

Statement by Lara Friedman, Americans for Peace Now

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Distinguished members of the Security Council,

As a representative of Americans for Peace Now – an organization that is committed to Israel's existence and its future – it is not easy for me to speak before this body today.

It is not easy because while this forum will focus in large part on human rights violations by Israel, there are states represented here whose own human rights records are abysmal. There are even states in this forum that still do not recognize the existence of Israel, 70 years after that nation's birth and despite its membership in the UN's General Assembly.

It is also not easy for me to speak here today because of the deteriorating political climate in Israel as far as democracy is concerned. For some time now we have been witnessing an ugly campaign against courageous Israeli human rights and civil society NGOs – carried out by reactionary groups in Israel and by the Israeli government itself. Campaigns that target the legitimacy of NGOs like our Israeli sister organization, Shalom Achshav – Peace Now.

These groups are being targeted because their work reveals facts that some prefer to hide – facts that challenge the official Israeli government narrative.

Yet, I am here today because this institution is too important to boycott or ignore. The Security Council is the most important international body in existence today.

It would be irresponsible to miss an opportunity to argue our cause in front of it. It would be unpardonable to allow ourselves to be silenced by the cynicism of some of this body's member states, whose hatred of Israel may blind them to Israel's legitimate needs and fears. And it would be inexcusable to allow ourselves to be silenced by the disapproval of some who today equate speaking unpleasant truths about Israeli policies with national betrayal.

I am here today because the cause that we work for every day is too important to allow anyone to silence us.

Since 1978, our Israeli sister organization, Peace Now, has worked every day to represent and empower an Israeli public that wants peace with the Palestinians. They stand with the countless Israelis who are pushing their government to make peace and end the occupation. They give voice and energy to Israelis – who are fighting to hold their government accountable for policies that undermine the chances of peace – foremost among them, policies that are behind the establishment and expansion of settlements in the occupied territories.

And since 1981, the organization I represent – Americans for Peace Now – has worked every day to represent and empower an American public, Jewish and non-Jewish, that supports Peace Now in its work for Israeli-Palestinian peace. We stand with the countless number of Americans who want their government and the international community to support and press both sides to reach an agreement that will end the occupation and lead to peace and security for both peoples. And we give voice and energy to Americans who believe it is

important for the U.S. and international community to hold both Israeli and Palestinian leaders accountable for policies that undermine peace – including Israeli settlement policies.

Above and beyond all of that, I come here today because I know the facts – facts about trends and developments that we and our colleagues in Peace Now have been documenting for more than two decades. Facts that disclose both the intent and impact of the Israeli government’s settlement policies. Facts that are alarming.

The Palestinian people have lived under Israeli military occupation for nearly 50 years. That is a fact. This occupation involves increasingly harsh violations of Palestinian rights, as individuals and as a collective. That, too, is a fact. And the settlement policies of the Israeli government are unilaterally expanding and entrenching this occupation.

Here is another fact: This occupation is a threat to Israel’s security and to Israel’s very existence. Israel has the military capability to address any of its external security threats, which indeed exist. It has no effective or moral answer to the security challenges imposed by perpetual occupation, as chillingly embodied by the ongoing wave of attacks against Israelis, in many cases by Palestinian children effectively committing suicide by Israeli soldier.

If these policies are not rolled back, they will destroy the possibility of ever reaching a political agreement between Israel and Palestine.

If these policies do not end, they will lead inevitably to permanent occupation, and with it, the end of Israel as a democracy and as a state grounded in the Jewish values so proudly expressed in Israel’s Declaration of Independence. Values that are already being undermined today by Israel’s settlement policies.

Those who hope for a better future for Israelis and Palestinians should indeed be alarmed.

For the most part, the world pays attention to settlement policies only when they are in the headlines – meaning when plans are advanced and approved, or when the Israeli government publishes tenders for new construction.

On such occasions, when members of the international community take a stand against settlements, their objections are generally rebuffed by Israeli officials, and the issue fades away. And even when pressure seems to have an effect, when an Israeli government professes its intention to heed international opinion to some degree – like with the so-called 2010 settlement “moratorium,” or with the current pressure on Israel to remove the illegal outpost of Amona – supposed “concessions” on settlements consistently prove counter-productive.

The numbers – and these are official Israeli numbers – tell the story.

Twenty-three years ago, in 1993, Israel and the PLO signed the Declaration of Principles, also known as the Oslo Accords. Back then, the settler population in the West Bank, excluding East Jerusalem, was around 116,000.ⁱ At the end of 2015, that number was nearly

390,000.ⁱⁱ Looking just at East Jerusalem, in 1993 the Jewish Israeli population was approximately 146,000.ⁱⁱⁱ Today it is over 210,000.^{iv}

This population explosion could not have occurred without Israeli government support and encouragement, including, most obviously, the approval and construction of new housing. And that is exactly what happened.

During this same period, 1993 to today, over 50,000^v settlement units were built in the West Bank, and plus thousands more in East Jerusalem. What about settlement construction just under Prime Minister Netanyahu? 2016 figures are still not complete, but looking at 2009 to 2015 – which included the so-called “moratorium” – more than 11,000^{vi} settlement units were established in the West Bank with the approval of Israeli authorities. And in 2015 alone, we are talking about almost 2000^{vii} new units in West Bank settlements.

But this is only part of the story of how settlements have kept on expanding. The rest of the story is this: there is an entire machine of Israeli policies, active and passive, that is constantly working to support the expansion and entrenchment of settlements. Let me give you some examples.

We all have heard the government of Israel claim, when a settlement plan hits the headlines, that whatever is being reported shouldn't be controversial – either because it's just a minor bureaucratic step, or because the real approval happened long ago and this latest step is just a formality. We've even heard the government claim it should be getting credit for exercising restraint for holding off against settler demands to approve many more new plans.

But hidden behind these claims is the fact that there is always a huge bank of approved plans already “in the pipeline” – meaning that even when new approvals stop, construction continues. Peace Now estimates that this settlement pipeline today holds around 30,000 units^{viii}, ready for construction at any time.

Also hidden behind these claims is the fact that according to Israeli policy, construction in the vast majority of settlements—112 out of 126 settlements – can go ahead on an estimated 20,000 of these units in the pipeline without any further action by the government^{ix}, and based only on the internal decisions of settler authorities.

Hidden, too, is the fact that illegal settlement construction – construction undertaken without necessary official Israeli government approval – has become an integral part of the settlement enterprise. In fact, over the past 6 years Peace Now estimates that illegal construction accounted for 15%^x of total settlement growth.

This illegal activity is not just tolerated by the government of Israel – it is actively encouraged – through failure to enforce the rule of law; through the granting of retroactive approvals; through provision of funding; and through political endorsements.

We have all also heard Israeli government spokespeople claim that Israel is not establishing new settlements or expanding settlements beyond their current areas. But hidden behind

that claim is the fact that just between 2009 and 2015, under Netanyahu, the government of Israel authorized or worked to give legal authorization to at least 26^{xi} settlement sites established by settlers in contravention of Israeli law – often referred to as illegal outposts. These sites are thus being transformed into new official settlements, or into new and often remote “neighborhoods” of existing settlements, dramatically expanding the footprint of those settlements.

And in tandem with all of these policies supporting non-stop new construction in settlements, the government of Israel has implemented a range of related policies that further expand and deepen the settlements enterprise.

Policies like investing, financially and politically, in industrial zones, touristic facilities, and archaeological sites in the West Bank and East Jerusalem. And policies like building a vast network of roads, tunnels and highways that operate as the arteries of the settlement project – tying settlements to each other and linking them directly and seamlessly into Israel.

Finally, there is one additional key policy – invisible to most people – that has further enabled the entrenchment of Israel’s settlement enterprise and that underscores the fundamental rights violations it involves. This is the policy according to which Israeli law follows Israeli citizens who enter or live in the Occupied Territories. This means that Israeli settlers live under Israeli law – no different than if they were living inside Israel – while Palestinians live under military law.

This policy has created a dangerous and ugly political reality in the occupied territories – a reality in which two populations live on the same land, under different legal systems, separate and entirely unequal, with the governing authority serving one population at the expense of the other.

One population is comprised of privileged Israeli citizens, enjoying the benefits of a prosperous, powerful state, with their rights guaranteed by a democratic government accountable to their votes. The other population is comprised of disenfranchised Palestinians, living under foreign military occupation explicitly designed to protect and promote the interests not of Palestinian residents of the territories, but of Israeli settlers.

Defenders of Israel’s settlement policies offer various arguments to justify settlements and their expansion, notwithstanding the fact that according to international law, all settlements are illegal and a violation of Palestinian rights. I want to focus here on two of their main arguments.

The first is the argument that the controversy over settlements is overblown, since the built-up area of settlements comprises only around 1% of the West Bank (not including East Jerusalem). This argument is at best ignorant, and at worst deliberately disingenuous.

Because since 1967, Israel has taken control of around 50%^{xiii} of the land of the West Bank. And almost all of that land has been given to the settlers or used for their benefit. Israel has given almost 10%^{xiv} of the West Bank to settlers – by including it in the “municipal area” of

settlements. And it has given almost 34%^{xv} of the West Bank to settlers – by placing it under the jurisdiction of the Settlement “Regional Councils.”

In addition, Israel has taken hundreds of kilometers^{xvi} of the West Bank to build infrastructure to serve the settlements, including the network of roads I mentioned earlier. Roads that crisscross the entire West Bank, dividing Palestinian cities and towns from each other, and imposing various barriers to Palestinian movement and access, all for the benefit of the settlements.

Israel has used various means to do this, included by declaring much of the West Bank to be “state land,”^{xvii} taking over additional land for security purposes,^{xviii xix} and making it nearly impossible for Palestinians to register claims of ownership to their own land.^{xx}

The same pattern holds in East Jerusalem – where since 1967, Israel has expropriated around 35%^{xxi} of the land and used it almost entirely for settlements.

But the reach of the settlements goes even further, because according to Peace Now’s analysis of official Israeli government data, almost one-third^{xxii} of land that is included as part of the settlements in the West Bank is actually located on privately owned Palestinian land.

The bottom line here is this: while the built-up area of settlements is small, the settlers’ control on the ground is huge, and the impact of settlements on the Palestinian population is far-reaching.

The second argument used by defenders of settlements is that most construction today is taking place inside the so-called “settlement blocs.” These are the loosely-defined, ever-expanding areas that the same defenders of settlements say “everybody knows” Israel will keep even under a peace agreement – and therefore, they insist, construction in such areas shouldn’t be treated as controversial.

This argument has been gaining currency of late, including with pressure on the United States government to change its policy and cease opposing construction in the blocs. This defense of settlements is at best confused, and at worst intentionally misleading.

Because if there are ever again serious negotiations over settlements and territory, the hardest issue to resolve is not going to be the fate of small and isolated settlements – settlements that nobody believes can stay in place under a peace agreement. No, the hardest issue is going to be the fate of the “settlement blocs”: which ones and how many Israel will want to keep; how much territory they take up; how they can be connected to Israel without destroying the contiguity and viability of a Palestinian state with a capital in East Jerusalem; and how and where Israel will find adequate land to use for “land swaps” to offset these blocs.

And notably, these “blocs” don’t just include settlements. If you take a radius from the center of a “bloc” like Gush Etzion, Givat Ze’ev, or Ariel, a large percentage of the population – in many cases a majority – is Palestinian.

This is why continued expansion of these “blocs” is equally – if not more – harmful to the two-state solution than construction in isolated settlements. The bottom line here is this: Given the facts on the ground today, reaching agreement on these blocs will be difficult. Further expansion of the settlements in these blocs, further growth of the blocs themselves, and the creation of new blocs – all things that are happening now – threaten to make a peace agreement impossible.^{xxiii}

This is just a small sampling of the Israeli government’s settlement policies – policies that for the most part don’t make headlines and often fly under the radar of the international community. They are implemented continuously, creating facts on the ground that violate Palestinian rights, incrementally and exponentially making a political solution more difficult to reach, and endangering the viability of the two-state solution.

Those of us who follow the settlement enterprise and its trajectory over time are in an unparalleled position to judge both the intentions and the outcome of Israeli settlement policies. Looking at the scope, pace and location of settlement expansion, recognizing the vast political, economic, and security resources invested in the settlements enterprise, leads to an inescapable conclusion: these policies reflect a deliberate strategy designed to prevent the emergence of a viable, contiguous Palestinian state.

This is the grim reality today. Speaking as someone who cares deeply about Israel, I say to you today: I do not give up hope. Nor do I forget that the two-state solution is not a goal in itself. Rather, it is a political compromise to end the Israeli-Palestinian conflict. It is a solution that has consistently been embraced by majorities of both Israelis and Palestinians and their political leaderships. And it is the only solution that offers Israelis and Palestinians alike the hope for a normal life – a better life – for their children and their children’s children.

But with every day that passes, Israeli settlement policies further cement a one-state reality on the ground, making the two-state solution harder to imagine, let alone achieve.

Whether a peace agreement is possible at this time or any time soon can be debated endlessly. What cannot be debated is the fact that Israel is a vibrant democracy that has achieved great things in its short existence, and that has the potential for a great future. And what cannot be debated, likewise, is that the settlement policies of the Israeli government are undermining that democracy, distorting the noble Jewish values articulated in its Declaration of Independence, harming Israel’s relations with the world, violating the rights of the Palestinians, and killing the chances of ever achieving Israeli-Palestinian peace in the future.

That is why I come before you today – someone who proudly and unapologetically cares about Israel and defends its existence. Someone who, along with my organization Americans for Peace Now and our American and Israeli friends and supporters, cares about Israel too much to stop challenging its self-defeating settlement policies. And that is why, on behalf of Americans for Peace Now, I urge you here today to finally take action in the Security Council to send a clear message to Israel that the international

community stands by the two-state solution and unambiguously rejects policies that undermine it – including Israeli settlement policies.

Thank you.

SOURCES/FURTHER INFORMATION

ⁱ Exact number: 116,300; Source: Israel Central Bureau of Statistics (ICBS) – cited here: <http://peacenow.org.il/en/settlements-watch/settlements-data/population>.

ⁱⁱ Exact number: 385,900; Source: ICBS, cited here: <http://peacenow.org.il/en/settlements-watch/settlements-data/population>.

ⁱⁱⁱ Exact number: 146,800; Source: Jerusalem Institute for Israel Studies, Statistical Yearbooks, cited here: http://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf.

^{iv} Exact number: 211,960; Source: (a) Data from “The Statistical Yearbook of Jerusalem, 2016” published by the Jerusalem Institute of Israel Studies, figures as of December 31, 2014, with the caveat that: (b) part of Ma’alot Daphna is located beyond the Green Line. Consequently the figures for Ma’alot Daphna are based on the best estimated of Daniel Seidemann in accordance to the proportion of the geographical size settlement neighborhood beyond the 1967 border; (c) Based on secondary sources deriving from the Israel Central Bureau of Statistics and other governmental sources as adjusted by Daniel Seidemann.

^v Exact number: 50,883; Source: ICBS, cited here: <http://peacenow.org.il/en/settlements-watch/settlements-data/construction> (through end of 2015, plus ICBS through mid-2016)

^{vi} Exact number: 11,342; Source: ICBS, cited here: <http://peacenow.org.il/en/settlements-watch/settlements-data/construction>.

^{vii} Exact number: 1,874; Source: ICBS, cited here: <http://peacenow.org.il/en/settlements-watch/settlements-data/construction>.

^{viii} Source: Peace Now annual report on settlements, February 2016, page 4, <https://settlementwatcheastjerusalem.files.wordpress.com/2016/02/2015-in-settlements.pdf>

^{ix} Source: Peace Now annual report on settlements, February 2016, page 4, <https://settlementwatcheastjerusalem.files.wordpress.com/2016/02/2015-in-settlements.pdf>

^x Source: Peace Now – Hagit Ofra (conversation October 13, 2016)

^{xi} Peace Now annual report on settlements, February 2016 - <https://settlementwatcheastjerusalem.files.wordpress.com/2016/02/2015-in-settlements.pdf>

^{xii} <http://peacenow.org.il/en/netanyahu-established-20-new-settlements>

^{xiii} Source: Report by Meron Benvenisti, “Land alienation in the West Bank : a legal and spatial analysis” 1985, cited here: <http://www.nytimes.com/1985/04/01/world/israel-said-to-seize-control-over-52-of-west-bank-land.html>

^{xiv} Source: Btselem Report: http://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf, page 12.

^{xv} Source: Btselem Report: http://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf, page 12.

^{xvi} Source: https://www.btselem.org/download/200408_forbidden_roads_eng.pdf, starting on page 5.

^{xvii} Source: http://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf, also note that there have been new “state land” declarations since that report was published, for example:

<https://peacenow.org/entry.php?id=17315>, <https://peacenow.org/entry.php?id=16464>, and <http://peacenow.org.il/en/unprecedented-land-confiscation-of-4000-dunams-near-bethlehem>

^{xviii} Source: http://www.btselem.org/download/201007_by_hook_and_by_crook_eng.pdf

^{xix} For more on seizures for military purposes, see: <http://peacenow.org.il/en/kiryat-arba-seizuer>

^{xx} For more on private ownership issue:

https://www.btselem.org/download/201203_under_the_guise_of_legality_eng.pdf

^{xxi} Source: Danny Seidemann,

http://mideast.foreignpolicy.com/posts/2010/04/26/redeeming_jerusalem_by_truth_not_hollow_slogans

^{xxii} <http://www.nytimes.com/2007/03/14/world/middleeast/14israel.html>

^{xxiii} For background on settlement blocs, see: <https://archive.peacenow.org/entries/archive4900>