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EUROPEAN UNION

Office of the European Union Representative (West Bank and Gaza Strip, UNRWA)

**Six-Month Report on Israeli settlements in the occupied West Bank, including East Jerusalem
Reporting period January-July 2020**

Summary

Advancement of plans for settlement units in the occupied West Bank, including East Jerusalem continued at a very high rate in the first half of 2020 (January-July). 14,794 settlement units were advanced in different stages of the planning and implementation process (plans and tenders). 5,525 of the units pertain to settlements located in occupied East Jerusalem, and 9,269 to settlements located in other parts of the West Bank, including in locations deep in the West Bank.

In East Jerusalem a tender for 1,077 units was announced for the sensitive project, which has been frozen for four years, to create an entirely new settlement in Givat Hamatos. In addition, 500 units were advanced for Har Homa E, which would similarly allow for a new settlement in East Jerusalem. Although located in the rest of the West Bank, but in the immediate outskirts of East Jerusalem, 3,401 units were promoted for the E-1 area. If enacted these plans would dramatically sever the contiguity of East Jerusalem and the rest of the West Bank.

In the rest of the West Bank, tenders for 3,332 units were advanced, including 405 units to the second largest settlement of Beitar Illit located south of Jerusalem, just east of the Green Line, as well as plans for a new industrial zone.

There were other significant developments contributing to settlement expansion in the reporting period, notably an increased rate of court proceedings initiated by settler organisations with the aim of evicting Palestinians from their homes in various neighbourhoods of East Jerusalem. The reporting period also saw a high level of incidents of settler violence, with the highest numbers observed in Hebron.

As stated in numerous EU Foreign Affairs Council conclusions, settlements are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible.¹ The EU has reiterated its strong opposition to Israel's settlement policy and actions taken in this context, such as building the separation barrier beyond the 1967 line, demolitions and confiscation - including of EU funded projects - evictions, forced transfers including of Bedouins, illegal outposts and restrictions of movement and access. The EU has also urged Israel to end all settlement activity and to dismantle the outposts, in line with prior obligations, and maintains that settlement activity in East Jerusalem seriously jeopardizes the possibility of Jerusalem serving as the future capital of both States.

¹ UN Security Council Resolution 2334 (2016) also reaffirms that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation of international law and a major obstacle to the achievement of the two-state solution and a just, lasting and comprehensive peace.

1. INTRODUCTION

There are approximately 220,000 Israeli settlers living in East Jerusalem while the settler population in Area C of the West Bank is approximately 441,600.² This brings the Israeli settler population in the West Bank to around 647,800 individuals in some 170 settlement locations and some 134 outposts.³

In the first half of 2020, 14,794 units were advanced in different stages in the planning and implementation process in the occupied West Bank, including East Jerusalem.⁴ Table 1 contains a listing of the plans and tenders in question. 5,525 of those units concerned settlements located in occupied East Jerusalem, and 9,269 settlements located in other parts of the West Bank, including locations deep in the West Bank.

2. ADVANCED SETTLEMENTS IN AND AROUND EAST JERUSALEM

Approximately 220 000 Israeli settlers live in East Jerusalem alongside 340 000 Palestinians, in eleven larger settlements and in a growing number of smaller settlements and houses taken over inside Palestinian neighbourhoods. In 2020, there was a total of five tenders published, one for a commercial building and four for a total of 1,538 housing units, out of which particularly sensitive settlement projects moved forward.

On 24 February, a tender of 1,077 units for Givat Hamatos, which would be the first new settlement created in East Jerusalem in the last 20 years, was issued. On 27 February, the District Committee advanced a new settlement plan for 500 units in Har Homa E, adjacent to the site in question for Givat Hamatos and next to the existing settlement of Har Homa. Together with the existing settlement of Gilo, Israeli construction in Givat Hamatos and Har Homa E would effectively sever the connection between East Jerusalem and Bethlehem and isolate the Palestinian neighbourhood of Beit Safafa from any adjacent Palestinian territory.

Moreover, while not part of East Jerusalem but located in the West Bank and an area known as Greater Jerusalem, another significant decision that would further hamper the contiguity with East Jerusalem and the West Bank concerned two detailed plans for the E-1 area with a total of 3,401 units.⁵ This development should also be seen in the light of a plan approved by the Israeli Minister of Defence on 9 March, for a road known as the “fabric of life road” for Palestinians, which would direct Palestinian traffic going north and south in the West Bank without passing the large Israeli settlement Maale Adumim, and the E1 area. The full scope of Israeli plans for E1 would ultimately serve to connect the Maale Adumim settlement to the Jerusalem municipality borders. The plan for the E1 area puts 3,700 Palestinians at risk of forcible transfer.

Although constituting more of a policy document (without statutory weight) indicating future intent for construction, it is worth mentioning the significant master plans surrounding East Jerusalem, promoted during the reporting period. On 27 April, the District Committee advanced a plan for a total of 6,500 housing units – an increase of 3,900 to the 2,600 housing units currently approved in the Givat Hamatos A detailed outline plan. Also on 27 April, the District Committee approved a masterplan for a total of 2,200 units in Har Homa E. Since these are only master plans, their approval will not enable the issuance of building permits for which a detailed outline plan is required.

Another trend that continued in the first half of 2020 was the advancement of settlement plans by the District Committee inside Palestinian East Jerusalem neighbourhoods, including Sheikh Jarrah and Beit

² Israeli Central Bureau of Statistics, 2019.

³ Peace Now.

⁴ All the data on settlements are based on publicly available information from the Civil Administration’s High Planning Committee, where Peace Now is present at the meetings. For detailed information about the plans see this link: www.peacenow.org.il.

⁵ For further details, see EU six month report on demolitions seizures in the West Bank, including East Jerusalem, reporting period: 1 January – 30 June 2020

Hanina. These settlements have a huge impact on the daily life of Palestinians, as they fracture the Palestinian space and serve as a source of constant friction in the neighbourhoods.

2. SETTLEMENT PLANS AND TENDERS IN 2020 (January-July)

The expansion of settlements outside of East Jerusalem took place principally in two stages, following the issuing of several tenders totalling 1,755 units on 1 January 2020.

The first stage took place on 5 and 6 January 2020 when the Israeli Higher Planning Committee advanced plans for 1,936 units in various settlements. 1,150 units were approved for deposit and 786 for validation (final planning approval although some larger settlements also require a tender). Two of the plans (Mitzpe Danny, 180 units and Haresha, 258 units) authorized illegal outposts which thereby became official settlements under Israeli law.⁶ In Mitzpe Yericho, 147 illegal housing units were authorized. Other plans advanced pertain to, for instance, the second largest settlement of Beitar Illit located south of Jerusalem in between the three Palestinian villages of Wadi Fukin, Husan and Nahhalin.

The second stage took place on 27 February 2020 when the Israeli Higher Planning Committee (HPC) advanced plans for 1,737 units in 11 settlements. 668 units were approved for validation (final planning approval) and 1,069 units were approved for deposit. Among the 620 units authorized for the Eli settlement located deep into the West Bank, hundreds concerned the legalization of already existing construction. The approvals also included a plan for a new industrial zone⁷ south of Qalqilya and close to the green line.

Table 1. Overview of settlement advancements in the first half of 2020 (January-June)

East Jerusalem		Other parts of the West Bank	
1 Jan	Tender for 245 units (Pisgat Zeev)	1 Jan	Tenders for 60 units (Maale Efraim)
1 Jan	Tender for 130 units (Pisgat Zeev)	1 Jan	Tenders for 186 units (Alfei Menashe)
1 Jan	Tender for 86 units (Pisgat Zeev)	1 Jan	Tenders for 200 units (Beit Arie)
24 Jan	Plan for 173 units (Neve Yaacov)	1 Jan	Tenders for 405 units (Beitar Illit)
24 Feb	Tender for 1077 units (Givat Hamatos)	1 Jan	Tenders for 166 units (Immanuel)
27 Feb	Plan for 500 units (Har Homa E)	1 Jan	Tenders for 60 units (Adam – Geva Binyamin)
30 Mar	Plan for 868 units (Gilo)	1 Jan	Tenders for 552 units (Givat Zeev)
10 May	Plan for 72 units (Beit Hanina)	1 Jan	Tenders for 8 units (Karnei Shomron)
11 May	Plan for 300 units (Pizgat Zeev)	1 Jan	Tenders for 32 units (Efrat)
18 May	Plan for 618 units (Gilo)	1 Jan	Tenders for 96 units (Adam – Geva Binyamin)
25 May	Plan for 135 units (French Hill)	1 Jan	Tenders for 20 units (Beit Arie)
25 May	Plan for 223 units (French Hill)	5 Jan	Plans for 25 units (Peduel)
7 June	Plan for 116 units (Gilo)	5 Jan	Plans for 7 units (Rechelim)
7 June	Plan for 348 units (Gilo)	5 Jan	Plans for 107 units (Elon Moreh)
17 June	Plan for 157 units (Ramot)	5 Jan	Plans for 10 units (Etz Efraim)
17 June	Plan for 405 units (Neve Yaakov)	5 Jan	Plans for 123 units (Itamar)

⁶ For more information on outposts, see chapter 4.3.

⁷ Industrial zones have huge impact given their often-negative environmental impact and large areas of land they occupy. They are also an important source of income to the settlement enterprises.

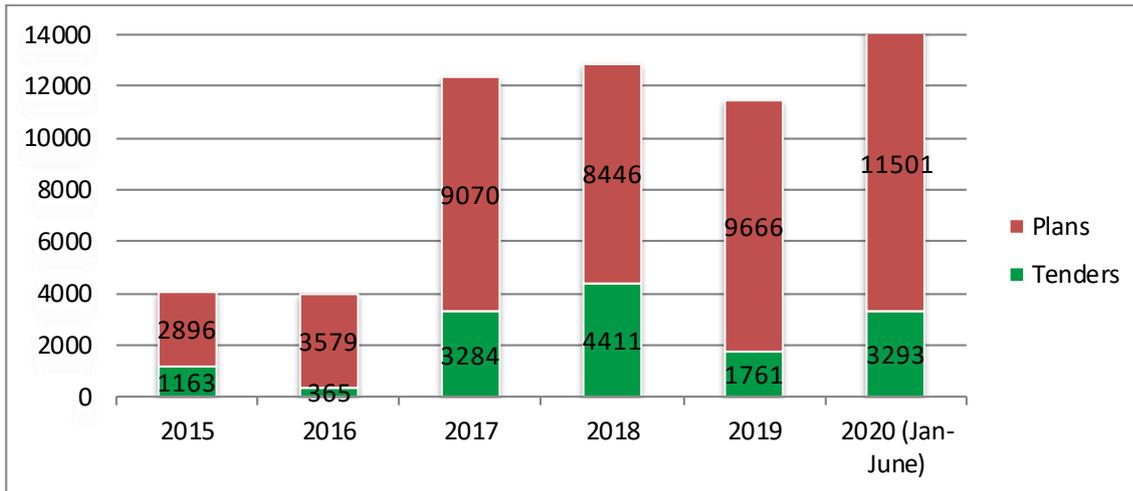
21 Jun	Plan for 72 units (Beit Hanina)	5 Jan	Plans for 12 units (Ariel)
		5 Jan	Plans for 136 units (Givat Zeev)
		5 Jan	Plans for 120 units (Karnei Shomron)
		5 Jan	Plans for 747 units (Beitar Illit)
		6 Jan	Plans for 63 units (Maaleh Adumin)
		6 Jan	Plans for 147 units (Mitzpe Jericho)
		6 Jan	Plans for 100 units (Halamish)
		6 Jan	Plans for 114 units (Mizpeh Dany)
		6 Jan	Plans for 91 units (Almon)
		6 Jan	Plans for 224 units (Talmon)
		6 Jan	Plans for 204 units (Shilo)
		6 Jan	Plans for 258 units (Haresha)
		6 Jan	Plans for 160 units (Kochav Jaakov)
		6 Jan	Plans for 156 units (Tzofim)
		6 Jan	Plans for 106 units (Maaleh Shomron)
		6 Jan	Plans for 48 units (Bracha)
		6 Jan	Plans for 620 units (Eli)
		6 Jan	Plans for 534 units (Shvut Rachel)
		6 Jan	Plans for 105 units (Kfar Eldad)
		6 Jan	Plans for 110 units (Alon Shuvrut)
		6 Jan	Plans for 24 units (Karnei Shomron)
		6 Jan	Plans for 33 units (Givat Zeev)
		27 Feb	Addition of 1 unit (Kiryat Arba)
		27 Feb	Plans for 3401 units (E1)
		27 Feb	
Total	5525	Total	9269

Source: *Ir Amim and Peace Now*

3. TRENDS IN SETTLEMENT PLANS AND TENDERS SINCE 2015

The total number of settlement units advanced through plans and tenders recorded during the first six-month period of 2020 including East Jerusalem (14,794) is higher than the total levels of settlement advancement seen in the past five years, and indeed since 2012 when Peace Now started recording). The level of settlement advancements remains at a very high level since 2017, when settlement advancement increased more than three-fold compared to 2015 and 2016 (see table 2).

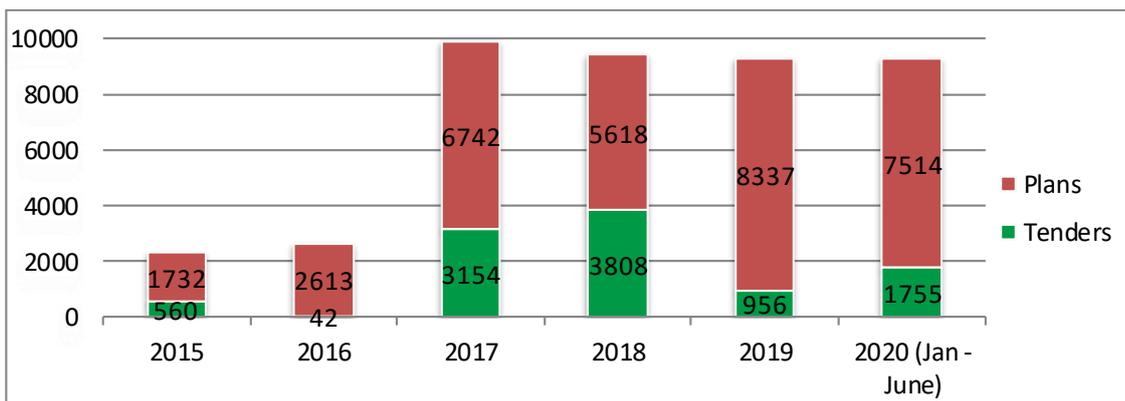
Table 2. Advancement of settlement units in the West Bank, including East Jerusalem, 2015 -2020⁸



Source: Peace Now and Ir Amim (previous EU Settlement reports have included, extraordinarily, the advancement of 2,992 settlement units in Gilo South in 2018, which were discussed at local committee. In this table, those advancements have been excluded).

As illustrated in table 3, the West Bank (here not including East Jerusalem) experienced a significant uptick in the advancement of plans and tenders in 2017. 2019 saw the highest number of advanced settlement units through plans (8,337) in the last 5 years, while the first six months of 2020 are almost at the same high levels as previous years.

Table 3. Advancement of settlement units in the West Bank, here not including East Jerusalem, 2015-2020

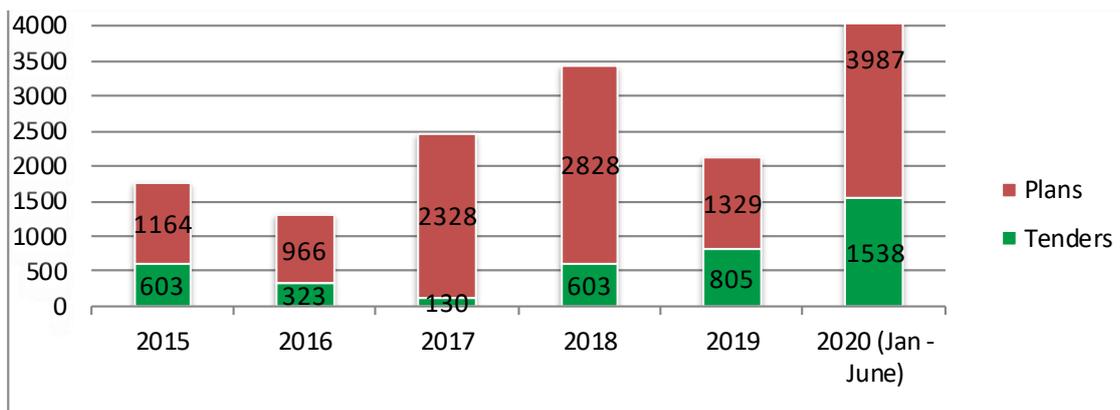


Source: Peace Now

As illustrated in table 4, the first six months of 2020 already surpassed the high numbers of advancements seen in particular in 2017 and 2018, but also surpassing the high number of tenders seen in 2019.

⁸ Units advanced until 30 June 2020

Table 4. Advancement of settlement units in occupied East Jerusalem 2015-2020



Source: *Ir Amim* (previous EU Settlement reports have included, extraordinarily, the advancement of 2,992 units in Gilo South in 2018, which were discussed at local committee. In this table, those advancements have been excluded).

3. TRENDS IN ACTUAL CONSTRUCTION

Trends in actual construction in 2020 will be covered in the report covering the last six months of 2020.

4. DEVELOPMENTS CONTRIBUTING TO SETTLEMENT EXPANSION

The following developments in the reporting period are seen as contributing to settlement expansion and the consolidation of Israel's presence in and control of the West Bank, including East Jerusalem.

4.1. Area C

It is noteworthy to recall that on 31 July 2019 the Israeli Security Cabinet promoted about 700 housing units for Palestinians (along with 6,000 units for settlers). In the current reporting period, only one Palestinian building permit was approved for the Palestinians in Area C, while Israeli authorities demolished or seized 232 Palestinian structures including houses in Area C.⁹ Meanwhile there is an urgent development and housing need for the estimated 200 to 300 thousand Palestinians residing in Area C.¹⁰ As reported by Peace Now, in the period between 2009 and 2016, 66 construction permits were approved for Palestinians compared to 12,763 for settlers in Area C.¹¹

4.2. Evictions in occupied East Jerusalem

UN OCHA estimates that some 199 Palestinian households in East Jerusalem have eviction orders against them, most of which have been initiated by settler organisations, placing some 877 people, including 391 children, at risk of displacement. Evictions can have a grave physical, social, economic and emotional impact on the affected families.

On 19 January 2020 the Jerusalem Magistrate's Court ordered the eviction of a Palestinian family of 22 individuals from their home in Batan Al-Hawa (Silwan). The ruling followed a lawsuit by the Ateret Cohanim settler organisation. One week later the court handed down a ruling for another five families comprising of 26 individuals to vacate their homes by 2 August. On 5 February an additional two families of 19 individuals received a ruling to vacate their homes by 15 August to the benefit of settlers. These rulings

⁹ For further details see, EU six month report on demolitions seizures in the West Bank, including East Jerusalem, reporting period: 1 January – 30 June 2020

¹⁰ Peace Now

¹¹ Peace Now

are just a few out of several pending law suits by Ateret Cohanim against some 100 families living in Batal Al-Hawa, a neighbourhood where already 14 families have been evicted and many more are facing threats of eviction.¹²

In addition to utilizing the absentee property law¹³, settler organisations such as Ateret Cohanim and Nahalat Shimon (who function as both land ownership companies and settler organisations) have sought to enforce the Legal and Administrative Matters Law of 1970 to reclaim properties allegedly owned by Jewish families prior to 1948. Meanwhile Israeli law does not allow Palestinians to make similar claims for appropriated properties in Israel prior to 1948.

On 9 June 2020, The Israeli Supreme Court nullified the "regularization law" which had earlier been passed in February 2017. This law aimed to "regularize" thousands of Israeli settler homes built on private Palestinian property in the occupied West Bank. The Court stated that the law violated the rights and equality of Palestinians, however it did not rule on whether or not the Knesset has the right to legislate directly over Palestinian territory (also referred to as "creeping annexation"). The regularization of settlement outposts can thus continue through other mechanisms, although these will be slower and more complicated.

4.5. Settler violence

Settler violence has over the years become a systematic occurrence in the West Bank with a significant economic and psychological impact on the local population. Settler violence threatens several fundamental rights of the Palestinians, including the rights to freedom of movement and security of person.¹⁴ Settler violence encompasses a range of acts, including throwing stones at cars and houses, graffiti and vandalism, burning fields and olive groves, pouring wastewater over Palestinian land, physical assault, and, in some extreme incidents, killing. Attacks perpetrated by settlers frequently occur in Palestinian agricultural lands between Palestinian built up areas and settlement boundaries. This violence contributes to a coercive environment inhibiting Palestinians from accessing their land and causing Palestinians to leave their homes.

While accountability and law enforcement are crucial to deter settler violence and avoid an atmosphere of impunity, the vast majority of incidents go unaddressed despite the heavy military and policing presence of Israeli authorities in the West Bank. By contrast, the majority of crimes committed against settlers receive a much stronger investigative response. In some cases, Israeli forces have been seen standing idly by or protecting settlers during their attacks.

UN OCHA has reported 362 incidents of settler-related violence in the reporting period. A similar number was recorded in the previous reporting period (366 in the last six months of 2019) while it is a lower number compared to the first six months of 2019 (461).¹⁵ 97 of the reported incidents in the reporting period took place in Hebron, 73 in Nablus and 67 in Jerusalem's Old City. 35 of the reported incidents resulted in casualty, 131 in property damage, and 17 in casualty and property damage. A total of 4,227 trees (compared to 3,518 trees in the previous reporting period) and 131 vehicles (compared to 490 vehicles in the previous reporting period) were damaged by settlers in the reporting period.

The highest number of incidents of settler violence during the reporting period were recorded in Hebron. Hebron is a large Palestinian city with a population of some 200,000. Unlike all other Palestinian localities (except East Jerusalem), Hebron has seen intense settlement activity in the heart of the city, which now has a settler population of around 800. Israel today exercises direct military control over 20% of Hebron

¹² Ir Amim and Peace Now

¹³ The 'Israeli Absentee Property Law 1950' ('Absentee Property Law') is the main law in a series of laws that regulate the treatment of property belonging to Palestinians who left, were forced to flee, or were deported during the 1948 War. These Palestinian refugees left behind a great deal of property and the Absentee Property Law has served as the legal basis for transferring such property into the possession of the State of Israel.

¹⁴ Report of the United Nations High Commissioner for Human Rights, 30 January 2019 (A/HRC/40/42).

¹⁵ Data available at <https://www.ochaopt.org/page/settler-related-violence>.

City, known as H2, which is home to some 33,000 Palestinians and the settler population. H2 has witnessed multiple cycles of violence in the context of continuing settlement activities, and Israeli authorities have gradually isolated the centre of Hebron from the rest of the city, cutting the contiguity between its southern and northern areas, in order to prevent friction between the Palestinians and the settlers.

UN OCHA has reported that the deployment of checkpoints and other physical obstacles, along with the imposition of access restrictions on the movement of Palestinians and on the operation of businesses, together with continuous raids and incursions into Palestinian homes by Israeli forces have generated a coercive environment, which has undermined the living conditions of Palestinians, including their security, sources of livelihoods, access to services, and family and social life. Thousands of Palestinians have left H2 as a result.¹⁶ Developments in this highly sensitive area used to be observed by the Temporary International Presence in Hebron (TIPH). However, in January 2019, Israel declined to renew the mandate of TIPH and the mission closed down.¹⁷

5. EU PUBLIC STATEMENTS DURING THE REPORTING PERIOD

The EU issued the following statements related to settlements during the reporting period.

- On 9 January 2020, the EU HR/VP Spokesperson issued a [statement](#)¹⁸ on the Israeli authorities approval of the construction of almost two thousand housing units in illegal settlements in the occupied West Bank, including the retroactive approval of already existing constructions, some of which were built on private Palestinian land, in which EU's long-standing position on Israel's settlement policy was reiterated.
- On 22 February 2020, the EU HR/VP issued a [statement](#)¹⁹ on the Israeli authorities decision regarding settlement construction in the Givat Hamatos and Har Homa neighbourhoods in East Jerusalem, in which the decisions detrimental effect for the two-state solution and was pointed out and EU's long-standing position on Israel's settlement policy was reiterated.
- On 28 February 2020, the EU HR/VP issued a [statement](#)²⁰ on the Israeli authorities' announcement for construction plans for new building units in Area E1. In the statement EU recalled that Construction in E1 would sever the connection between Northern and Southern West Bank, reiterated its call on Israel to halt settlement construction and recalled that settlements are illegal under international law.

¹⁶ UN OCHA, the Humanitarian Situation in the H2 Area of Hebron City, April 2019.

¹⁷ TIPH was an international observer mission established pursuant to the provisions of the 1995 Interim Agreement (Oslo II Accord) between Israel and the Palestine Liberation Organization (PLO). Italy, Norway, Sweden, Switzerland, and Turkey participated in the TIPH when it was closed down.

¹⁸ https://eeas.europa.eu/headquarters/headquarters-homepage/72805/israel-statement-spokesperson-latest-settlement-announcements_en

¹⁹ https://eeas.europa.eu/headquarters/headquarters-homepage/75037/statement-high-representative-josep-borrell-israeli-settlement-announcements_en?fbclid=IwAR09mJpRBx6uqdx0cGfpg131KB|w-X71Km89vmBKnoRXmikiYc4zEFGnlkA

²⁰ https://eeas.europa.eu/headquarters/headquarters-homepage/75302/statement-high-representative-josep-borrell-israeli-announcement-construction-plans-west-bank_en