

The Quartet Report (Part 1): Defining the Settlement Challenge

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Jul 8, 2016

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Brief Analysis

The new report indicates that settlement growth is slowing and that most of it is occurring near the security barrier, but not having a declared policy in this regard may open Israel up to more internationalization drives.

This article is the first installment in a two-part PolicyWatch analyzing the Quartet report released on July 1. Part 1 focuses on settlements and other Israeli challenges; part 2 will focus on Palestinian challenges related to violence, incitement, the Gaza quandary, and internal unity.

Last week, foreign ministers representing several nations published [a long-awaited report \(http://www.state.gov/p/nea/rls/rpt/259262.htm\)](http://www.state.gov/p/nea/rls/rpt/259262.htm) defining the obstacles to resolving the Israeli-Palestinian conflict and presenting policy recommendations. Issued by the Middle East Quartet, a coordinating forum for the United States, European Union, Russia, and the UN secretary-general, the report warned that hopes for a two-state solution are becoming "increasingly remote," and that steps need to be taken to "prevent entrenching a one-state reality of perpetual occupation and conflict."

GENERALLY BALANCED CRITICISM

The text of the report was more balanced than Israel feared it would be, taking both parties to task for the current impasse instead of focusing solely on Israeli settlements in the West Bank. At its core, the report asserted that three overarching factors are blocking a two-state solution: Israeli settlement activity, Palestinian incitement of terrorism (including the failure to condemn attacks against Israelis), and the Palestinian Authority's inability to take control of Gaza (which has exacerbated the territory's dire humanitarian situation under Hamas).

The Palestinian leadership immediately complained about this balance, since they had expected the report to put

the entire onus on Israel. Palestine Liberation Organization secretary-general Saeb Erekat stated that the report "does not meet our expectations" because "it attempts to equalize the responsibilities between a people under occupation and a foreign military occupier." And PA president Mahmoud Abbas called on the UN Security Council to reject the report.

Notably, the Quartet did not call for an immediate resumption of direct talks between Israel and the PA, settling for the general principle that a "negotiated two-state outcome is the only way to achieve an enduring peace." Past Quartet statements have routinely called for immediate and unconditional renewal of talks.

SETTLEMENTS AND AREA C

The report reemphasized a theme that has run through Quartet statements since last fall: improving bilateral cooperation in Area C, the portion of the West Bank under formal Israeli control, by transferring certain nonmilitary responsibilities to the PA, such as housing, water, energy, agriculture, and zoning and planning. The report did not call for a formal reclassification of Area C (which constitutes 60 percent of the West Bank) to Areas A or B. Currently, around one-fifth of the territory is composed of Palestinian urban areas where PA security control is more evident (Area A), while another fifth comprises the suburban/rural environs where the PA holds public security control but Israel holds overriding security control (Area B). Relatively few Palestinians live in Area C, which includes places such as the Jordan Valley; the exact numbers are disputed.

According to the report, "The continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use, and denial of Palestinian development is steadily eroding the viability of the two-state solution." It also noted that "some 70 percent of Area C has been unilaterally taken for exclusive Israeli use, mostly through inclusion in the boundaries of local and regional settlement councils or designations of 'state land.' Nearly all of the remaining 30 percent of Area C, much of which is private Palestinian property, is effectively off limits for Palestinian development because it requires permits from the Israeli military authorities that are almost never granted." Indeed, Israel has closed off a large portion of Area C as a military zone.

Israeli authorities have also legalized or are in the process of legalizing 32 of 100 illegal outposts, despite past promises to dismantle settlements deemed illegal under Israeli law. The overwhelming majority of the outposts in question are believed to lie beyond the security barrier. In addition, the report states that Israel has not given Palestinians economic access to Area C, which the Quartet believes is key to establishing a two-state solution.

The conclusion that can be inferred from the report is that Israel's actions are consistent with the view that it should annex 60 percent of the West Bank as part of a final-status deal while the PA keeps what it has now (Areas A and B). This view has been publicly expressed by influential political figures such as Education Minister Naftali Bennett. Advisors to Prime Minister Binyamin Netanyahu tend to cast their approach in a more charitable light, arguing that Israel is more focused on negotiating tactics: it wants to hold onto as many territorial cards as it can for any final-status deal, so it sees no incentive to make Area C concessions now. Yet with no talks in sight, fewer observers are willing to buy this interpretation, and more believe that Israel wants to maintain indefinite control of Area C even if it does not formally annex that territory. As such, the Quartet seems to believe that Israeli policy is close -- albeit not identical -- to Bennett's view.

Such perceptions have fueled efforts to internationalize the process, with many actors convinced that the parties are unwilling to move on their own. The Quartet report welcomed the June peace conference in Paris, which some have speculated could be a precursor for imposed final-status parameters at the UN Security Council this fall. At this point, Abbas believes that an internationally imposed two-state solution would have fewer costs and greater benefits than anything that might emerge from direct negotiations with Israel.

Fortunately, the Quartet report also does a service by going further than past statements to distinguish where exactly

Israeli settlers are residing. While it makes no mention of the security barrier per se (in a bow to Palestinian sensibilities, which oppose settlement activity anywhere), the report clearly alludes to the reality the barrier has created by repeatedly using the phrase "deep in the West Bank" to describe areas where 85,000 of the 370,000 West Bank settlers live, not including East Jerusalem. In other words, only 23 percent of the settlers are "deep in the West Bank," meaning in those areas on the Palestinian side of the barrier that comprise 92 percent of the West Bank. The other 77 percent reside in blocs that are largely adjacent to the pre-1967 line and take up approximately 8 percent of the West Bank.

The report also dissects settler growth patterns. First, it notes that the overall settler population increased by 80,000 between 2009 and 2014, and that the "advancement of plans and issuance of tenders" for construction underwent a "marked slowdown" after mid-2014. Then it notes that 16,000 (or 20 percent) of these new settlers reside "deep inside the West Bank," while the other 64,000 (80 percent) reside in the blocs near the security barrier. In other words, the ratio of settler growth near the barrier vs. elsewhere is 80 percent to 20 percent. To be sure, settler population growth does not always correlate directly with the number of new settlement housing units built, yet there is obviously some correlation, and Israelis will likely cite the report to prove that most settlement growth is occurring near the barrier, not far outside it. Then again, others will justifiably ask why there has been any settlement construction outside the barrier whatsoever.

Finally, the report mentions that there were 9,000 settlement starts in the West Bank between 2009 and 2014, but it does not say where they occurred. All settlements are labeled "Area C," whether they lie adjacent to Jerusalem (e.g., Gush Etzion) or far east of the barrier (e.g., Elon Moreh). Here it would have been useful to make the same distinction inferred in the settler population discussion. The report does specify that Israel added another 3,000 units in East Jerusalem.

CONCLUSION

The Quartet Report implies that there is enough blame to go around between Israelis and Palestinians for the current impasse, and it takes a key first step in delineating where settlement activity is and is not occurring. Of course, one can argue that construction in any settlement, including the blocs near the security barrier, is counterproductive because certain areas within these blocs are especially contentious (e.g., Ariel). Yet in and of itself, the latest Quartet data does not prove that a two-state solution is impossible, especially if the report is correct about the "marked slowdown" in new settlement activity since 2014.

At the same time, the report clearly points to the uphill climb that both parties face on the settlements issue, and the need to avoid a one-state reality. For Israel, the strategy of building outside the blocs near the security barrier as a bargaining chip for unseen future negotiations would likely be much more costly than the potential benefits. At the moment, any such settlement policy would undercut the rationale for a two-state solution, which remains Israel's professed desire.

In this sense, the report underscores the need for a clearer Israeli settlement policy. While the Palestinians favor internationalization, Israel opposes it, so Jerusalem should have a keen interest in taking steps to avert greater outside intervention. In fact, Israel has so much more at stake that it may need to consider launching its own diplomatic initiative, one based on the idea of publicly declaring that it will no longer expand settlements outside the security barrier.

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