

Givat Hamatos: One Area, Two Prisms

by [David Makovsky \(/experts/david-makovsky\)](/experts/david-makovsky)

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ABOUT THE AUTHORS



[David Makovsky \(/experts/david-makovsky\)](/experts/david-makovsky)

David Makovsky is the Ziegler distinguished fellow at The Washington Institute and director of the Koret Project on Arab-Israel Relations.



Brief Analysis

Proximity to the Green Line was not interpreted equally by U.S. and Israeli leaders.

The latest flap between the U.S. and Israeli administrations concerning housing units in Jerusalem reflects the two sides' contrasting perspectives. Immediately following the October 1 Oval Office meeting between President Barack Obama and Israeli prime minister Binyamin Netanyahu, the White House and State Department denounced Israel's decision to move forward with the planning of 2,610 housing units in an area called Givat Hamatos. Netanyahu was quick to reject the criticism, but his very response suggested the highly different prisms through which the respective governments see the area in question.

A State Department spokesperson used harsh language to describe the decision: "This development will only draw condemnation from the international community; distance Israel from even its closest allies; poison the atmosphere not only with the Palestinians, but also with the very Arab governments with which Prime Minister Netanyahu said he wanted to build relations; and call into question Israel's ultimate commitment to a peaceful negotiated settlement with the Palestinians." En route back from Washington Friday, Netanyahu told Israel Radio he was "disappointed" with the U.S. reaction, especially since the recent announcement was about planning and not construction.

U.S.-Israel tensions rose again this week over Israelis purchasing six buildings in Silwan, an Arab neighborhood adjacent to Jerusalem's Old City. After Washington criticized the move, Netanyahu fired back that this was a private transaction that did not involve governments. He argued that Arabs live in Jewish neighborhoods and that the reverse should be permitted as well, claiming any alternative would be discriminatory.

The U.S. Prism

A few factors appear to explain Washington's response to the latest housing developments. First, the Obama administration's policy is to oppose all settlement activity, regardless of whether the area under consideration will likely be part of a future Israel or Palestine in any peace agreement. This policy has been evident since President

Obama's Cairo speech in 2009, when he said the United States does not recognize the legitimacy of settlements.

Second, Givat Hamatos -- in English "Airplane Hill," after an Israeli military plane that crashed from Jordanian fire during the 1967 war -- is the last significant patch of open land in Jerusalem that literally abuts the Green Line, as the pre-1967 boundary is known. It is rocky and barren high ground with only a smattering of rundown, largely abandoned trailers. As such, the Israeli announcement is not just seemingly about adding apartment units in yet another neighborhood but will be viewed as the first new Israeli-established Jerusalem neighborhood over the Green Line in fifteen years. The previous Netanyahu government also presided over that earlier development, announcing the establishment of Har Homa in 1997, two days after reaching the first Hebron accord with the Palestinians. Har Homa now has more than 25,000 residents.

Third, the new development's location is unique. While anything over the Green Line in the city is euphemistically called East Jerusalem, the proposed site is actually in southeastern Jerusalem, between Talpiot (within the Green Line and not to be confused with East Talpiot) and the Arab neighborhood of Beit Safafa (which was divided by the 1948 war of Israeli independence and reunited after the 1967 war). If Israel builds at the southern end of Givat Hamatos, this could hinder Arab residents' passage from Beit Safafa on the road to Bethlehem. The broader question would thus be raised of whether at least one Arab neighborhood of Jerusalem was being cut off from the southern West Bank. This said, whether construction will take place in the southern or northern part of Givat Hamatos is not clear. (An expert on Jerusalem municipal planning said that Israel cannot build on the eastern edge of Givat Hamatos since it is owned by a nearby monastery.)

Fourth, the broader context of Israel's decision must be considered. According to media reports, the United States is trying to stave off a threat by Palestinian Authority chairman Mahmoud Abbas to press for a UN Security Council resolution calling for any solution to the Israeli-Palestinian conflict to be based on the 1967 borders. If this request is not met, Abbas has threatened to go to the International Criminal Court against Israel. In a speech at the United Nations last week, Abbas defended the need to internationalize the move to a two-state solution, terming further negotiations with the Netanyahu government "impossible."

The Israeli Prism

For different reasons, Netanyahu does not view the move as provocative in the same way the Americans do. Givat Hamatos is only a few hundred yards away from the Green Line. As such, the Israeli government sees this step as more akin to the recent announcement of a land survey in Gush Etzion, a settlement south of Jerusalem a mile or so from the Green Line. In both cases, Netanyahu's logic appears to be that since the two areas are very close to the Green Line, and considerably within the security barrier, they are unlikely to significantly prejudice any final borders between Israel and a future Palestinian state. Moreover, in both instances, no tenders -- government permission for construction bids -- were issued, but rather more preliminary moves were taken. Given these criteria, Netanyahu believed both moves would not be criticized by Israeli centrists, including the Yesh Atid Party, led by Finance Minister Yair Lapid. In other words, Netanyahu seems to have been primarily concerned with achieving a certain threshold of domestic approval rather than eliciting a desired U.S. response.

While Netanyahu is well aware of the Obama administration's sensitivity regarding settlements, he did note in an MSNBC interview this week that the Givat Hamatos issue was not aired by Obama in their meeting. Yet both Netanyahu and Jerusalem mayor Nir Barkat have generally bristled at the U.S. reaction, given that the Jerusalem municipality issued its initial approval for the project in December 2012. Nevertheless, just last month, on September 24, the Jerusalem municipality's planning and construction committee moved the planning process forward, requiring the signature of Israel's Ministry of Interior. In keeping with regulations, the municipality was obligated to place ads in the Hebrew and Arabic press, with such actions marking a prerequisite to construction. Once these were published, anti-settlement groups gave the issue wider publicity.

The municipality, meanwhile, has also indicated that up to a third of the units envisioned for Givat Hamatos would be for Arabs, presumably referring to the adjacent area of Beit Safafa since Israel does not build mixed neighborhoods. This second part of the planning, involving 549 units, reportedly has not passed statutory approval, while the 2,610 units have. (Reports say there are two other plans for extending Givat Hamatos as well, although it is unclear whether these are intended just for Jewish residents.)

Questions for Israel and the United States

For both Israel and the United States, this latest episode leaves unanswered questions. Israel, for its part, should have seen this U.S. reaction coming. Givat Hamatos has been highlighted by the United States and the European Union for the last two years as a potential bottleneck that could hinder the contiguity of a Palestinian state. Therefore, one wonders why Netanyahu and Barkat did not seek to head off much criticism by offering public reassurances that Israel would guarantee Arabs' access between Beit Safafa and the southern West Bank.

For the United States, using such tough language over units yet to be built -- and virtually astride the Green Line -- begs the question of how the administration will respond if and when Israel engages in settlement activity further from the Green Line. The U.S. administration's rhetoric has thus far failed to generate Israeli public pressure against Netanyahu on settlements in a future Israel, raising possible questions about the approach should construction be pursued in territory that will genuinely be part of a future Palestinian state.

David Makovsky is the Ziegler Distinguished Fellow at The Washington Institute and director of the Project on the Middle East Peace Process. He recently returned from a ten-month stint at the State Department focusing on Israeli-Palestinian negotiations. ❖

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