number 420/4/7 and 420/4/10). In practice these plans have yet to be deposited. Advancing these plans will involve a process of objections, which is liable to be lengthy. Moreover, before construction in the area can begin, Israel will have to create an alternative transportation route for Palestinian travel from the northern to southern West Bank (the road dubbed the "apartheid road"; the northern part of the eastern ring road – the lane is mostly paved and its transformation to a usable road can occur rapidly), and to complete the eviction of the area's Bedouin residents (a process that can take many years given the need to prepare a master plan for their new locality and the possibility to submit petitions against this move).

3. **Givat Hamatos D (TPS 5834D):** This plan is adjacent to the area of Givat Hamatos A (see above) from the east, and the implications of both plans are similar. This is a plan for 1,100 hotel rooms although it may be possible to request to convert part of the plan to residential construction (even without a request to change the zoning, given recent legislative changes). The plan received final approval in the District Committee in early 2013, although the bureaucratic procedures for making the approval official (publication in the Official Gazette) have not been completed since then. The land is privately owned by the Greek Church, Palestinian landowners and Israeli developers. The approval procedures can be rapidly completed, after which the land owners can request building permits.
4. **Har Homa West (TPS 13308):** This plan is intended to expand Har Homa to the northwest while almost connecting with the Givat Matos plans to complete the continuous Israeli stretch which is liable to cut off East Jerusalem from the southern West Bank. The original plan of 400 housing units did not go to the

planning committees and according to the Jerusalem Municipality, it was shelved in 2009. In early 2015, Israeli government authorities declared their intention to promote the plan on a larger scale, consisting of 1,500 housing units, yet as noted above, the plan has yet to be submitted and discussions in the planning committees have not commenced.

5. **Kidmat Zion (TPS 7659):** This is an initiative of the Jerusalem Municipality for 230 housing units on the Israeli side of the Separation Barrier, between Ras al-Amud and Jabal Mukaber and Abu Dis. This is land which was under Jewish ownership before 1948 and in accordance with Israeli law was transferred to the General Custodian, who today holds a majority of the area. A small part of the land was transferred from the Custodian to the Ateret Cohanim settler association. In 2009 the Jerusalem Municipality's legal advisor issued an opinion ordering a freeze of the plan, on the grounds that the Jerusalem Municipality does not promote plans on private land. In 2012, following the dismissal of the legal advisor, an additional attempt was made to promote the plan, which did not materialize.
6. **Herod's Gate (TPS 122069):** This is a plan initiated by the Ministry of Construction and Housing for an area of three dunams in the Muslim Quarter of the Old City, close to Herod's Gate. The plan includes 21 housing units, a synagogue and additional public buildings. The plan has yet to be discussed in the planning committees. In early 2013, then-Minister of Construction and Housing Uri Ariel (Jewish Home) attempted to promote the plan, but the move was blocked. The creation of an additional settlement area in the Muslim Quarter is liable to worsen the infringement upon the freedom of movement and personal security of Old City residents, particularly since this is a strategic point close to one of the Old City's entrances. In the event that the plan is promoted, it will have to undergo the entire approval process.
7. **Ramat Shlomo (TPS 11094):** This is a plan for 500 housing units which will expand Ramat Shlomo to the north in the direction of Beit Hanina. The plan is the initiative of Israeli developers, who claim private ownership of the land. In November 2016, two weeks before Trump's victory in the US presidential elections, the Jerusalem Municipality decided to join the plan as a presenter so as to expropriate Palestinian-owned land that the Israeli developers wish to turn into public land for the benefit of the expanded neighborhood. The plan was approved for deposit in the District Committee in early 2015, but has yet to be deposited.
8. **Gilo Southwest:** This is a plan for 2,100 housing units which will expand Gilo in the direction of the Tunnel Road and Beit Jala. The plan has yet to be discussed in the planning committees and as it progresses, it must go through the entire planning process.

9. Ultra-Orthodox neighborhood in Atarot: This plan has never reached the planning committees, but last year Jerusalem Municipality authorities declared several times an intention to promote it. These declarations refer to thousands of housing units located in the area north of Beit Hanina. Putting this plan into action means an additional fragmentation of the Palestinian expanse in the northern perimeter of East Jerusalem and the creation of an Israeli wedge between neighborhoods such as Beit Hanina and Shuafat with Palestinian villages north of Jerusalem. If this plan is promoted, it must go through the entire approval process.

(The plans referenced in sections 1-4 and 7 above are marked on the enclosed map).