



The Palestinian-Israeli accords include a broad range of protective measures for the settlements and settlers - such as their exclusion from Palestinian jurisdiction, blanket limitations on Palestinian land use near settlements as well as Israeli control over land registration, zoning and security. They furthermore provide for the 'cantonization' of the West Bank, which has been assisted by the construction of an enormous road network, designed to bypass and fracture Palestinian population centers, and link Israeli settlements to one another as well as to Israel proper. To obtain the necessary land, Israel issues seizure orders for 'temporary expropriation', but the planned 400-km road network is one clear indication that Israel does not intend to completely withdraw from the territories.

The Palestinian position on how to achieve a solution to the problem of settlements is founded in international law, calling upon Israel to comply with UN Resolution 242 and withdraw to the 4 June 1967 lines (see: Box 1). Nevertheless, the Palestinians have shown readiness to make limited concessions in the form of land exchanges that would enable Israel to incorporate some settlements adjacent to the Green Line in return for nearby land from Israel of equal potential and value. In doing so, it is stressed, the Palestinians are negotiating upon territory that represents only 22% of the total area of historical Palestine and what is usually termed as Israeli 'offers' and 'compromises' is by no means perceived as 'giving' or 'returning' but as taking even more of this land.

The Israeli position, however, disregards international law and insists upon the annexation of West Bank territory ranging (most recently) from about 45% down to a minimum of 6%, depending on the presence of either a Likud or Labor-dominated government.

In this respect, both Israeli mainstream parties draw guidance from the so-called Allon Plan - first formulated in 1967 and subsequently altered, renamed, adapted and amended by consecutive Israeli governments and military strategists. In each 'guise' Israeli commitments have remained the same; firstly ensuring the Jewish character of the State of Israel and secondly securing Israel's geo-political domination of all of the country "between the (Mediterranean) Sea and the (Jordan) River", by holding on to the Jordan Valley as well as border strips stretching beyond the Green Line toward and around 'Greater' Jerusalem.

**BOX 1:**

**SETTLEMENTS IN INTERNATIONAL LAW AND UN RESOLUTIONS**

As international law prohibits the annexation of territory by force, Israel's colonization policy is considered illegal. The UN Charter itself states that territorial gains from war are unlawful, even if achieved in the course of self-defense, and that any state is obliged to withdraw once it has protected itself from danger. The most relevant articles of the Fourth Geneva Convention and UN Resolutions in this context are the following:

**Fourth Geneva Convention (1949)**

**ART. 47:** "Protected persons who are in occupied territory shall not be deprived, (...) as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory."

**ART. 49:** "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

**UN Security Council Resolutions**

**Res. 242** (22 Nov. 1967): Emphasizes "the inadmissibility of the acquisition of territory by war", and calls for Israeli withdrawal of from all occupied territories.

**Res. 446** (22 March 1979): "Determines that the policy and practices of Israel in establishing settlements in (...) territories occupied since 1967 have no legal validity" and calls on Israel "to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories".

**Res. 452** (20 July 1979): "Calls upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem."

**Res. 465** (1 March 1980): "Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the ... territories occupied since 1967, ... have no legal validity" and calls on Israel "to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem".

