

November 29, 2017

Annexation Bill Devised for the Redrawing of the Municipal Map, Aimed at Reducing Number of Palestinians in Jerusalem

*On November 28, 2017 the Israeli Constitution, Law & Justice Committee of the Knesset approved the second and third (final) readings for the Basic Law: Jerusalem, Capital of Israel (Amendment No. 2). Through a vote of nine to seven, this states that giving up Israeli sovereignty over any part of Jerusalem would require a majority of at least two-thirds of the Israeli Knesset members.*¹

The Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ) remains highly concerned about Israel's continuous efforts to annex Palestinian lands and deny Palestinian rights

So far, the basic law in Jerusalem, states that any amendment requires a simple majority of the Knesset Members (MKs) to gain approval (61 of the 120 MKs): it *'shall not be modified except by a Basic Law passed by a majority of the members of the Knesset.'* However, the proposed bill inserts a requirement of a 2/3 majority of votes at the Knesset (approval of 80 of the 120 MKs), towards the goal of dividing Jerusalem. This increased majority requirement will make it impossible for the future division of Jerusalem. The new bill is a step forward on the policy of annexation of Jerusalem which would bury once and for all the possibility of a future State of Palestine, with East Jerusalem as its capital. This bill is supported by Netanyahu, so it is expected to pass easily through the Israeli Knesset.

The bill appears to consolidate an existing phenomenon; the annexation of Jerusalem has been continuously expanding and strengthening ever since the Six Day war, the new 'United Jerusalem bill' comes in the continuance of this Israelization of Jerusalem. The bill also takes Palestinian villages out from Jerusalem's Municipality, concurrently with the agenda of achieving the 'greater Jerusalem', linking the old city with the large Israeli settlements outside of the city, such as Maale Adumin, Givat Zeev, or Gush Etzion (containing 150,000 Jewish Israeli settlers). Furthermore, Israel implements various measures leading to forcible population transfer: construction of the Wall, expansion of settlements, discriminatory urban planning, Israelization of the Education system, collective punishments, Master Plan 2020, and other policies along with imposed realities on the ground. These policies are enforced by Israel in a deliberate and planned manner, with the declared purpose of altering the demographic composition of the population in Jerusalem and asserting Jewish Israeli domination. Israel has extensively been creating a coercive environment forcing Palestinians to move out of Jerusalem.

¹ http://knesset.gov.il/spokesman/eng/PR_eng.asp?PRID=13653

New bill redraws the Jerusalem's Municipality borders defined in the Basic Law. During the past few years, the status of the Palestinian neighbourhoods situated on the West Bank side of the wall in East Jerusalem, has been a topic of debate. The Israeli government has been discussing these neighbourhood's statuses due to their economic situation and to ensure a Jewish majority in the municipality of Jerusalem. Therefore, the Israeli government wants these neighbourhoods out of the Municipality of Jerusalem, i.e. 100.000 Palestinians. The bill takes these neighbourhoods outside of Jerusalem municipality, and keeps them under Israeli sovereignty. Palestinian Jerusalemites from these areas will keep Israeli residency or ID but will no longer be a part of Jerusalem: "these changes will allow making these neighbourhoods outside the municipality of Jerusalem but under the Israeli sovereignty"². The clause is designed to make it more difficult to transfer portions of the city from Israeli sovereignty to Palestinian jurisdiction, and would require a special majority of 80 Knesset members for any such move. Therefore, it bars transferring areas of the city to foreign sovereignty (such as Palestinian sovereignty).

Following the Six Day War, Israeli government unilaterally annexed Jerusalem through reality on the grounds and creation of a legal framework. Ever since, Israel gradually expanded the borders of Jerusalem and extended its control to the new areas. Palestinians living in Jerusalem were counted and given the status of 'permanent resident' of Israel, depriving them of citizenship. In 1980, Israel enacted the basic law on Jerusalem, stating that '*Jerusalem, complete and united, is the capital of Israel*'. The move has immediately and repeatedly been rejected by the UNSC through Resolutions 476 (1980), R478 (1980), or R2334 (2016), and by other international bodies (UNESCO, EU,...). The international community condemns the basic law on Jerusalem and considers it null and void.

CCPRJ therefore calls upon the international community to give a protective response by:

- Holding Israel accountable for its settlement policy and recall that Israel's occupation, including its illegal annexation of East Jerusalem, amounts to serious violations of IHL and IHRL;
- Assuming its international responsibility to cooperate to end colonialism and apartheid, in addition to non-recognition/assistance, and adopt effective measures for this purpose;
- Not limiting its response to statements of condemnation but take appropriate and effective action instead by **calling for sanctions against Israel** at the UN Security Council.
- Condemning Israeli new bills and ensuring its withdrawal;
- Recall that East Jerusalem is under occupation where international humanitarian law shall apply and not Israeli legal system;
- Demanding to the entire international community to fulfil its obligation under international law to take measures to insure that Israel respects international humanitarian law, especially the Geneva Conventions and the prohibition of acquisition of territory by use of force.

² Haaretz, *Bill Would Allow Parts of Jerusalem to Be Transferred to a New Israeli Local Authority*, 25th of July 2017