

IR AMIM The E-1 Settlement is Not Ma'ale Adumim

The E-1 Area and Its Political Consequences

The territory known as E-1, located northwest of the Jerusalem-Ma'ale Adumim highway, first made headlines in the middle of the last decade following a series of Israeli decisions to pursue construction in the area. Government spokespeople stressed the need to attach the E-1 area to Jerusalem. Others, including some members of then Prime Minister Ariel Sharon's government coalition, were less resolute in their pronouncements. This ambivalence is also reflected by the route of the separation barrier: on one hand the barrier, as planned, will deeply penetrate the West Bank in order to surround Ma'ale Adumim and E-1, indicating the Israeli intention to maintain control of the area. On the other hand, the portion of the barrier in question has not yet been built.¹

Over the years, strong American resistance has prevented the execution of construction plans and erection of the barrier in E-1. Throughout the last decade, all of Israel's prime ministers, including Benjamin Netanyahu, have promised the US not to advance construction. Therefore, strong international reactions to the recent Israeli decision to pursue building plans in the area should come as no surprise.

The dispute over E-1 seemingly concerns the city of Ma'ale Adumim, situated east of Jerusalem; in fact, E-1 is not part of Ma'ale Adumim as it is built today. The construction plans for E-1 would create a separate settlement with almost 4,000 housing units and the capacity to accommodate 20,000 people. Along with its residential components, the plan calls for a large industrial area and thousands of hotel rooms—a massive construction project motivated by the goal of establishing unilateral facts on the ground. The "success" of this plan would severely undermine the possibility of reaching a political settlement.

The planned route of the separation barrier around E-1, 11 kilometers east of Jerusalem's jurisdiction and intended to surround mostly unbuilt areas, reveals the political motivations behind the plan rather than any urban planning rationale. Israeli control of the E-1 area would prevent any option of developing Palestinian portions of East Jerusalem and create a barrier between East Jerusalem and the rest of the West Bank, precluding the possibility of its functioning as the capital of a future Palestinian state.

¹ Even though the barrier has not yet been built in the area, last July Col. Ofer Hindi (Head of the Separation Barrier Administration) announced that construction of the barrier in the Ma'ale Adumim area would begin in 2013.

Israeli construction in E-1 would dissect the West Bank and destroy the fabric of Palestinian life. Several bridges and tunnels would be used to link major urban centers in a future Palestinian state. Although such a system would connect the northern and southern areas of the West Bank, it would undercut functional sovereignty and frustrate the maintenance of a thriving and independent economy. Furthermore, construction in E-1 would convert highways 417 and 437 from urban roads functioning as central traffic arteries between Bethlehem and Ramallah into roads serving the settlements, therefore becoming off limits to Palestinians.

These impacts demonstrate why the international community vehemently opposes the E-1 plan. Countries that view resolution of the Israeli-Palestinian conflict and adoption of a two-state solution as being vital to their interests cannot stand by as these radical developments threaten that solution.

Background data

Ma'ale Adumim: The construction of Ma'ale Adumim began in 1975. Its population now stands at 36,000. The E-1 area, annexed to the city's municipal area in 1994 through a decision of Yitzhak Rabin's government, more than doubles the city's area.

E-1 ("East 1") is the name the Ministry of Housing and Construction designated to a 12 square kilometer block of land between East Jerusalem and Ma'ale Adumim, within the jurisdiction of Ma'ale Adumim. E-1 borders on the towns of Anata, Abu Dis, Al'Eizariya and Az -Za'ayem, all located just beyond the eastern border of the Municipality of Jerusalem.

When the Ministry of Housing and Construction began planning the E-1 area, its intention was to build a new city/settlement between Ma'ale Adumim and Jerusalem. Only later was the area included in the outline plan of the greater Ma'ale Adumim area—a move designed to present the construction as an extension of Ma'ale Adumim, thereby concealing the fact that it was a new settlement which would have far broader implications than simply expanding the existing settlement.

Area: Ma'ale Adumim's outline plan covers an area of 53,000 dunams (larger than the areas of Tel Aviv or Beersheva). The actual city of Ma'ale Adumim currently covers less than 7,000 dunams, or less than 15% of its full capacity.

Roads: E-1 is situated northwest of the Jericho-Ma'ale Adumim Highway and is bordered on the north by Highway 437 (Mishor Adumim-Ramallah). The main route used by Palestinians traveling from Bethlehem to Ramallah includes highways 437 and 417, parts of which run through E-1. Construction in E-1 would turn those highways from intercity thoroughfares into highways serving built-up Israeli territory, impeding passage of Palestinian vehicles and in the worst case scenario, preventing passage altogether.

Land ownership: Most of the land included in the Ma'ale Adumim outline plan was declared state land in the 1980s through a controversial process that has been criticized both on procedural grounds and because the land was acquired to promote settlement building prohibited under international law. While there are still some Palestinian owned enclaves in E-1, they are not part of development plans for the area.

Population density: The ratio is roughly 2,000 square meters per person on average in Ma'ale Adumim as compared to 100 square meters per person in neighboring Palestinian towns.

What Is Included in the E-1 Plan:

- The master plan, which includes saturated construction (high-rise and low-rise buildings), was approved by the municipality of Ma'ale Adumim as well as the Higher Planning Council for Judea and Samaria, a body fulfilling some of the roles of the regional planning and building committees in the West Bank. The plan was expedited by Prime Minister Netanyahu in 1999, during his first government, and signed by Defense Minister Binyamin Ben Eliezer in 2002. However, approval of the master plan is insufficient for building, which requires the submission and approval of detailed building plans in addition to political endorsement. According to government sources, these specific plans call for at least 3,700 housing units (accommodating 15,000 residents) and more than 2,100 hotel rooms. Until recently, the process for approving these plans was frozen due to political and international pressure. Following the government's decision to advance the plans pursuant to the UN's recognition of Palestine as a nonmember state, on December 5 the Civil Administration's Higher Planning Council approved the deposit of building plans for public objection.
- Despite these procedural constraints, in 2008 one part of the E-1 construction plan was realized: the relocation of the Samaria and Judea police district headquarters from its original location in the East Jerusalem neighborhood of Ras al-Amud to its new location in E-1. The formerly used building in Ras al-Amud was handed over to settlers who in large part funded the construction of the new headquarters in E-1. In the process of relocating the headquarters, Israel invested an estimated 200 million shekels to pave an expansive highway system clearly designed to support not only the police headquarters' infrastructural needs but also to serve the broader needs of the planned settlement. If the construction is approved, building can begin immediately, without delay for infrastructure works.
- Finally, the plan includes a joint industrial area for Ma'ale Adumim and Jerusalem which was approved in 2002 but is still awaiting the political green light for construction to begin. The total area allocated for construction in this area is 1,340 dunams (the equivalent of 10,000 housing units). The parcel is located in the northeast part of the E-1 area, adjacent to the village of Anata and nearby the border police station on the Ma'ale Adumim-Jerusalem highway.

The outline plan also allows for the following uses:

- Commercial areas
- Universities and "special projects"
- Cemetery
- Garbage site
- Designation of 75% of the outline plan for a park surrounding all parts of the plan

The E-1 development plan makes no reference to the Palestinian population of the area, whose multiple construction needs include hospitals, schools and a public cemetery. As noted above, most of the area has been declared state land. Moreover, not one of the few Palestinian enclaves managing to escape expropriation is included within the area of E-1 marked for development (from a professional planning perspective, considered to violate basic professional standards). In fact, massive Israeli construction around these Palestinian enclaves will significantly impede Palestinian land owners' access to their own land.

Some 1,100 Palestinians live in the E-1 area as members of communities that have existed there for decades. At the end of 2011, the Civil Administration informed the UN Office for the Coordination of Humanitarian Affairs (OCHA) that it intended to "relocate" the Bedouins living in the area (along with a similar number of Bedouins living slightly farther out) to a plot of land adjacent to a garbage dump in the nearby town of Abu Dis. The statement was accompanied by demolition orders against the Bedouins' homes. As a result of international pressure and a petition to the High Court of Justice, the Civil Administration withdrew the Beduin relocation plan without changing its intention to evict the Bedouins from the area, made clear by the announcement that the transfer would take place by the end of 2013. In September 2012, the Civil Administration offered the Bedouin residents two relocation sites near Jericho. The Bedouins rejected both sites.

Ma'ale Adumim is not E-1

E-1 is not an inseparable part of the city of Ma'ale Adumim as it is currently built; rather, it was artificially included in the city's jurisdiction. The Jerusalem-Jericho highway separates Ma'ale Adumim and E-1—detached areas that will eventually be connected by a bridge. It appears that the inclusion of the area in the Ma'ale Adumim outline plan was meant to blur the ramifications of construction.

One important plan detail has not received sufficient attention: The objection of the US administration and other political entities to the Israeli policy is not directed at the city of Ma'ale Adumim (as it is currently built) but rather specifically at the E-1 development. The distinction is an important one given the US, the entire international community—and, under certain conditions even the Palestinians—actually accept Israel's presence in Ma'ale Adumim as part of a possible outline for a future settlement, according to the Clinton parameters and the principle of land swaps. Such is not the case for E-1. It is also important to note that according to one of the "Palestinian Authority papers"

published by the Al Jazeera Network in January 2011, in their first meeting after their respective elections, Prime Minister Benjamin Netanyahu promised US President Barack Obama that his government would not build in E-1.

Israeli Measures in the E-1 and Ma'ale Adumim Area

From the beginning of official negotiations between Israel and Palestine, the possibility existed that Ma'ale Adumim would remain under Israeli sovereignty in a final settlement. This possible outcome, however, did not include E-1, which Israel concealed by incorporating E-1 under the jurisdiction of Ma'ale Adumim.

The action to include E-1 within Ma'ale Adumim's jurisdiction was actually taken by the Rabin government in 1994. However, Rabin refrained from executing plans to develop the area and it is believed that he and the Clinton administration maintained an understanding that the future of the area would be decided in future negotiations.

A few years later, during his first term in the 1990s, Prime Minister Netanyahu took official measures to approve (in principle) land allocations as part of the Ma'ale Adumim master plan. Netanyahu also initiated the establishment of a joint "umbrella municipality" for Jerusalem and Ma'ale Adumim. The idea was abandoned after it met with firm American resistance.

Prime Minister Barak also expressed his support in principle for the development of the E-1 area, at the same time agreeing to include the subject in negotiations with Palestine. Indeed, Israel presented a map of Ma'ale Adumim, including the E-1 area, in final settlement talks at Taba in January 2001. Israel justified its control of the whole area in terms of military need. Ultimately, the map weakened Israel's position once the Palestinians understood that it extended far beyond the built up area of Ma'ale Adumim. At that time they retracted their agreement to let the city remain under Israeli control and announced their demand for Israel to dismantle the entire bloc.

Discussion of E-1 under the Sharon and Olmert governments were likewise marked by ambiguity. In 2002, Binyamin Ben Eliezer, Defense Minister in Sharon's first government, signed the outline plan for the area, giving it the government approval required for construction to commence. Meanwhile, Ben Eliezer promised the US administration not to advance the plan.

As part of the Geneva Initiative (an unofficial, non-governmental initiative in 2003) Israeli and Palestinian negotiators agreed to include Ma'ale Adumim as part of Israel. This understanding referred to the built area as it is today and even included a small addition for future expansion needs. According to the initiative, Israel would have sovereignty over the road connecting Ma'ale Adumim with Jerusalem through the Mount Scopus Tunnel (including 100 meters on either side of the road) and the two sides would agree to security measures for the area.

Work in E-1, including construction of the main access roads to the area and groundwork for the relocation of the Samaria and Judea police headquarters from Ras al-Amud, began in 2004. The work was conducted under the auspices of the Ministry of Housing and Construction, headed by Effi Eitam. Since no town planning scheme for the area in question had been approved, the work was conducted illegally and, due to extreme international pressure, was soon halted.

In 2009, shortly after the second Netanyahu government was installed, the city of Ma'ale Adumim held a symbolic groundbreaking ceremony for the new neighborhood. Two government ministers—Uzi Landau and Daniel Herskowitz—attended the ceremony.

Ir Amim's position

The planned settlement in the area of E-1 is distinct—both topographically and in terms of its expected impacts—from the city of Ma'ale Adumim. The area was included in the city's jurisdiction to create the impression that the two are one and the same; in fact, on the ground, they are not.

Without taking a stand on the city of Ma'ale Adumim as it is currently built, Ir Amim believes in the vital importance of maintaining an undisturbed territorial contiguity between East Jerusalem and a future Palestinian state. This contiguity is vital to the achievement of a stable political agreement and it is therefore in Israel's national interest to safeguard this prospect. Final borders of the area should be determined through negotiations and until such a time, Israel must avoid taking unilateral actions that undermine the very feasibility of negotiations.

For these reasons, Ir Amim opposes planned construction in the E-1 area as well as the erection of the separation barrier to envelop the area, both of which have the lethal effect of sealing off East Jerusalem from the rest of a future Palestinian state.