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Israeli Settlements: Are They a Threat to Middle East Peace?

The Palestinians refuse to join peace talks unless Israel stops building in Jerusalem and parts of the West Bank. But who “owns” the West Bank? And are settlements really the problem?

What are the facts?

While many in the media refer to the West Bank as “Palestinian territories,” Palestinians in fact have never actually possessed or controlled this land. Beginning 3,000 years ago these territories between the Jordan River and Jerusalem were a part of the Jewish kingdom known as Judea and Samaria. Jews have lived on these lands continuously until the current day. For several hundred years, through the 19th century, Judea and Samaria were part of the Ottoman Empire, where both Arabs and Jews lived. In 1922, these lands became part of the British Mandate, designated for partition into Jewish and Arab nations. The Arabs rejected this partition, but in 1949, following Israel’s declaration of independence, Jordan seized and occupied Judea and Samaria, which included such Jewish communities as Hebron and the Jewish quarter in eastern Jerusalem. All Arab residents of these lands were declared citizens of Jordan.

Finally, in 1967, when Israel was attacked by Jordan, Egypt and Syria, Israel defeated these invading Arab armies and again took control of Judea and Samaria, then also called the West Bank. After the 1967 war, the United Nations decreed that unspecified parts of these captured territories would be granted to the Arab Palestinians as part of a negotiated peace. Indeed, Israel has demonstrated numerous times its willingness to give up land for peace—for example, the Sinai Peninsula to Egypt, and Gaza to the Palestinians. But so far, the Palestinians have refused to accept a peaceful settlement with Israel on ownership and borders of Judea and Samaria.

Do Jews have a right to settle in Judea and Samaria?

Since 1967, Israel has reclaimed all of Jerusalem as its capital, and, as Israel’s population has grown, its citizens have built new communities—settlements—in the eastern part of the city and on Israel’s eastern front. Currently some 534,000 Israeli citizens live east of the 1948 armistice lines, in Judea and Samaria. The area on which these settlements are located constitute a mere three percent of the West Bank.

While critics have cited Article 49 of the Fourth Geneva Convention to declare the settlements illegal, this argument is based on a false reading. First, Article 49 prohibits “Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or that of any other country.”

In short, the settlements are not the issue. The only way to determine the final borders of Israel and those of a future Palestine is through peaceful negotiations.

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