

I. Settlement Freeze

In order to be genuine and to comply with the Road Map, a settlement freeze must:

1. Apply to **all Palestinian territory** occupied by Israel in 1967, **including East Jerusalem**,
2. Remain in effect **until the implementation of a permanent status agreement**, and,
3. Require the GoI (directly or through the actions of third parties subject to its jurisdiction) to:
 1. **Cease and prevent all settlement and settlement-related construction**, at whatever stage of completion, including construction of: residential, commercial, industrial, agricultural, public, archeological and tourist facilities; by-pass and other roads that reinforce settlements (including so-called “fabric of life” roads and tunnels for Palestinians); perimeter fences or walls around settlements; and the separation Wall and its associated infrastructure (including crossing terminals, “back-to-back” stations and other permanent infrastructure).
 2. **End all financing and financial incentives for settlements and settlers**: Thousands of housing units in the settlements are vacant, so an end to financing is also necessary to disincentivize Israelis from moving into those vacant units.
 3. **End all land confiscations, home demolitions and other property destruction**, including the requisition of Palestinian land for settlement activity, the declaration of land as “state land”, the expropriation of land for settlement activity, the use of “absentee property” for settlement activity, the “private” purchase of land by Israelis, and the demolition, destruction and damage of Palestinian property.
 4. **End all planning and authorizations for settlements**, including government authorizations for the establishment of new settlements and the expansion of existing ones; land allocations for settlement purposes; the preparation, review, approval and validation of any development plans for settlements; the issuance of building tenders and permits; as well as the revocation of outstanding development plans, and building tenders and permits.
 5. **Prevent the migration of settlers.**

NB. It is important to specify the required scope and elements the freeze to prevent the past Israeli practices which included hidden loopholes that allowed Israel to continue expanding settlements through: “*natural growth*”, “*no new settlements*”, “*No construction beyond the construction line*”, “*no land expropriation for construction*”, “*no new tenders or building permits*”, or “*exempting East Jerusalem*”.

II. Redeployment to “28 September 2000 Lines”

Original Definition. At the time the phrase was adopted, and in the context of the 2nd Intifada and the widespread Israeli invasion of Palestinian cities, the intention was for Israel to cease its active operations by redeploying out of populated Palestinian areas, restoring the situation on the ground back to the *status quo ante*.

Present Implications. If undertaken on its own, a redeployment by the Israeli military within the West Bank (regardless of where one draws the “lines”) can at most amount to a tactical repositioning of forces, falling short of a full military withdrawal, given the current political and legal regime in place in the OPT. As the occupying power, Israel would remain in effective military control of *all* Palestinian territory, regardless of the fixed location of its military personnel or installations on the ground at any given time. Hence, in the absence of other guarantees or arrangements, redeployment does not preclude, for example, the conduct of incursions or other operations by the Israeli army in the heart of Palestinian cities (Areas A and B).

Options:

Link redeployment to the Interim Agreement & Wye River Memorandum.

- (a) “further redeployments” – pros and cons
- (b) Require Israel to carry out concomitant obligations in Annex I (dissolve Civil Administration / withdraw Israeli military government)

Link redeployment to the AMA

Define redeployment as full military withdrawal from Areas A and B

III. Movement and Access

To alleviate the dire economic and humanitarian situation in the OPT, Israel must abide by its obligations under international law and bilateral agreements to:

- Immediately lift the closure regime in the West Bank by removing all checkpoints and roadblocks to allow free movement of people and goods inside the West Bank.
- Activate the agreed safe passage arrangements (in the Interim Agreement and the AMA) between Gaza and the West Bank to allow free movement of people and goods between the two parts of the OPT.
- Open and normally operate all crossing points between Israel and the OPT (both the Gaza and West Bank crossings).
- Open the Rafah crossing for both passengers and commercial imports/exports.
- Allow the Palestinian Customs and Border Police to operate the Allenby and Damya Bridges according to existing agreements.
- Allow the construction and operation of Gaza sea and air ports.
- Lift restrictions on import of materials and equipment needed for industry and agriculture development.

The Agreement on Movement & Access is an important document for movement and access issues. However, it is not sufficient and does not stand alone. The Agreement is very vague on the issue of internal restrictions on movement inside the West Bank and does not sufficiently cover the issue of the West Bank crossings with Israel and Jordan. This Agreement calls only for coordination between the USSC and GoI to ease the restrictions in the West Bank. It is thus important to continue to refer to international law and other bilateral agreements in addition to the AMA– mainly the Interim Agreement and its Annexes.

