

## **Preface**

This report was first published in Hebrew in June 2000, a week before the Camp David Middle East summit. The extraordinary timing, together with the report's content, made it the principal document consulted by Israeli negotiators when the Jerusalem question began to be addressed. As such, the report attracted world attention. The summit and the dramatic events that followed were consistent with our basic assumption: there are situations when only an independent think tank that collects relevant data, analyzes facts and alternatives objectively and impartially, and draws unprejudiced conclusions can fill an information void and offer tools for tackling seemingly intractable issues. The report supplied a tool that many of the summit's participants chose to adopt. Policy makers at the highest level made extensive use of its facts, ideas and conclusions, not to mention basic notions that were developed by our team (to name just two: functional sovereignty and the concept of a territorial exchange in the Jerusalem region). The most senior policy makers consulted with members of our team before, during, and after the summit and were provided with additional materials and ideas. Thus, the Jerusalem Institute for Israel Studies played a role that governmental bodies could not play because the Jerusalem issue was too sensitive and explosive for them to handle. The Institute's dual theoretical track ultimately became mainstream practice. Our report drew both formal and informal praise, and we believe it enhanced the understanding of Israeli policy makers about the role of think tanks in complex processes.

The violence that erupted soon after the summit came as no surprise to careful readers of the report. The possibility of a violent outburst is implicit in our analysis of the situation, notably in the sections on the different actors with conflicting claims and goals who might resort to violence. In other words, our analysis has proved to be valid at all times: during peace talks, during relative peace and at times of crisis between Israelis and Palestinians. We believe that our work will continue to be relevant in any future scenario ranging from a full-fledged peace process to a total breakdown of negotiations.

The task team continues to pursue options and ideas toward peace in Jerusalem and to focus on the further development of options and detailed conceptions for the key

issues. We will continue to interact with policy makers, publish seminal reports and promote public discussion about the critical Jerusalem question.

### **The Task Team**

Following the signing of the Oslo accords, the Jerusalem Institute for Israel Studies took a decision to support the peace process and the thrust toward normalization by enlisting the leading experts in the field to draw up proposals and ideas for resolving the Jerusalem question within the framework of permanent agreements. Even at that early stage it was clear to us that the Jerusalem question would be placed on the agenda despite the broad inclination to ignore it and leave it for the future owing to its high sensitivity and the tendency in Israel to accuse anyone who addresses it of undermining one of the few points of national consensus in the country – “unified Jerusalem under complete Israeli sovereignty for all time.”

The Institute formed a team of senior experts representing a range of fields and organized an ongoing brainstorming session highlighted by marathon discussions. Researchers were asked to prepare background papers to which the Task Force responded. Over the years this method produced about 40 published papers and another 20 that were unpublished but furthered the work of the Task Force. The discussions were based on mutual persuasion – no votes were held. Although the individual members of the Task Force espoused different viewpoints, their work reflected a purely professional approach and the disagreements that arose in the discussions were ultimately resolved.

The Task Force did not set out to formulate one proposal to resolve the Jerusalem question, but a series of proposals, and more precisely three main alternatives, within and between which numerous intermediate models could be put forward. Thus, elements from one alternative can be extracted and applied to a different alternative, or a theme from one alternative can be integrated into another. The primary goal was to provide policy makers with a multitude of ideas, to enrich the thinking on the Jerusalem question, in some cases challenging conventional concepts, and to ground the possible solutions in hard data and current information.

Several highlights should be noted on the long road of the Task Force. To begin with, regular meetings were held with the senior level of policy makers from both the coalition and the opposition. These sessions were usually held in private and with each individual policy maker separately. The members of the Task Force presented their ideas and integrated the reactions they received from the policy makers into their proposals, in a reciprocal process in which each side simultaneously influenced and was influenced by the other. A second highlight was a dialogue with Palestinian researchers that took place within the framework of a different Institute project focusing on ways to solve day-to-day problems without reference to political issues. The exchange of views with the Palestinians on a variety of subjects influenced the work of the Task Force. Yet another highlight was a series of widely attended

public discussions held by the Institute in order to raise sensitive subjects that were addressed by the Task Force. As a result, the Task Force wielded influence in a number of spheres: it brought about a change in the public's perception of the question of sovereignty in Jerusalem by creating an awareness of the existence of alternative forms of sovereignty; and it focused attention on the idea that an exchange of territories between Israel and the Palestinian Authority in the Jerusalem area need not be a negative step and in certain cases could be productive. These are only two examples, but the influence of the Task Force went farther. The maps that are attached to this Report were also a breakthrough in the attempt to conceptualize the future of Jerusalem.

With the publication of this Report and of a second paper by a subcommittee (headed by Prof. Ruth Lapidoth) on the Old City of Jerusalem, the Task Force has completed one aspect of its work. The next part of the project is currently in the preparation stage.

### **The Task Force**

Dr. Maya Chosen - population, geography, town planning

Prof. Avraham (Rami) Friedman - economics, public administration, mediation and conciliation

Rotem Giladi - international law

Prof. Shlomo Hasson - town planning, geography

Dr. Moshe Hirsch - international law

Israel Kimhi - geography and town planning

Dr. Menahem Klein - international relations, Middle Eastern studies

Prof. Ruth Lapidoth - international law, sovereignty, autonomy

Prof. Gabriel Lifschitz - economics and geography

Reuven Merhav - international relations, Middle Eastern studies

Amnon Ramon - history and Christianity

Dr. Yitzhak Reiter - Islam and Islamic institutions

Prof. Yosef Schweid - architecture, town planning

Prof. Alex Vinagrod - anthropology, majority-minority relations

Dr. Yifrah Zilberman - anthropology, Middle Eastern studies

*Facilitator - Ora Achimeir*

*Organization - Ora Achimeir and Dr. Maya Chosen*

*Maps - Israel Kimhi*

### Abstract

1. From its inception, this Report was earmarked for decision makers within the framework of negotiations on the Jerusalem question – one of the most sensitive and complex issues that will be addressed in the Israeli-Palestinian talks. At the same time, anyone who takes an interest in the subject will find ample material for thought in the form of ideas and proposals, together with current information and data.

2. Both the parties directly involved in the negotiations and the broader circles around them will have to cope with historical, religious, and emotional claims. Readiness to enter into talks on Jerusalem, and certainly to formulate their agenda, entails the need to master the relevant data and engage in comprehensive thinking on a wide range of issues. We have tried to meet that need. More than likely, the negotiations will be held against a background of high tension, outbursts of violence, and intense public and international pressure.

3. The linchpin of the Report consists of alternatives for a permanent settlement in Jerusalem. Each alternative presupposes a different sovereignty arrangements in the city and examines its advantages and drawbacks from the point of view of Israeli interests. The three groups of alternatives that were chosen represent the range of possibilities for a solution and raise the subjects that the negotiations must address. It should be emphasized that there are numerous versions of the alternatives presented below and that elements from one or more of them can be subsumed in solutions based on other alternatives. Of the three alternatives described in detail, two are extreme possibilities and the third is an intermediate option.

(1) **Alternative A** - In this alternative the municipal area of Jerusalem remains under Israeli sovereignty, open borders exist between the area of the Palestinian Authority and Jerusalem, and freedom of worship at the Holy Places under the present status quo continues. In addition, this alternative is patently unacceptable to the Arab world and to much of the international community. It is a static alternative.

(2) **Alternative B** - Here, too, Jerusalem remains under Israeli sovereignty. However, it enables, in the further \_\_\_\_ of Israel's interests, small exchanges of territory within the present municipal boundaries with Palestinian-controlled territory in Judea and Samaria. Within that framework the Palestinians may receive a symbolic locus of sovereignty in the city. The Temple Mount will be under overall Israeli sovereignty and under the administration of Palestinian/Islamic/Jordanian authorities. A similar status will be conferred on the Church of the Holy Sepulcher and/or the Christian Quarter of the Old City, while a special status may apply to the walled city or to the entire Old City Basin. In this alternative, functional autonomy (under Israeli sovereignty) will be applied to all the city's boroughs under the supreme authority of the Jerusalem Municipality. Services and systems of coordination and cooperation will be developed throughout the metropolitan area. This

alternative, as noted, preserves Israeli sovereignty in Jerusalem and bestows on it the character of an open city, with the Palestinians receiving self-rule powers in functional spheres. This is a dynamic alternative with many intermediate options and it enables gradual progress to be made until the a final settlement can be worked out.

(3) This alternative divides the city into two capitals with Palestinian sovereignty in the eastern section. Again, Jerusalem remains an open city without barriers and territorial continuity is preserved between Israeli and Palestinian neighborhoods. This alternative is unacceptable to Israel as a realistic option. Another possibility under this alternative is to establish a joint umbrella municipality for the two separate municipalities. This alternative will have advocates and antagonists on both sides, particularly with regard to the boundaries it proposes. Alternative C, like Alternative A, is static and final.

4. The majority of the Israeli public is likely to support Alternative A. In practice, Alternative B could be a possible target for pragmatic negotiations. For Israel, a permanent settlement in Jerusalem is to be preferred, though not at any price, and only on the basis of the assumption that Israel can maintain its paramount interests within this framework. Since, in the present circumstances, it is highly unlikely that Israel and the Palestinians will be able to arrive at a permanent settlement on all the issues, scenarios involving negotiations of a different type – on interim agreements or on agreements combining temporary and permanent arrangements – are definitely feasible.

5. In practice, then, the parties may defer the sensitive issues of the Jerusalem question to later stages of the negotiations, opting instead to tackle the problems “from the light to the heavy.” To begin with, an attempt would be made to work out interim arrangements on certain aspects of the question (functional or religious, for example), with one possibility being a situation of non-agreement in which the city’s status would remain undefined on a temporary basis.

6. Be that as it may, the negotiations on Jerusalem will oblige Israel to formulate an integrative strategy encompassing the entire gamut of topics relating to a permanent settlement and to undertake a systematic study of the current state of affairs in the city. This will include: development trends, lessons that can be drawn from past negotiations on the Jerusalem question, and a detailed analysis of the positions of the parties involved. This Report addresses each of these subjects and then seeks to arrive at conclusions and identify implications for Israel on key operative subjects that will affect the planning and conduct of the negotiations.

7. In these circumstances, much of the negotiations must be devoted to working out methods and tools for pursuing the discussion of the Jerusalem question while setting a timetable and defining the issues.

8. Major points of concern for Israel which are suitable for discussion:

(a) However distinct, the negotiations on Jerusalem are intertwined with the talks on other aspects of the permanent status settlement relating to goals, borders, timing, possible trade-offs, and the like.

(b) Although Israel's chief partner in the negotiations is the Palestinian Authority, for example, on the question of the Holy Places [some international and religious bodies question the right of Israel and the Palestinian Authority to work out a settlement between them]. It is therefore desirable to broaden the negotiating framework and create a mechanism that will enable the dialogue to be extended (including to cover Jordan).

(c) Under certain conditions, an Israeli-Palestinian interest might develop to postpone the substantive treatment of the Jerusalem question or certain aspects of it – the sides may decide to examine first whether they can narrow the gaps on less sensitive issues, to act on the need to dissipate tensions, or in general to proceed “from the light to the heavy.” That approach can be applied when progress in the talks generates understanding between the sides and a common perception of the problems, producing the contours of a framework agreement that delimits the questions to be resolved. In the absence of those conditions, an opposite interest could emerge leading to a comprehensive agreement in which all the issues (“light” and “heavy” alike) are considered as one package.

(d) In other circumstances, the Palestinians, for internal and other considerations, may put forward maximalist opening positions that will include claims relating to land/assets in the western part of the city. In that case, Israel, too, must present maximalist positions – even during the give-and-take on setting the agenda – even if this entails the risk of a breakdown, with all the implications this will have for the entire negotiating process.

(e) In any event, the Jerusalem question could become the focal point of the agenda even if the parties, for their own reasons, had planned to address it as the final topic in the negotiations. This could ensue, for example, if Israel decides that its interest lies in raising subjects that bear on the Jerusalem question (such as annexing settlement blocs around the city to Israel) as part of the discussion on the border or the Settlements; or that Jerusalem should be included as part of the trade-offs on other subjects, in order to induce Palestinian flexibility regarding the city. Another possibility is that developments on the ground could force the parties to address the question.

(f) Israel must proceed very cautiously with respect to a possible “package deal” in connection with Jerusalem. Past experience (the negotiations with Syria, for example) has shown that the credibility of the mediator-conciliator is a key factor in moving to a “package deal,” especially if this is based on an exchange of hypothetical proposals. In this model, the mediator must refrain from transmitting the position of one side to the other – otherwise the

proposal itself determines the threshold terms. As a result, Israel, by transmitting such proposals – such as readiness to show flexibility regarding the status of the Palestinian Authority in return for Palestinian concessions in Jerusalem – could lose critical bargaining chips in the negotiations. The Palestinians might assume that they have already won the substantial concessions and are therefore in a position to erode further the Israeli position, thinking, perhaps, “We have already received an independent state, now let us concentrate on its capital” (Jerusalem). Tactically, then, it is preferable to let the Palestinians initiate “package deals” so that as the negotiations unfold, Israel can examine thoroughly the scope of Palestinian flexibility on this topic while factoring in the other topics in the negotiating equation.

(g) Finally, it would seem that even though Israel has a basic desire to resolve the Jerusalem question as part of an overall solution to the conflict, its goal is not to achieve a settlement under any and all conditions but to ensure that any agreement that is reached meets its bedrock interests. At the same time, Israel must be aware that failure to reach an agreement on Jerusalem could destabilize the comprehensive agreement.

9. Policy makers should examine carefully the three alternatives presented in this Report and extract from them the best solutions that will ensure a fair, stable and enduring agreement.

## Chapter One

### Jerusalem: Current Situation and Main Trends

#### Municipal boundaries

1. On June 28, 1967, three weeks after Jerusalem's unification, its municipal jurisdiction area was dramatically enlarged from 38 square kilometers in the western city and 6 sq. km. in the eastern city to a total of 108 sq. km. In 1993 its boundaries were extended again, this time westward, and today Jerusalem's area of jurisdiction covers 126.4 sq. km. (Map 1). For the purpose of this Report, the City of Jerusalem refers to the current municipal boundaries, while Metropolitan Jerusalem refers to the City of Jerusalem and the surrounding area (Map 2).

2. In addition to the political and religious-emotional aspects involved, Jerusalem has close social-economic attachments and reciprocal relations with its surrounding area and its (Israeli and Palestinian) settlements. In general terms, the functional area of Jerusalem – "Metropolitan Jerusalem" – consists of an inner ring extending from Mishor Adumim in the east to Neveh Ilan in the west and from Beit El in the north to Bethlehem in the south; a middle ring extending from Mishor Adumim in the east to Beit Shemesh in the west and from the village of Melech-Atara in the north to the Etzion Bloc in the south; and an outer ring – which at present has only loose ties with Jerusalem, though they will become tighter as the metropolitan area grows – extending from Jericho in the east to the Ben Shemen Forest and Modi'in in the west, the Shiloh Valley and Ma'aleh Levona in the north, and Hebron in the south (Map 2). The connection with the city is stronger in the inner ring (the "metropolitan core") than it is in the middle and outer rings (the "metropolitan rim"). The "metropolitan core" includes the continuous built-up area on the hillside from Ramallah, El-Bireh, and Jerusalem to Beit Jallah, Bethlehem, and Beit Sahour. There are three urban centers on the "metropolitan rim": Beit Shemesh in the west (middle ring) and Jericho in the east and Hebron in the south (both in the outer ring). The other settlements in the metropolitan area are, as a whole, agricultural.

#### Demography and population distribution

3. On the eve of the city's unification in 1967 its total population (Arab and Israeli) stood at about 266,000, while at the end of 1998 it was 633,700 (an increase of 138 per-cent). The Jewish population stood at 433,600 (an increase of 199 per-cent, accounting for about 69 per-cent of the city's population, as compared with 74 per-cent on unification day); and the Arab population stood at 196,100 (an increase of 190 per-cent, accounting for about 32 per-cent of the city's population, as compared with 26 per-cent on unification day).

4. (a) The population of Metropolitan Jerusalem (the city and its surroundings) is about 1.4 million, of whom about 630,000 are Jews (45 per-cent), as compared with 770,000 Arabs.

(b) The territorial distribution of the Jewish population is far more concentrated than the Arab population; a striking phenomenon is the fact that nearly 80 per-cent of the Jewish population of the metropolis resides in the City of Jerusalem.

(c) More than a third of the Jewish population within Jerusalem's municipal boundaries reside in the ten neighborhoods that were built across the 1967 Green Line (about 166,000 people, constituting 38 per-cent of the city's Jewish population). The proportion of the Haredi (ultra-Orthodox) population in Jerusalem is rising and currently accounts for about 30 per-cent of the Jewish population in the city.

(d) Most of the Arab population is concentrated in the area surrounding the city (the metropolitan rim). This is due to migration from the city to the satellite settlements in the surrounding area caused by the limited availability and high cost of housing in Jerusalem. Most of this movement is to the long-established localities, rural and urban, in the metropolitan area (such as Bethlehem, Beit Jallah, A-Ram, Beit Sahour, and Ramallah). This trend is closely bound up with the restrictions on Arab migration to Jerusalem, deriving from the different status of the city in relation to the surrounding Arab area.

(e) The upshot is a pronounced trend of intensive Arab development and urbanization on the fringes of the urban area. The constant growth in the use of land for residential purposes in Jerusalem itself is accompanied by the non-planned development of Arab areas of settlement adjacent to Jerusalem (such as A-Ram, north of the city), which are spreading in every direction and include low-density building along the transportation routes leading to the urban centers.

### **Land ownership**

5. The land ownership issue is particularly complex and sensitive:

(a) Within the boundaries of Jerusalem, land ownership is divided among four main groups: the Israel Lands Administration (ILA), land privately owned by Jews, land privately owned by Arabs, and land owned by Christian and Muslim religious bodies. The church-owned land lies primarily in and around the Old City. Of the 70,000 dunams (17,500 acres) that were annexed to the city in 1967, 30,000 were state-owned land that was expropriated or purchased.

(b) Within the Jerusalem District (apart from the City of Jerusalem), most of the land is owned by the state and the ILA. Less than 5 percent of the district's approximately half a million dunams of land is owned privately or by churches and other institutions (the boundaries of the district are shown on Map 2).

(c) Judea and Samaria: The Jewish hold in the metropolitan area has been expanded tremendously since 1967. This area contains Jewish-owned land that was purchased before the establishment of Israel (in the Etzion Bloc, for example) and after 1967; state land that

was transferred to the Military Government after 1967; land that was expropriated in order to build settlements (Ma'aleh Adumim is an example) or was declared a military firing zone (in the Judean Desert); and land that was expropriated under the planning and building laws for roads and public services.

6. These administrative actions brought about the existence of contiguous Jewish-held or Jewish-owned tracts of land, particularly to the east of the city in the area leading to the Jordan Rift Valley. This area of Jewish territorial continuity is made up of Ma'aleh Adumim, the industrial area of Mishor Adumim, and military firing zones in the Judean Desert that extend toward Ein Gedi and the shore of the Dead Sea. A similar concentration of land exists along the Beit Horon road leading to Jerusalem and includes Givat Ze'ev, Givon Hahadashah, farm land near the settlement of Ofra close to Har Shmuel, and areas in the Latrun enclave and north of Beit Horon. To the southwest of Jerusalem, the area of the Etzion Bloc was expanded, creating a nearly continuous stretch of land with the urban settlement of Efrat on the eastern side of the Jerusalem-Hebron road and with the city of Betar Illit.

#### **Infrastructure and economic indicators**

7. In general, large disparities exist between the level of development of the Jewish and Arab populations in most areas of economic activity: income level, buying power, distribution according to branches of employment and occupation, education level, quality of public services and physical infrastructure.

8. The rapid increase in the city's population and the growth of its economic activity created a heavy demand for infrastructure services. The major expansion took place in the water, sewerage and drainage, electricity and communications systems. The water supply to the city doubled in the past 20 years and home electricity consumption increased fivefold. Nevertheless, some 50 per-cent of East Jerusalem remains without a water and drainage network, despite various development projects. In addition, because some 50 per-cent of East Jerusalem is not included in any detailed, authorized, master plan, roads and other infrastructure work cannot be properly planned, nor building permits issued.

9. The Jewish employment structure, in terms of distribution according to branches, differs from the Arab sector. A similar pattern is discernible in terms of occupations, which is a better indicator of income potential than branches of employment. In contrast to the Jewish population, where a high proportion of the workforce is employed in the public services and a high concentration of university education exists, a far higher proportion of the Arab workforce is employed as professional labor in industry and construction, and the percentage of unskilled workers is also far higher. In 1998, about 13 percent of Jerusalem's Arab population worked in construction (as compared with 4 percent among the Jewish population), some 31 percent worked in commerce and accommodation services (14 percent

among the Jewish population), and 29 percent were employed in public services (51 percent in the Jewish sector).

10. Industry in Jerusalem grew steadily in the past decade. Jerusalem's status as an A-level development zone has attracted firms that specialize in information- and technology-intensive spheres. East Jerusalem Arabs, who rarely find work in these industries, are concentrated in conventional industries including textiles, metals, footwear and stone quarrying. Tourism is a major industry in Jerusalem, and here the trend in recent years has been toward a decline in the number of Arabs employed in tourism-associated jobs in the Western section of the city, their place taken by new immigrants from the former Soviet Union.

11. Some 40 percent of the Arab workforce in Jerusalem is estimated to be employed in the Jewish sector, indicating its importance as an employment base for the city's Arab population. In addition, Arabs from the West Bank also work in Jerusalem. Despite the free access of Arab workers to the Jewish labor market in Jerusalem, two separate, sector-based employment markets continue to exist in the two parts of the city.

12. Public transportation system: In the past 30 years the public transportation system has undergone a veritable revolution. Suffice it to recall that on the eve of the city's unification more than 70 bus companies operated in East Jerusalem, providing connections to all parts of the West Bank. Very few of these companies still exist. In effect, the transportation system represents a model of integration-through-separation based on two parallel systems, in the Jewish sector and the Arab sector. In practice, the transportation system reflects the needs of each sector separately, with the Jewish system only very partially connecting the Western city to the eastern section. Consequently, East Jerusalem Arabs employed in West Jerusalem have a hard time getting to work. The public transportation system in East Jerusalem, which in the past consisted of buses only, now uses minibuses (Ford Transits) to connect the various parts of the eastern city, though for the most part they connect East Jerusalem with the nearby cities of Bethlehem to the south and Ramallah to the north. These minibuses now constitute the backbone of public transportation in East Jerusalem. They provide an efficient service of connections between stops of West Bank bus companies outside Jerusalem and destinations in East Jerusalem. However, not all of these minibuses have operating permits, and although they are fast and comfortable, they do not always carry insurance and can be unsafe. The initial stage of the light-rail system, which is currently in the planning stage, will not provide adequate service for the Arab population and will not reach the destinations most frequented by it.

13. Education system: The education system in Jerusalem's Arab sector is divided between the schools operated by the Municipality and those operated by the Waqf, the

churches, UNRWA, and by various associations and societies. Students may attend the educational institution of their choosing. Recent years have seen a steep rise in the demand for the municipal schools, which are run by the Jerusalem Education Authority and are supervised by the Israeli Education Ministry. In the 1999/2000 school year, 29,183 students (or 60 per-cent of the Arab students in Jerusalem) were enrolled in municipal schools.

It is important to point out that all the municipal schools in the Arab sector follow the Jordanian curriculum, which is gradually being superseded by a Palestinian program of studies. Thus, for example, the curriculum offered in the Arab municipal educational institutions in the city is identical to the curriculum of the Waqf-run schools, which are controlled by the Palestinian Authority.

### **Jerusalem as an Economic Magnet for the West Bank**

14. East Jerusalem and its suburbs today constitute the urban core of the West Bank, having the largest population concentration in this region and offering a wide range of economic activity including commerce, banking and tourism, as well as religious and medical services. East Jerusalem is also a center of mediation and bridging between the economies of Israel and the Palestinian Authority and, by virtue of the fact that Jerusalem is Israel's capital, also between the local economy and those of the Arab countries that are willing to maintain economic relations with Israel. This situation has given rise to groups of entrepreneurs in East Jerusalem who have acquired financial and political status by acting as economic middlemen. For the past 30 years the policy of the Israeli government was to weaken the attachment to the city of the Arabs in the West Bank and in the immediate area around Jerusalem. This policy was partially successful, but had a high price: a wide range of Arab commercial enterprises and services were moved to the city's close periphery, mainly to A-Ram, Ramallah, Al-Izziriyah, and Bethlehem. In addition, the lengthy closures that were imposed following terrorist attacks, during which West Bank Arabs were denied free access to Jerusalem, affected numerous branches of employment. In contrast, East Jerusalem Arabs have a major employment advantage because they carry Jerusalem ID cards which enable them to work in all parts of the city or elsewhere. In Jerusalem they are found mainly in crafts and industries such as car repairs, carpentry, aluminum blinds, and construction frames, as well as in less skilled services in hotels and public institutions.

15. The closures that were imposed on the territories were damaging to the economy of Jerusalem. West Bank workers, unable to reach their places of employment in East Jerusalem institutions, were forced to look for other work. There was a drastic decline in the number of residents of the territories who availed themselves of the city's public and institutional services. The repeated closures forced businesses and institutions to leave Jerusalem and relocate mainly in A-Ram and Ramallah. The closures also affected the education system,

including higher education, as the entry of Arab teachers and students to the city was restricted. The most serious damage was done to the public transportation system, as nearly all the bus lines that served Jerusalem from across the West Bank were canceled. (They were replaced, as noted, by Transits, many of which operate without permits or valid insurance and without supervision.)

#### **Status of the residents of East Jerusalem**

16. In 1967 the Arabs of East Jerusalem were declared “residents of Israel” and given ID cards, thereby conferring on them a different status from the Arabs of the West Bank and the Gaza Strip. As residents of Israel, they may vote and run for office in the Jerusalem municipal elections. They are also eligible for social security benefits and have other economic advantages, including National Insurance Institute allocations, free movement in their vehicles throughout Israel, and free access to the labor market in Jerusalem’s Jewish sector, even in periods of closure.

17. The East Jerusalem Arabs were also given the option of acquiring Israeli citizenship, though very few acted on it; like the residents of the West Bank, the overwhelming majority chose to retain Jordanian citizenship. The residents of East Jerusalem are dependent on the branches of the Israeli government with respect to law enforcement, the judicial system, and public services. They pay taxes to Israel (income tax, National Insurance, health insurance) and receive the services and benefits that accrue to all Israeli residents, including access to national health services, education, and so forth. However, Israel has consistently refrained from the full enforcement of its jurisdiction and administration on East Jerusalem, and in general the residents there turn to the Israeli state authorities only when they have no other alternative.

18. Over the years the Jerusalem Municipality strove to expand the range of services it offers to the residents of East Jerusalem and to adapt them to the needs of the Arab population (mother-and-child centers, welfare services). However, this has been done on a limited scale, and many of the services are provided by independent bodies that are unaffiliated with the Israeli or Jewish establishment. Budget and personnel allocations for infrastructure maintenance and development in the eastern part of the city are far lower than in West Jerusalem.

19. The Municipality has encouraged the establishment of Neighborhood Administrations in order to involve the local population in the management of its neighborhood and respond to its needs. In the Arab sector there are three such Administrations, in A-Tur, Beit Haninah and Beit Safafah. The Municipality gave their representatives access to decision making bodies, made resources available to them, and encouraged their involvement in the supply of services. A certain pattern of cooperation thus

emerged between Arab neighborhoods and the Municipality. In any event, it is abundantly clear that the Arab population's refusal to take part in municipal politics by voting in elections and sending representatives to the city council has deprived them of the principal means for obtaining a larger proportion of the available resources commensurate with their needs and their relative share of the population.

20. Jerusalem residents who are not Israeli citizens were eligible to vote and stand for office in the elections to the Palestinian Legislative Council that were held under the interim agreement – but only if they had an additional address outside Jerusalem in an area that was under the control of the Palestinian Authority. Those who were elected served as the representatives of the area outside Jerusalem where they had a permanent address.

### **Religious activity and the Holy Places**

21. Israel officially recognized the right to broad autonomy in the administration of the Muslim and Christian Holy Places in East Jerusalem. This entailed not only the right to freedom of worship, non-intervention in matters relating to the Status Quo arrangement among the Christian communities, and respect for symbolic expressions of the Muslims; it extended also to the territorial status of the Holy Places. At the Temple Mount, the most sensitive site of all, the Muslim Waqf authorities were given responsibility for maintaining order and carrying out development works. The Israeli presence at the site is restricted only to what is necessary to preserve security.

22. The status quo that now prevails at the Temple Mount was given its final form shortly after the 1967 war. Both the administration and the internal control of the site are, as noted, in the hands of the Waqf (which operates as a Jordanian administrative body in every respect). The Israeli authorities are responsible for the Mount's "external casing." Jews have the right of access (free of charge) to the Temple Mount compound via the Mughrabi Gate, which is controlled by Israel, but are forbidden to pray on the Mount or to maintain a permanent presence there (apart from a police station). All Jewish ritual activity was transferred to the Western Wall (a supporting wall of the Temple Mount), which became a central Israeli national symbol. The Muslims view the Israeli police presence at the Mughrabi Gate as an infringement of their religious sovereignty, though those same police prevent the entry of Jews who wish to pray there and realize Israeli sovereignty at the site. Non-Muslims who wish to visit the Dome of the Rock and Al-Aqsa Mosque must pay an entrance fee to the Waqf authorities. Since 1967, no flags bearing symbols of sovereignty may be flown above the Temple Mount.

23. In the wake of the disturbances that erupted during the Sukkot festival (October 1990), when members of the Temple Mount Faithful group tried to lay the cornerstone of a new Temple, the Israeli police barred all worship by Jews on the Temple Mount, including

individual worship. Seventeen Palestinians were killed and 150 wounded in the incident.

24. Between 1996 and 1999 the Muslims completed a project in which the area of the Temple Mount known as Solomon's Stables was converted into a wing of Al-Aqsa Mosque. The construction work exceeded the criteria that were agreed upon in secret talks with the Israeli authorities. The departures from the original agreement, including the Muslim authorities' creation of a large opening in the southern wall of the Temple Mount and the exposure of ancient gates leading to Solomon's Stables, generated friction of various kinds.

#### **Palestinian activity in Jerusalem**

25. The Palestinians' activity in the city is marked by a consistent and unrelenting effort to consolidate and broaden their infrastructure in the city and at the same time to place constraints on Israeli activity. Palestinian activity in this regard consists of:

(a) Expanding the operations of Palestinian organizations and institutions in the city (particularly Orient House, which is perceived as an important national symbol). Many dozens of Palestinian professional associations (engineers, journalists, writers, etc.) operate in the city along with workers' and women's organizations and local councils dealing with housing, health, welfare, and education. The Palestinians emphasize the political-national character of these bodies and their affiliation with the self-rule institutions and the territories under Palestinian control.

(b) An effort to consolidate the "Palestinian Jerusalem District" plan, which was drawn up by the Palestinian Authority for the administrative division of its self-rule areas, including the "Jerusalem District." This district would encompass the Old City, New Jerusalem (the sections of the eastern city outside the walled city), and neighborhoods, villages, and other settlements on the city's periphery, which in the interim agreement are part of Area B (Israeli security and Palestinian civilian control).

(c) Legal and illegal building in and around Jerusalem to meet the housing needs of the burgeoning population. In the 1980s especially, as part of the policy of *sumud* ("holding the land steadfastly") and with the encouragement and funding of the Palestine Liberation Organization (PLO), the Palestinians built neighborhoods around Jerusalem to counter the establishment of Jewish settlements and preempt land expropriation.

(d) Financing and underwriting – mainly with funds from Saudi Arabia and the Gulf states – of building and development projects in the eastern section of the city.

(e) Strengthening the hold of the Palestinian Authority in the Waqf institutions in the city, particularly vis-à-vis Jordan. The Palestinians have also demonstrated a clear interest in seizing Waqf lands and assets around Jerusalem in Area B.

26. Palestinian activity in Jerusalem is spearheaded by political leaders from the city, led by Faisal al-Husseini, who is responsible for the "Jerusalem portfolio" in the Palestinian

Authority. Hussein and others from the Jerusalem area on the elected Legislative Council (Hanan Ashrawi, Abu Ala, and Ziyad Abu Zayad, who holds the Jerusalem portfolio in the Palestinian Authority) conduct political activity in the city, meeting with foreign dignitaries and with foreign diplomatic and consular representatives, and positioning themselves at the forefront of protest and containment against what they say are Israel's efforts to "judaize" the city. The organized outburst that followed the opening of the Western Wall Tunnel (September 1996) and the Palestinian efforts to block the building of Jewish neighborhoods at Har Homa and Ras al-Amud demonstrate strikingly both the complexity and sensitivity of the Jerusalem question and the Palestinian effort in recent years to prevent Israel from tightening its hold in the city. One result of these events was that the local leadership under Faisal al-Husseini became a secondary factor and the national leadership headed by Yasser Arafat became the dominant player in the negotiations with Israel and with the international community. The local leadership operates at Arafat's instructions and he can rein them in when he has an interest in doing so. The status of the national leadership under Arafat was enhanced with the start of the talks on the future of Jerusalem (1999); the local leaders are integrated into the talks under the supervision of the national leadership.

27. The Palestinian Authority encourages private building in the northeast of Jerusalem, outside the municipal boundaries, in order to block Israel's efforts to build in Area C, where it has full control (in Tel Zion, or to expand the settlements of Adam, Michmash, Geva Binyamin, and Psagot). The rate of Palestinian building in the northeast area at least equals/corresponds to the rate of Israeli building effort there.

### **Main Trends: Summary and Conclusions**

28. In recent years a number of developments have stood out in Jerusalem:

(a) Increased separation between Jews and Arabs, as manifested in the steep decline in the number of Jews visiting the eastern city since the Intifada. Israel has refrained from fully enforcing its law, jurisdiction, and administration over East Jerusalem, and the inhabitants there rarely avail themselves of the services offered by the Israeli state authorities. More recently, and particularly since the visit of Pope John Paul II in March 2000, Jews have begun to visit the Old City once more.

(b) Constantly growing economic disparities between the two parts of the city: Jerusalem continues to have two separate business centers, and reciprocal business relations tend to manifest themselves as the employment of cheap labor from East Jerusalem by the Jewish sector. Although the economic interaction between the Jewish and Arab sectors following the city's unification brought about a rise in the living standard in the eastern section, in the long term the gaps between Jews and Arabs grew broader in categories such as employment structure, income, and quality of life. The number of job opportunities in East

Jerusalem remained virtually static, and non-residential building – of commercial centers, hotels, industrial sites, and public institutions – was almost non-existent, in contrast to the intensive building in West Jerusalem and in the other Jewish areas.

(c) The relations and interaction between the two parts of the city focus on the day-to-day, economic sphere, as seen notably in the free movement of productive elements – capital, labor, goods, tourists – between the two parts of the city. Clearly, therefore, the creation of an “economic border” between the eastern and western sections, or between the city and the Palestinian Authority, will seriously affect the Arab sector (Israeli employers will find alternative means of production in place of the Arab population, the movement of tourists will suffer badly, and the purchase of goods and services by Israel will greatly decline). It stands to reason, then, that the Palestinian leadership will be loath to affect the existing reciprocal economic relations in any future settlement. That said, it is clear that political considerations will remain dominant.

(d) There has been a large-scale investment by Israel to extend its foothold in the city and the metropolitan area, in the face of a pronounced effort by the Palestinians to hamper the Israeli effort while at the same time stepping up their own activity and beefing up their infrastructure in the city: the large population increase in East Jerusalem brought about massive building, which however rarely the result of orderly planning by the Israeli authorities. The Israeli political level, unable to decide on a desirable planning conception, instead granted building permits in certain conditions pending the adoption of an official master plan – which has not yet been formulated. The result: scattered building without a comprehensive plan. It should be noted that even though the Israeli authorities were disinclined to approve large-scale construction by the Arab population, in practice such construction continued in and around the city, often without permits.

(e) The city’s rapid growth and its evolution into a metropolis: as settlement around Jerusalem by Jews and Arabs alike becomes ever more dense, it is in the interest of the area’s entire population to strengthen Metropolitan Jerusalem functionally. The Israeli interest is clear. The interest of the Arab sector is based on political, religious, and cultural but also economic considerations – the range, level, and quality of the services and employment opportunities available to the Arab population in the City of Jerusalem are unmatched in other West Bank urban centers. Recently, though, Ramallah has begun to occupy a more central place in the Arab metropolitan area due to the activity of the Palestinian Authority there and in the wake of the protracted closures, which restricted the Arab population’s access to Jerusalem.

(f) There has been a significant strengthening of the political, economic, and cultural relations and interaction between the Arab population in East Jerusalem and the Arabs

residing outside the city's municipal boundaries. The Palestinians perceive Jerusalem as both a symbol and as their national center and are making increasingly intensive efforts are being made to expand their autonomous infrastructure in the city. The activity in Orient House is only the most overt expression of a broad range of activity intended to secure the Palestinians a solid foothold in the city.

(g) East Jerusalem continues to develop as a center of international presence: It has a prominent community of Christian clergy, staff of international organizations, and United Nations personnel.

29. Much of the activity in the city in recent years by both Jews and Arabs – in the physical, economic, social, and cultural spheres – has sought to create facts on the ground with the aim of influencing the negotiations on the city's political future. Jerusalem's metropolitan area is a conflicted region, with both sides engaged in a relentless effort to acquire more territory. The Jewish sector, which has military, political, and economic clout on its side, is determined to bolster the Jewish hold in and around the city and to restrict Palestinian activity. The Arab sector is engaged in a dual effort: to hamper the Israeli activity and to ensure its foothold in areas of Arab ownership in and around the city. Most noticeably, that effort takes the form of large-scale, widely scattered residential building accompanied by a thrust to anchor and extend Palestinian activity and infrastructure in Jerusalem as a national symbol for the population of the entire West Bank.

## Chapter Two

### Milestones in the Diplomatic Activity Concerning Jerusalem Since 1967

1. Israel's application of its law, jurisdiction, and administration to East Jerusalem (June 27, 1967) induced the United Nations to take up the Jerusalem question; the reaction of The United Nations institutions to the Israeli move was sharply negative. Under the sponsorship of the Arab and nonaligned states the General Assembly adopted a series of resolutions (2253/4) declaring that the Israeli measures were invalid and must be rescinded. In November 1967, Security Council Resolution 242 asserted the inadmissibility of acquiring territories by war (the resolution did not explicitly mention Jerusalem). The following May, Security Council Resolution 252 deplored the failure of Israel to comply with the General Assembly's resolutions and declared invalid the steps it had taken to alter Jerusalem's juridical status. A similar resolution (267) was passed in July 1969 by the Security Council, followed by a series of additional resolutions in the same vein.
2. The Jerusalem issue was mentioned in the plan put forward by U.S. Secretary of State William Rogers (December 1, 1969) at the height of the War of Attrition. The Rogers Plan incorporated the principles of the Nixon administration for Middle East settlement. The plan ruled out unilateral actions to alter the city's status, with its final status to be decided in negotiations between the parties concerned, principally Israel and Jordan, which would divide civil and economic authority between them while taking into account the interests of the other states in the region and of the international community. Under the plan the city would remain united and freedom of access would be guaranteed to adherents of all religions. The Rogers Plan was rejected by both Egypt and Israel; one of the objections raised by Israel was that the plan did not stipulate that Jerusalem was to remain under Israeli rule.
3. Jerusalem reappeared on the Middle East political agenda in connection with the turnabout in Israeli-Egyptian relations that occurred in 1977 and produced the Camp David Accords the following year. President Sadat, addressing the Knesset (November 1977), demanded a complete Israeli withdrawal from all the territories, including Arab Jerusalem, noting also that Jerusalem must be a free and open city for all believers. Jerusalem was the major point of contention between Israel and Egypt at the Camp David summit – finally each side spelled out its position in an "Accompanying Letter" to the President of the United States. Sadat said in his letter that Arab Jerusalem was an integral part of the West Bank and must be under Arab sovereignty. However, the Holy Places of each faith could be under the administration and supervision of their representatives, and the performance of essential functions in the city should not be divided. Sadat suggested the establishment of a joint municipal council to be composed of an equal number of members from each side, thus ensuring that the city would be undivided.

4. The Jerusalem question was again raised in the Israeli-Egyptian negotiations on the establishment of an “autonomy regime” for the Palestinians. The disagreement on whether to include East Jerusalem within the autonomy regime was one of the reasons for the talks’ breakdown. In a letter to Prime Minister Begin (August 1980), president Sadat emphasized that it would be a historic mistake to insist on an “all or nothing” solution. He added that the existence of two sovereign entities in Jerusalem would not contradict and the city’s administrative and municipal unity.

5. In October 1978, King Hussein of Jordan, in a series of written questions to U.S. President Jimmy Carter, asked whether the United States viewed Arab Jerusalem and the surrounding areas annexed by Israel after 1967 as part of the West Bank. Carter replied that the West Bank included all the areas west of the Jordan River that were under Jordanian administration before 1967. At the same time, he noted that “We believe a distinction must be made between Jerusalem and the rest of the West Bank because of the City’s special status and circumstances.” He added that “We would envisage therefore a negotiated solution for the final status of Jerusalem that could be different in character in some respects from that of the West Bank.”

6. Jerusalem was also mentioned in the peace initiative of President Ronald Reagan (September 1982), which came hard on the heels of the Lebanon War. The initiative sought to invigorate the peace process that had begun with Camp David. According to the Reagan Plan, the final status of Jerusalem would be determined through negotiations, residents of the eastern part of the city should be able to vote in the elections for the autonomy institutions, but the city must remain united. The Israeli government rejected the plan, arguing that its implementation would bring about the city’s redivision.

7. The Israeli Peace Initiative of May 1989 proposed that elections be held in the West Bank and the Gaza Strip to choose representatives who would negotiate with Israel on an interim agreement and subsequently on a permanent settlement. The residents of East Jerusalem would not participate in these elections. Egyptian President Hosni Mubarak, who mediated between the PLO, Israel, and the United States, put forward (September 1989) a ten-point plan that tried to find common elements between the sides. His proposal called for the “participation of the Palestinians in East Jerusalem in the elections,” since Jerusalem was part of the West Bank.

8. The Jerusalem question emerged in its full acuity in connection with the convening of the Madrid Conference (October 1991). Israel demanded that Jerusalem not be discussed at all in the negotiations and that no representatives from Jerusalem be included in the Palestinian delegation. In the Israeli perception, the very fact of placing the Jerusalem question on the agenda called into question both Israeli sovereignty in the city and the city’s

unification. However, the Palestinians (which were represented in a joint Jordanian-Palestinian delegation) insisted on the inclusion of representatives from the city in their delegation and demanded that East Jerusalem be part of the self-rule regime during the period of the interim agreement. In their view, then purpose of the Madrid Conference was to ensure the full implementation of Resolution 242 which, in their interpretation, entailed Israeli withdrawal from East Jerusalem.

9. Although the Jerusalem issue was ultimately not mentioned in the letter of invitation to the Madrid Conference, the Palestinians nevertheless decided to attend, mainly because the issue was cited in a letter of guarantees to them in which the United States emphasized that in its view the city should not be divided and that its final status should be determined in negotiations between the sides. As the United States did not recognize Israel's annexation of the eastern part of Jerusalem or the extension of its municipal boundaries, the residents of East Jerusalem were eligible to participate in the elections to a Palestinian Authority that would administer the city's affairs in the transition period.

10. The Jerusalem issue arose in the Washington talks between the Israeli and Palestinian delegations in May 1993 (in the ninth and tenth rounds of the talks), in the wake of a document drawn up by the Palestinian delegation adducing a model for self-government in the transition period (PISGA – Palestinian Interim Self-Governing Authority). This held that the arrangements applying to the occupied Palestinian territories in the transitional period should apply also to Jerusalem, so that the residents of East Jerusalem would be eligible to vote for and stand for election to the legislative council of the PISGA.

11. The new Labor government that was formed in Israel following the 1992 general elections agreed to allow an East Jerusalem resident, Faisal al-Husseini, to be an official member of the Palestinian delegation, and further agreed that in the future the residents of East Jerusalem could vote in the elections to the Self-Governing Authority but not stand for office. Subsequently, the Americans proposed that the deliberations on the Jerusalem question be removed from the interim agreement framework and deferred until the stage of the permanent-status talks – a suggestion that was vehemently rejected by the Palestinian delegation.

12. In practice, however, within the framework of the secret talks held in Oslo, the PLO agreed to postpone discussion of the Jerusalem question until the negotiations on the permanent solution. The Israeli-PLO Declaration of Principles (September 1993) stipulated that the arrangements for Palestinian self-government in the interim period would not apply to Jerusalem: "Jurisdiction of the [elected Palestinian] Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, military locations, and Israelis." **[I SUGGEST TO**

**ADD A NOTE HERE READING: DECLARATION OF PRINCIPLES, 13 SEPTEMBER 1993 AGREED MINUTES TO ARTICLE IV.1. (THE FULL REFERENCE CAN BE TAKEN FROM THE SYRACUSE PAPER)].** The final-status talks would commence no later than the beginning of the third year of the interim period. The two sides also accepted that the outcome of the negotiations on the permanent settlement “should not be prejudiced or preempted by agreements reached for the interim period,” and that the postponement of the discussions on certain subjects would not affect the negotiations on the permanent settlement – in other words, postponement of the discussions on Jerusalem should not be construed as entailing a change in the Palestinian position concerning the city’s status.

13. The Declaration of Principles stated also that the modalities of holding elections for the Palestinian Council would be worked out in separate future negotiations, but that “Palestinians of Jerusalem who live there will have the right to participate in the election process, according to an agreement between the two sides,” without noting whether they could only vote or also stand for election.

14. Another question that arose in connection with the signing of the Declaration of Principles was the location of the Palestinian Authority’s offices and institutions. PLO leader Yasser Arafat demanded that they be in Jerusalem, or that no specific site be mentioned, whereas Israel insisted on an explicit statement that the PA would be administered from Jericho and Gaza. A compromise was worked out in the form of a letter by then-Foreign Minister Shimon Peres (September 11, 1993) to Peres’s Norwegian counterpart, Johan Jurgen Holst, stating: “I wish to confirm that the Palestinian institutions of East Jerusalem and the interests and well-being of the Palestinians of East Jerusalem are of great importance and will be preserved. Therefore, all the Palestinian institutions of East Jerusalem, including the economic, social, educational, and the cultural, and the holy Christian and Moslem places, are performing an essential task for the Palestinian population. Needless to say, we will not hamper their activity; on the contrary, the fulfillment of this important mission is to be encouraged.”

15. The modalities of the elections to the Council became an issue once more in the negotiations on the Interim Agreement between Israel and the Palestinians, which was concluded in September 28, 1995. Following lengthy deliberations it was agreed that residents of Jerusalem – apart from Israeli citizens – would be permitted to participate in the elections to the Council. The right to stand for election was reserved to Palestinians residing in areas under the authority of the Palestinian Council (thus excluding Jerusalem). However, the agreement also recognized that residents might have more than one address, so that a Jerusalem resident could be elected to the Council if he had an additional permanent address

in the Judea and Samaria. In that case, he would represent the area outside Jerusalem where his second permanent address was located. In addition, various arrangements were set in regard to campaigning and the locations of the polling booths in the city (in post offices).

16. It should be noted that in a different context, with reference to the “Muslim Holy Shrines in Jerusalem,” the Israel-Jordan Washington Declaration of July 25, 1994, contained a clause (which also appears in the Peace Treaty signed by the two countries in October 1994) stating that “Israel will give high priority to the Jordanian historic role in these shrines.” This sparked a fierce row between Jordan and the PLO. The Palestinians accused Israel of violating the Declaration of Principles, trying to influence the permanent status of Jerusalem, and undermining the Palestinian claim to sovereignty in the eastern city.

17. In any event, Palestinian activity in the Jerusalem context has focused on an effort, particularly vis-à-vis Jordan and in the Arab-Muslim arena, to eliminate the Jordanian separation between religious and national sovereignty and to enhance the Palestinian Authority’s status as the bearer of responsibility for the Islamic Holy Places in the city. Jordan argued that it was better-placed to extricate the Islamic shrines from Israeli control and promised to hold them “in escrow” and transfer them to the Palestinians once they acquired political sovereignty in Jerusalem. The Palestinian Authority, however, insisted that political sovereignty over the Holy Places must be in Palestinian hands and that this was inseparable from religious sovereignty over them, not least because many of the Palestinians’ claims to political sovereignty in East Jerusalem are based on the religious status of the Temple Mount in Islam.

18. The Organization of the Islamic Conference (OIC) in late 1994-early 1995 decided in favor of the Palestinian Authority and declared that the status of the Holy Places derives from the political sovereignty over them – even though, as noted, King Hussein had pledged to transfer custodianship of the Holy Places to the Palestinians when they reached an agreement with Israel. However, Hussein’s commitment was rejected as the Islamic nations were less concerned about the future than about the struggle in the present. The conference of Islamic nations was outraged by Jordan’s indirect recognition of Israel’s annexation of East Jerusalem. The focus of the debate at the conference was not the religious issue but the question of political sovereignty. In the view of the OIC, if the Holy Places were under Israeli sovereignty, they were thereby still under occupation; only after the Israeli presence was removed could a decision be made on their religious administration.

19. The decision of the OIC cleared the way for Jordan and the Palestinian Authority to sign a cooperation and coordination agreement. The agreement took note of the Palestinian nation’s political sovereignty in Jerusalem, while Jordan undertook to assist the Palestinian Authority to realize the right of self-determination in the form of a state with Jerusalem as its

capital. In the wake of the conference, Jordan no longer officially involved itself in the contentious issues between Israel and the Palestinians. Amman thus left it to the Palestinians to negotiate with Israel on the permanent arrangements in Jerusalem and stood aside in order not to supply the Palestinian Authority with ammunition for its claims that the Jordanian approach would only strengthen Israel's position in the future negotiations on the city's status.

20. A new channel of Arab involvement in the Islamic Holy Places in Jerusalem was opened with the Arafat-Hussein-Mubarak summit (May 12, 1996). The trilateral summit decided to institutionalize the monitoring of the Israeli-Palestinian final-status talks ("coordination of the Arab stand"). A communique stated that the summit participants "discussed ways to ensure support for our Palestinian brothers in their final-status talks, in order to enable them to reach a settlement that will guarantee their legitimate national rights over their national land and will emphasize the Palestinian, Arab, Islamic, and Christian rights – juridical, historic, and religious" with respect to "Arab Jerusalem." In reply to a question, King Hussein said afterward that if Arafat were to secure control over the Holy Places, Jordan would welcome this and assist him with all its might.

21. The violent clashes in the territories between the Palestinian population (backed by the Palestinian Authority) and the Israel Defense Forces (IDF) that erupted in September 1996 in the wake of the opening of a new exit to the "Western Wall Tunnel" demonstrated again the extreme sensitivity of all sides regarding Jerusalem and the problems liable to ensue from actions taken in the city. Following the tunnel incident the Palestinians launched an intensive effort to enlist Arab and international support for their position. In this connection, Security Council Resolution 1073 expressed concern over the developments at the Holy Places in Jerusalem, calling for "the immediate cessation and reversal of all acts which have resulted in the aggravation of the situation."

22. Another crisis with the Palestinian Authority erupted in connection with Israel's decision to establish a Jewish neighborhood at "Har Homa" (Jebel Abu R'neim). The site is in southeast Jerusalem, within the city's municipal boundaries, near Bethlehem and Beit Sahour, and the land is Jewish-owned.

From Israel's point of view, the location of the Har Homa neighborhood in the southeast corner of Jerusalem will ensure that the city will in practice extend to that point. It will also create a buffer between the Arab population of Bethlehem and Beit Sahour and the Arab residents of Jerusalem in Sur Baher and Umm Tuba. In addition to this strategic consideration, the large tract at Har Homa is a significant land reserve for new residential building in Jerusalem for the Jewish population and is also in line with the policy of Israeli governments to strengthen the Jewish hold in the city.

23. At the end of 1999 talks opened between Israel and the Palestinians on the future of Jerusalem, which as this Report went to press had made no progress. However, it can be safely assumed that the Jerusalem question will come up for discussion at least as part of the sub-categories to be addressed by the parties.

In 2000, during the talks held in various channels, the question arose of the transfer of four villages – Anatoth, Abu Dis, Al Izzeriya, and Arrab a Sawahara a Sharqiya – which in the Oslo accords were placed in Area B (Israeli security and Palestinian civilian control) to full Palestinian control (Area A). Prime Minister Ehud Barak wanted to begin by transferring Anatoth as a first test case, but reversed himself under the pressure of coalition members and of public opinion. In May 2000 the Cabinet and the Knesset authorized the transfer of Abu Dis, Al Izzeriya, and Arrab a Sawahara a Sharqiya from Area B to Area A. The transfer had not taken place as the writing of this Report was completed. The transfer of the villages will for the first time create a broad bloc under Palestinian control (Area A) to the east of Jerusalem. Until now, such blocs have existed in the north, around Ramallah, and in the south, around Bethlehem.

#### **Principal Conclusions from the Negotiations to Date**

24. The following are some of the characteristics of the diplomatic activity on the Jerusalem question:

(a) The complexity, sensitivity, and explosive character of the Jerusalem question have been demonstrated repeatedly, with the Palestinian Authority and Arab-Islamic parties invoking it to mobilize public opinion to excoriate and bring pressure to bear on Israel, and place obstacles in the way of its activity in the city.

(b) Overall, the Arab (and Islamic) system has transferred responsibility for the negotiations on Jerusalem to the Palestinians.

(c) The Israeli effort, in conjunction with Jordan (deriving from common interests), to separate the discussion of Jerusalem's political status from the religious status of the Holy Places, lost its impetus as the Palestinian Authority increasingly became a political factor and consolidated itself on the ground. Today, neither the Palestinian Authority nor the majority of Arab and Islamic nations and institutions recognize Jordan's preferential status at the Islamic Holy Places in Jerusalem, although they have not yet made a final decision on how the shrines will be administered after Israel relinquishes the eastern part of the city to Palestinian sovereignty.

(d) In the final analysis, it is likely that any solution acceptable to the Palestinians will gain the support and backing of the major Arab and Islamic parties. However:

(i) In negotiating the status of the Holy Places, the Palestinian Authority will have to be attentive to the views of the major Arab and Islamic actors.

(ii) Some of these actors – for example, Egypt, Jordan, Saudi Arabia, and perhaps Morocco – will want to inject their input into the negotiations. The Palestinian Authority will insist that any such involvement be coordinated with it and that it serve as the channel for the input.

(iii) Constantly hovering in the background will be the churches and other Christian institutions, which will want to steer the negotiations in a manner that will further their interests.

(e) The diplomatic negotiations on Jerusalem between Israel and the Palestinian Authority have yet to address issues related to the city's future, such as the sovereignty question. To date the talks have focused on the issue of Palestinian representation by residents of Jerusalem (and on the modalities of the elections in Jerusalem). Yet even at this level the talks were sensitive and complex, often generating tension and outbursts, with each side aware that questions such as these can affect its bargaining positions in the final-status negotiations and conscious of the sensitive emotional and religious aspects that are inherent in the Jerusalem question.

(f) Still, on the specific questions involving Jerusalem that were discussed before the Western Wall Tunnel incident, Israel and the Palestinian Authority were generally able to reach agreements directly, displaying flexibility and awareness of the other side's constraints. Nor did they have to resort to mediators or the involvement of external players. Moreover, in day-to-day life in the city as a whole and at the Holy Places in particular, functional arrangements were formed that were acceptable to the major parties concerned and served their interests.

(g) The complexity of the Jerusalem question with its emotional and symbolic freight induced Israel and the Palestinian Authority to defer the talks on the city to the stage of the final settlement. Indeed, both sides apparently feel that even in the final-status talks there will be "no obligation" to rush headlong into tackling this complex issue in the initial stages.

(h) At the same time, various events related to Jerusalem constantly place the issue on the agenda and compel the sides to address some of its aspects. The residual ill will generated by this situation will make the final-status deliberations even more taxing, and they will very likely take place in an atmosphere of hypersensitivity and high tension, perhaps even accompanied by violence.

(i) In any event, the deferment of the negotiations on Jerusalem has given both sides an added incentive to try to create facts on the ground that will improve their position ahead of the decisions that will be made. Israel has an advantage here, as it controls the territory, but the Palestinian Authority is making an intensive effort to consolidate its institutions and infrastructure in the city and to place constraints on Israel by mobilizing Muslim and

international public opinion. As time passes, the impact of international pressure on Israeli “freedom of action” in Jerusalem has become apparent, as Israel’s maneuverability in creating facts on the ground has come under threaten and in practice has been reduced.

(j) The failure to make progress with the Palestinian Authority (on Jerusalem and on other subjects) has slowed down and had a negative effect on Israeli normalization with Arab countries. The process of establishing such relations, which began after the Oslo accords, was severely affected.

## **Chapter Three**

### **Positions of the Sides Ahead of the Final-Status Negotiations**

#### **General**

1. This chapter analyzes in brief the positions espoused by the relevant parties on the subjects of Jerusalem and the Holy Places. It should be emphasized that although these are issues in their own right, they are also interwoven with the overall negotiations on the permanent settlement and with questions such as the future character of the Palestinian Authority, the disposition of the Jewish settlements, and the eventual border.

#### **The Israeli Position**

2. Israel would like to preserve the STATUS QUO in Jerusalem and to defer discussion of the subject as long as possible, as this enables it to use the time factor to consolidate its status and entrench its interests in the city. The Israeli position is based on two major principles:

- (a) To preserve unified Jerusalem as the capital of Israel.
- (b) To preserve Israeli sovereignty over the city.

3. The major Israeli security-political interests are:

(a) To enshrine Jerusalem's status as the capital of Israel, including recognition by the international community.

(b) To preserve the Jewish character of areas that are not exclusively Arab and maintain a Jewish majority within the city's municipal boundaries and in the close metropolitan ring.

(c) To create territorial continuity with the Israeli settlement project in Judea and Samaria, based on a comprehensive perception of security needs and the needs of the Israeli settlers in the final agreement. At the same time, to retain land reserves for building for the Jewish population (land for this purpose exists primarily to the east of the city, in the direction of Ma'aleh Adumim, and to the northwest, in the direction of Givat Ze'ev).

(d) To maintain Israeli responsibility and authority for security and public order in Jerusalem, while also ensuring control of the roads to the city and the strategic junctions, and retaining the ability to "seal" the city in an emergency.

4. With respect to the Holy Places, Israel's interests are:

- (a) To preserve the STATUS QUO at the places sacred to Judaism.
- (b) To maintain supreme Israeli supervision at the Holy Places.

(c) To guarantee the right of access and worship for the adherents of all faiths at the Holy Places.

(d) To reduce potential loci of religious friction while engaging in a process of conciliation with the Muslim world and with Christianity.

### **The Palestinian Position**

6. The position of the Palestinian side is based on:

(a) Total rejection of the eastern city's annexation to Israel, based on the legal argument, among other points, that Security Council Resolution 242, which under the Interim Agreement is the basis for the permanent settlement, applies also to Jerusalem.

(b) A demand to divide sovereignty in the city between Israel and the Palestinian state, which will have East Jerusalem as its capital, following the lines of June 4, 1967.

(c) Declarative readiness – though it is unclear whether this will be translated into a concrete position – for Jerusalem to remain an open city, physically undivided, in the permanent status settlement.

7. In the present circumstances the paramount Palestinian interest is to prevent Israel from creating “facts on the ground” and at the same time to make a pronounced effort to expand the Palestinian hold in the city by, among other ways:

(a) Enhancing the Palestinian political and national infrastructure in Jerusalem.

(b) Making Jerusalem an economic center of the Palestinian Authority.

(c) Cementing the connection between East Jerusalem and the West Bank.

8. At the Holy Places, the Palestinians are striving for:

(a) Dominance and seniority in conducting the negotiations with Israel.

(b) Centrality in administering the Islamic Holy Places in the eastern city after a settlement is achieved.

9. In the negotiations the Palestinians will almost certainly insist adamantly on getting a foothold, including symbols of sovereignty, in at least part of East Jerusalem. To that end, they will attempt to bring pressure to bear on Israel by the Muslim world and the international community, and to heat up the territory. It should be taken into account that for tactical reasons, at least, they will also make demands relating to West Jerusalem on land ownership and will play other bargaining chips as well. On the other hand, it is possible (though this is purely conjectural) that they will also show readiness (depending on Quid Pro Quo they will receive from Israel in Jerusalem and on other issues of the permanent settlement) to consider:

(a) Arrangements to extend the city's municipal boundaries, possibly leading to a differential division of control in the expanded city. That is, areas which Israel does not regard as being part of Israeli Jerusalem since they are outside the present municipal boundaries (such as Abu Dis and al-Izzeriya) would be under Palestinian control; and, obversely, areas which Israel views as part of its territory (such as the walled city and the Old City Basin, assuming that this area will not be voided of all sovereignty) will have only a

minimal Palestinian presence. At the same time, Ma'aleh Adumim, Givat Ze'ev, the Etzion Bloc, Betar Illit, and Efrat will be included in the expanded city and thus come under Israeli sovereignty.

(b) The establishment of an umbrella municipality to coordinate common issues affecting both municipalities – the Israeli and the Palestinian – which will share responsibility for carrying out the traditional municipal functions and providing the necessary services. The umbrella municipality will coordinate the functional division, matters relating to the “seam” area between the two parts of the city, and common matters. The Palestinians will insist that they be responsible at least for public order in their areas.

(c) In any event, the Palestinians will likely agree to freedom of movement between their areas and the areas under Israeli control.

(d) With regard to the Holy Places, the Palestinians are ready to adopt the Jordanian concept to void them of political sovereignty and to divide their religious administration among the relevant religions. Because the Jordanian model does not address the question of the boundaries of the sacred precinct in Jerusalem – does it include the entire walled city or only the Holy Places in the narrow geographic sense (al-Haram al-Sharif/Temple Mount, Western Wall, Church of the Holy Sepulcher)? – this question will have to be decided in the negotiations. The Palestinians will insist on at least symbolic expressions of Palestinian (or inter-Muslim) sovereignty at Haram al-Sharif, such as flags and policing, as well as refusal to subordinate themselves to Israeli laws and cancellation of the arrangements imposed by Israel at the site.

### **The Jordanian Position**

9. The Jordanian position on Jerusalem's political status holds that:

(a) Israel must withdraw from the areas it conquered in 1967, including Arab Jerusalem.

(b) In the wake of King Hussein's decision to disengage from the West Bank (1988), Jordan has no claims to sovereignty in Jerusalem. However, the Jordanians stated that they will continue to control the Waqf and the Sharia judicial system.

10. On the religious question, Jordan maintains that:

(a) It bears historic responsibility for the Islamic Holy Places in Jerusalem.

(b) The Arab summit meeting at Rabat (1974) authorized Jordan to retain that responsibility – indeed, only thus would it be possible to forestall the creation of a “sovereignty vacuum” in the city which could lead to the internationalization of the Holy Places and Israeli intervention in their administration.

(c) King Hussein's decision to sever Jordan's administrative and juridical relations with the West Bank did not apply to the Holy Places in Jerusalem or to the Waqf apparatus in

the territories (which constitute the Kingdom's last foothold in the city).

(d) Jordan should continue to bear responsibility for the administration of the Holy Places in Jerusalem until their status is finalized.

(e) The Jordanian role at the Holy Places should be given priority in the permanent settlement as well.

(f) The holy sites need not be under the sovereignty of any specific state or under the sovereignty of any of the parties (according to a statement by King Hussein).

11. The principal Jordanian interests are:

(a) To preserve Jordanian "responsibility" for the Islamic Holy Places. As noted, "Israel will give high priority to the Jordanian historic role in these shrines."

(b) To separate the political from the religious question in Jerusalem. The Jordanian position continues to be based on the assessment, and the hope, that it is now less likely that the Palestinians will be able to extract an Israeli agreement for them to establish an independent state. Jordan's Treaty with Israel enables Amman to argue that it is capable of obtaining more from Israel than the Palestinians. The Jordanians maintain that the question of Jerusalem's political future (which is a subject for negotiations between the Israelis and the Palestinians) should be separated from the issues relating to the city's religious-historic status (where Jordan has a role to play and recognized rights). Bifurcating the subject in this manner will not, Jordan maintains, adversely affect the political status of the Palestinian Authority as the sole legitimate representative of the Palestinians.

12. Thus the main focus of Jordanian activity with regard to Jerusalem is the Holy Places. As long as the Palestinians are without political sovereignty in Jerusalem, Jordan considers itself entitled to have its preferential religious status in the city upheld, and will likely have an interest in any possible development that could eventuate in divesting the Holy Places of political sovereignty. It can be expected that in a scenario involving the transfer of the eastern city to Palestinian sovereignty, Jordan will put forward the possibility of at least sharing in the religious administration of the Holy Places. This could involve, for example, the establishment of a multinational authority, with Jordanian participation, which would be granted extraterritorial powers and exercise religious control over the Holy Places.

13. In the final analysis, Jordan, despite its wishes, will not be a major player in the formulation of the settlement on the Holy Places, and certainly not with regard to Jerusalem. Jordan in fact "lost out" to the Palestinian Authority in the contest for the Holy Places when the Organization of the Islamic Conference decided (in late 1994) in favor of the PA and declared that the status of the Holy Places derives from the political sovereignty over them. At the same time, the Jordanian position and King Hussein's desire to atone for the "original sin" (of losing the Holy Places) and be involved in their restoration to full Islamic

sovereignty, may afford Israel some maneuverability, albeit limited, in the face of the Arab positions.

14. Jordan's agreements with Israel gave it an "entry ticket" into the negotiations on the Holy Places, and Jordan and the Palestinian Authority have agreed to coordinate positions on this subject.

15. Since his succession to the throne (1999), King Abdullah has reaffirmed his personal attachment and that of Jordan to the Holy Places, a position he also put forward when he met with Prime Minister Ehud Barak in 2000.

### **The Egyptian Position**

16. Egypt's formal position on the Jerusalem question can be summed up as follows:

(a) Rejection of Israel's "unilateral" annexation of the eastern city and of the changes it has made in Jerusalem since 1967.

(b) Jerusalem's future should be decided in diplomatic negotiations, based on the principle that East Jerusalem is "occupied territory" and that its fate will be decided as part of the implementation of Security Council Resolution 242. The permanent settlement, therefore, should be based on the restoration of the city's eastern section ("Arab Jerusalem") to Arab sovereignty.

(c) Arab Jerusalem is an integral part of the West Bank.

(d) The city will not necessarily be redivided under the permanent settlement; one possibility is the establishment of a joint Israeli-Arab municipal council.

17. Egypt's position with regard to the Holy Places advocates:

(a) Free access and guaranteed freedom of worship at the Holy Places to the adherents of all religions, without distinction or discrimination.

(b) The Holy Places of each religion can be administered and supervised by the religion's representatives.

18. Possible place for flexibility in the Egyptian position: In general, readiness for a solution that is not based on an "all or nothing" approach. Notwithstanding its demand for divided sovereignty in Jerusalem, Egypt would be ready to examine administrative and municipal unity in the city and to consider models of joint administration.

19. Egypt has an interest in the resolution of the Jerusalem question; unresolved, it is perceived to hamper the ability of Egypt and the Arab world to normalize relations with Israel. The Egyptians "raise the banner" of Jerusalem in international and inter-Arab forums, depicting themselves – in part to enhance their regional prestige – as the principal advocates of preserving the city's Arab character and as the leaders of the opposition to Israel's annexationist policy and its attempts to create *faits accomplis* concerning the status of the Holy Places. In practice, the Egyptians have refrained in recent years from initiating plans or

ideas of their own regarding Jerusalem and, acknowledging the complexity of the issue, would prefer to avoid dealing with the city's future until the later stages of the negotiations. In the negotiations, Egypt can be expected to consider how to exploit the difficulties that will arise in order to become actively involved and boost its standing in the Arab world.

20. Egypt continues to provide steadfast support to the Palestinian Authority in its talks with Israel on all questions including Jerusalem.

#### **The Saudi Position**

21. Saudi Arabia takes the Arab position on the question of Jerusalem's political status. In the light of the tremendous power wielded by the religious establishment in the Kingdom, and Saudi Arabia's pretension to become a leading factor in the Muslim world, the Saudis attach particular importance to the subject of the Holy Places. This was manifested, for example, by their establishment of the Organization of the Islamic Conference following the torching of Al-Aqsa Mosque in 1969. The "Fahd Plan" (1981) stipulated Israel's withdrawal from East Jerusalem, the capital of the Palestinian state, and called for guaranteed freedom of religious worship to the adherents of all religions at the Holy Places. In recent years Saudi Arabia has given financial assistance for the renovation of Islamic Holy Places.

22. An analysis of the Saudis' approach suggests that they favor the application of Muslim sovereignty in East Jerusalem. They tend to prefer Palestinian over Jordanian sovereignty (in part because of the residual enmity between the Saudi and Jordanian ruling dynasties). The Saudis might show flexibility by agreeing to Muslim protection over the Holy Places, which would be granted extraterritorial status.

#### **The Moroccan Position**

23. Formally, the attitude of Morocco (whose late King Hassan served as chairman of the Jerusalem Committee of the Organization of the Islamic Conference) is linked to the Arab consensus. At the same time, Morocco has signaled possible flexibility, based on the assumption that it will be difficult to bring about a return to the pre-1967 lines and to restore all of East Jerusalem to Arab sovereignty. Nevertheless, the Moroccans say, an effort should be made to restore at least the Islamic Holy Places to Arab sovereignty.

#### **The Hamas Position**

24. As expected, Hamas, the Islamic Resistance Movement, displays the most radical position on Jerusalem, reflecting its ideological and religious hostility toward Israel and the Zionist movement. Hamas maintains that:

(a) All Palestinian land is the Islamic Waqf of the Muslims across the generations (Article 11 of the Movement's Charter, 1988); therefore, to concede any piece of land is to forsake part of Islam (Article 13). This approach does not differentiate between the two parts of Jerusalem.

(b) The liberation of Jerusalem is the personal obligation of every Muslim in the light of the city's sacred status in Islam. In this connection, Hamas places a special emphasis on the Islamic significance of Haram al-Sharif (Temple Mount) as a symbol of steadfastness in the face of what is perceived as an Israeli scheme to plunder the sanctities of Islam.

### **The United States Position**

25. Since Israel's establishment, U.S. Administrations have generally avoided dealing separately with the Jerusalem question, knowing its complex and sensitive character. Although the American embassy in Israel was not moved to Jerusalem, over time the Americans recognized De Facto West Jerusalem as Israel's capital and rejected the city's internationalization as an unrealistic solution. Since 1967, the American position on Jerusalem has been based on the statements made by Ambassador Goldberg to the U.N. General Assembly and by Ambassador Yost to the Security Council in 1969, [**WERE BOTH STATEMENTS MADE IN 1969?**] namely that:

(a) Israel's measures in the city are "interim and provisional" and cannot affect the city's present or future status in negotiations on the permanent arrangements (Goldberg).

(b) East Jerusalem is occupied territory to which the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949) is applicable. In the words of Ambassador Yost, "The United States considers that the part of Jerusalem that came under the control of Israel in the June 1967 war, like other areas occupied by Israel, is occupied territory and hence subject to provisions of international law governing the rights and obligations of an occupying power."

(c) The city's future should be resolved in negotiations.

26. President Carter, in his letter to President Sadat within the framework of the Camp David negotiations, reaffirmed the American commitment to the principles adduced by Goldberg and Yost. Subsequently, however, the Americans (Presidents Reagan, Bush, and Clinton) generally preferred to emphasize their advocacy of Jerusalem's indivisibility (for example, in the Reagan Plan of 1982). In general, it is noteworthy that the statements made by the various American Administrations on this subject have not always been consistent and have been influenced in no small measure by the state of U.S.-Israeli relations at the time. Thus, for example, President Bush declared (in 1990, when tension with the Shamir government ran high): "My position is that the foreign policy of the United States says we do not believe there should be new settlements in the West Bank and East Jerusalem." The Bush Administration also decreed that investments made in the area outside pre-1967 Jerusalem would be considered tantamount to investments in "the territories" with respect to the American financial guarantees to Israel. The Clinton Administration, in contrast, substantially lowered the profile of statements on the settlements and certainly on the East

Jerusalem question.

27. It should be emphasized that the United States maintains two consulates in Jerusalem, one in the western part of the city and the other in the eastern section. Although the Consul-General resides in West Jerusalem, which is also the site of the larger of the two consulates, the East Jerusalem facility has a special status in the State Department – it bypasses the embassy in Tel Aviv and reports directly to Washington.

28. In the face of the positions taken by the Administrations, the attitude of Congress is particularly noteworthy. On various occasions, Congress has emphasized that Jerusalem is the capital of Israel and that the city's unity must be preserved. Beyond this, Congress passed The Jerusalem Embassy Act of 1995, under which the Administration must report to Congress every six months on the progress it has made in finding a suitable site on which to establish the American embassy in Jerusalem. The goal was to move the embassy to Jerusalem by May 31, 1999 – the expiry date of the transition period under the Israeli-Palestinian Interim Agreement. The date was not honored owing to a presidential fiat. Postponement of the move is likely to continue, certainly if there is a change of government in the United States.

29. In general, the Americans avoid elaborating on their position regarding the resolution of the Jerusalem question in the permanent settlement. The clear impression is that they would prefer to postpone discussion of Jerusalem to the later stages of the process.

30. In 2000 the Americans continue to be intensively involved in the negotiations, including the subject of Jerusalem.

### **The Vatican Position**

31. Overall, the major Christian institution with an interest in the Jerusalem question is the Vatican, as Jesus, according to the Christian religion, was crucified and buried in Jerusalem. There are numerous Christian holy sites in Jerusalem as well as a Christian community of about 12,000, most of them Catholics.

The Vatican's position on the Jerusalem question is:

(a) Officially, it advocates the city's internationalization, though in recent years this approach has been played down.

(b) Unofficially, it calls for the city, and the Holy Places in particular, to be granted a special status, backed by international guarantees, which would guarantee the rights of the three religions in the city and the political and religious rights of the different communities.

(c) Vatican officials are evasive on the subject of sovereignty in the city, emphasizing that from the viewpoint of the Holy See the supreme consideration is preservation of Jerusalem's sacred and universal character and the need for "international understanding" of its unique situation. In any event, in Jerusalem itself the Christian communities are engaged

in a process of clarifying their positions regarding Palestinian nationalism, despite their concern about possible Palestinian control of the Christian Holy Places.

32. Until late 1993, the Vatican did not officially recognize the State of Israel. At the time, this state of affairs was attributed to the lack of a solution for the Palestinian problem, continued Israeli rule in Jerusalem – creating serious theological and political problems from the standpoint of the Catholic Church – and the absence of an agreement to finalize Israel's borders. The Israeli-Palestinian negotiations in Oslo brought about normalization between the Vatican and Israel; on December 30, 1993, Israel and the Vatican signed an agreement formally establishing diplomatic relations between them.

33. Several articles in the agreement were indirectly linked to the Jerusalem question. The sides undertook to preserve the STATUS QUO arrangements determining the status and rights of the Christian communities in the Holy Land and to formalize the legal, economic, and financial status of the Catholic Church and its clerics, with these arrangements to apply also to the other churches. Beyond these articles the agreement made no reference to the Jerusalem question.

34. Another Israel-Vatican agreement, signed in November 1997, formalized the juridical status of the Catholic Church in Israeli law. Again, the provisions of this agreement, which involved technical legal matters, did not refer to Jerusalem.

35. The Papal visit to the Holy Land in March 2000 represented a quantum leap in the Vatican's involvement in the Jerusalem question. The Palestinian Authority attached supreme political importance to the Pope's visit to Bethlehem in the Millennium Year, within the framework of his pilgrimage to Jordan and Israel. On February 15, about five weeks before the visit, the Vatican signed a "Fundamental Agreement" with the Palestine Liberation Organization, reflecting the Vatican's greater involvement in the peace process overall and in the final settlement in Jerusalem in particular. This was another milestone stemming from the establishment of relations between the Vatican and the PLO in October 1994, which was followed by the creation of a Permanent Bilateral Committee in April 1998. (It was the work of the committee that led to the signing of the Fundamental Agreement.) The Vatican portrayed the March 2000 agreement with the PLO as the obverse side of its Fundamental Agreement with Israel, stemming from the need to formalize the church's status and activity in the territories under the control of the Palestinian Authority. Israel, however, viewed the accord with the Palestinian Authority as a "regrettable intervention" by the Vatican in its talks with the Palestinians and as an attempt to influence their outcome.

The Vatican's latest agreement with the Palestinian Authority formalizes the status of the Catholic Church in the territories under PA control and lays down norms of human rights there, particularly as regards religion and conscience. It also recognizes the STATUS QUO

arrangements at the Christian Holy Places and the church's fiscal, juridical, and economic rights. As such, the agreement does in fact mirror, albeit not exactly, the provisions of the Vatican-Israel Fundamental Agreement of 1993.

At the same time, several of the provisions in the Vatican-PLO agreement refer explicitly to Jerusalem. The preamble declares that a just solution for the Jerusalem question should be based on the relevant international resolutions and asserts the moral and juridical inadmissibility of unilateral steps that alter the city's character and status. The preamble also reiterates the Vatican's traditional position regarding the need for international guarantees to ensure freedom of religion and conscience, the equality of the three religions before the law, the city's sacred status, freedom of access to and worship at the Holy Places, and preservation of the STATUS QUO regime at them.

Israel's displeasure focused primarily on the fact that Jerusalem was mentioned explicitly and at the implicit recognition granted to the Palestinians' status in the city. Israel further objected to the fact that the Vatican took a substantive stand about the conflict (condemnation of unilateral steps) and its resolution (recognition of the Palestinians' rights and aspirations, of their status as an interested party, and the call for a solution based on international resolutions). In addition, Israel maintained that the agreement violated the Interim Agreement with the Palestinian Authority, which bars it from maintaining foreign relations.

Even if the Fundamental Agreement with the PLO did not represent a departure from traditional Vatican rhetoric, the very fact that it was signed and its inclusion of highly charged provisions, sent a clear message, namely that the Vatican, aware that the Jerusalem question is in its decisive stages, intends to deepen its involvement in its resolution and in the Israeli-Palestinian negotiations.

36. The Vatican was deeply impressed by the fine arrangements in Jerusalem during the Papal visit and by the scope of Israel's effective control at the Holy Places.

#### **The European Union Position**

37. The EU's official position on the subject of Jerusalem is contained in its two major declarations on the Middle East. In the Venice Declaration of June 13, 1980, the European Community (as it was then called) recognized the importance of the Jerusalem question for all the parties concerned and emphasized the unacceptability of unilateral initiatives intended to alter the city's status. The declaration added that an agreement on the city's status should include guaranteed freedom of access to all the Holy Places. In the Florence Declaration of June 21-22, 1996, the EU called on all the parties to return to the negotiating table on the basis of the principles it had previously adduced. These called, among other points, for negotiations on Jerusalem “[ORIGINAL TEXT?].” In this connection the declaration cited

Security Council Resolutions 242 and 338 and the “land for peace” formula.

38. The EU has a clear interest in negotiations on the Jerusalem question. The Europeans will likely seek to inject their own input and involvement in such talks in order to safeguard the rights of the churches and of other Christian religious institutions in Jerusalem and to bring about conditions that will put a stop to Christian emigration from the city. The EU has constantly decried unilateral attempts to create facts in the city and emphasized the need to preserve the STATUS QUO arrangements at the Holy Places. The Union apparently does not advocate the city’s re-division.

39. The EU wishes to protect Christian interests (not necessarily those of the Vatican or the Orthodox churches) in the city vis-à-vis both Israel and the Palestinians, notwithstanding its political and other support for the Palestinians against Israel. It can be expected to try to forestall the formation of an Israeli-Palestinian or Israeli-Arab-Muslim coalition if this is perceived as liable to have an adverse effect on the Christian population in Jerusalem and its institutions in the city.

40. The EU can be expected to take advantage of the economic aid it provides and to continue sending ad hoc emissaries to the region and organizing special initiatives to further its efforts to channel the negotiations on Jerusalem so as to meet its interests. It is noteworthy that the European states handle the Palestinian issue through their consulates in Jerusalem (not through their embassies in Tel Aviv) and that the Consul-Generals are perceived as ambassadors to the Palestinian Authority (and are in constant contact with Orient House).

41. In general, the EU states will likely operate under the collective European umbrella and not on an individual basis. All the EU states – Catholic, Protestant, Anglican England, and Orthodox Greece – have identical interests in this regard and are not involved in theological, territorial, or economic competition. At the same time, nuances exist – for example, Catholic Ireland, and to a lesser degree France, could take a tougher position than the other EU states. Athens, too, could depart from the norm, owing to the status and vast property holdings of the Orthodox Church in Jerusalem, the church’s close ties with Greece, and the status of the Greek Orthodox clergy in the local community.

#### **Positions of Other Parties**

42. Beyond the desire to maintain its status as a sponsor of the peace process, the central interest of **Russia** in Jerusalem is to secure the return of Russian property (including the property of its affiliated churches). The meeting of the heads of the seven Orthodox states held in Israel in early 2000 expressed recognition of Israel’s effective control in Jerusalem and manifested great interest in developments in the city. **Turkey**, despite its deep historic ties with Jerusalem, has put forward no claims of its own regarding the status of the city or Turkish property in it. As a Muslim state, Turkey’s permanent position emphasizes the need

to preserve the Islamic Holy Places. High public sensitivity about Jerusalem exists in Turkey and any action liable to be construed as adversely affecting Turkish interests could generate pressure on Ankara to take action vis-à-vis Israel. The Jerusalem question will be handled more forcefully by a Muslim government in Turkey than by a secular government. Overall, though, strategic considerations are likely to induce Turkey to maintain a low profile. **Iran**, on the other hand, will act – both directly and through parties with ties to Tehran – to give expression to its extreme position. Iran will continue to reject the legitimacy of Israeli control in Jerusalem and will go on supporting Palestinian groups that oppose the peace process.

## **Chapter Four**

### **Alternative for Arrangements in Jerusalem**

#### **General**

1. This chapter presents alternatives for a permanent settlement in Jerusalem. Each alternative presupposes a different situation of sovereignty in the city and then examines its advantages and drawbacks from the point of view of Israel's interests. Three groups of alternatives were chosen, representing the range of possibilities for a solution, with the relevant parameters analyzed in each case.

(1) **Alternative A:** Jerusalem's municipal area under Israeli sovereignty. Territorial exchanges will be enabled by mutual agreement – for example, to create a continuous area of territory for a Jewish or Arab population. The borders between the Palestinian entity and Jerusalem will be open, and adherents of all religions will continue to enjoy freedom of access to worship at the Holy Places, with the existing STATUS QUO being preserved. This alternative sustains Jerusalem as a national asset of Israel and is in large measure the continuation of the existing situation.

(2) **Alternative B:** Jerusalem under Israeli sovereignty. However, to meet Israeli interests, it will be possible to effect small-scale exchanges between territory inside the city's boundaries and areas in Judea and Samaria that are under the control of the Palestinian Authority. Within this framework the Palestinians may be given a symbolic "locus of sovereignty" in the city. The Temple Mount will be under overall Israeli sovereignty and under Palestinian/Islamic/Jordanian administration. A similar status may be conferred on the Church of the Holy Sepulcher and/or the Christian Quarter of the Old City, and a special status may be conferred on the walled city and/or the Old City Basin. In this alternative, functional autonomy (under Israeli sovereignty) will apply to all the boroughs in both eastern and western Jerusalem, which will be implemented under the overall authority and through the Jerusalem Municipality. Metropolitan-wide services and systems based on coordination and cooperation will be developed. This alternative preserves Israeli sovereignty in Jerusalem and creates the character of an open city, with the Palestinians receiving self-rule powers in functional spheres.

**Alternative C:** Israel recognizes Palestinian sovereignty over part of the eastern city, under one of several possible options:

(i) A limited territory on the fringes of Jerusalem's municipal area that will serve as a government compound for the Palestinians. The other Arab neighborhoods will be granted functional autonomy and remain under Israeli sovereignty.

(ii) The entire area of East Jerusalem, apart from Jewish neighborhoods and the Old

City Basin, will not be included under Israeli sovereignty.

(iii) The entire area of East Jerusalem, apart from Jewish neighborhoods and the Old City Basin, will have suspended sovereignty or condominium status.

(iv) The entire area of East Jerusalem, apart from Jewish neighborhoods, the Jewish cemetery on the Mount of Olives, the City of David, and the Jewish and Armenian Quarters of the Old City, will not be included under Israeli sovereignty.

2. In any event, even under this alternative, Jerusalem will remain an open city without barriers, continuity between Israeli and Palestinian neighborhoods will be preserved, and cooperation will be enabled between two municipalities under a joint umbrella municipality or via a metropolitan administration as a joint coordinating body.

3. The alternatives described above are based on an analysis of the primary Israeli interests in the negotiations, with reference to the positions likely to be put forward by the other side. Clearly, the potency and relative weight of particular points also derive from and are influenced by a comprehensive perception of Israel's other national interests.

4. It should be emphasized that numerous variations of the alternatives outlined above exist and that elements from one or more of them can be integrated into a solution based on a different alternative. In certain circumstances, it is possible that the sides will find it in their interest to postpone negotiations on the sensitive issues of the Jerusalem question to later stages of the negotiations, preferring instead to tackle the less complicated issues first and reach interim agreements on specific elements of the subject (such as functional aspects), and/or a situation in which no agreement is reached on the city's status and it is deemed to be provisional.

### **Alternative A: The Whole of Jerusalem Under Israeli Sovereignty**

#### **Gist of the Alternative**

5. Jerusalem under full Israeli sovereignty, with the surrounding areas to the north, south, and east under the control of the Palestinian Authority; agreed border adjustments and territorial exchanges are possible – for example, in order to create territorial continuity for the Jewish and Arab populations. The borders between the Palestinian Authority and Jerusalem will be open and flexible, apart from matters of residency and residence, and supervision of the workforce entering the city from the areas controlled by the Palestinian Authority. The STATUS QUO on the Temple Mount will remain intact.

#### **Features of Alternative A**

##### *Territory and borders*

6. The point of departure is that the present municipal area remains entirely under

Israeli sovereignty, but that territorial modifications are possible for pragmatic-municipal reasons – for example, to improve security positions, create demographic continuity of neighborhoods without truncating main roads or infrastructure, facilitate road planning, rationalize the boundaries of land units, etc. Such modifications serve the interests of Israel and the Palestinian Authority alike.

7. Thus, for example, Jerusalem's boundaries can be extended into the area of Judea and Samaria in order to enlarge the land reserves for development earmarked for the Jewish population (the present reserves are limited and will be fully utilized within about 15 years). The city's boundaries would then about Ma'aleh Adumim and Givat Ze'ev, or those two settlements could be incorporated into Jerusalem.

8. If the municipal boundaries are extended, it may be advantageous also to incorporate Arab localities into Jerusalem (see maps and explanatory notes). The result would be to increase (albeit not significantly) the Palestinian population in Jerusalem, which the Palestinians may view as beneficial in terms of convenience (employment in the city) and as politically advantageous in terms of increasing their share in the city's population.

9. Similarly, agreed territorial exchanges may be possible. For example, the neighborhoods of Suahara al Garbiya, Sur Baher, and Umm Tuba in southeastern Jerusalem could be transferred to the Palestinian Authority. This would facilitate the city's administration and enlarge the Palestinians' territory. In return for transferring these neighborhoods to the Palestinians, Israel would extend its area of jurisdiction and sovereignty to Givat Ze'ev, Ma'aleh Adumim, the Etzion Bloc, and Efrat. The transfer of the southeastern neighborhoods to the Palestinian Authority would reduce the city's Palestinian population by about 22,000 people. Annexing the Jewish satellite settlements, together with the Arab villages that would have to be annexed with them in order to maintain territorial continuity, would add 5,000 Palestinians to the city's population. At the end of the exchange, then, Jerusalem would have 17,000 fewer Palestinians and 35,000 more Jews.

### ***Jurisdiction***

10. All courts will operate according to Israeli law, with two exceptions: the Shari'a Court in Jerusalem, which would continue to deal with the matters currently under its jurisdiction, namely personal status and Waqf affairs in East Jerusalem; and various Church courts in the eastern city. Mediation mechanisms could be established to deal with small claims based on the customary law of the different communities.

### ***Character of the borders***

11. For functional reasons, the border should be open for all purposes (passage of goods, tourism, pilgrims, shopping, etc.), with the exception of authorization of residency and for residence.

*Residency*

12. Israel has sole authority to confer right of residency in the city; legal residents of Jerusalem are residents of the state.

*Citizenship*

13. Legal residents of Jerusalem of all religions will be able to opt for the citizenship of their choice, or for dual citizenship, and the present policy of allowing Jerusalem residents to acquire Israeli citizenship will continue. As for the possibility of holding dual citizenship, the law stipulates that anyone who is automatically entitled to Israeli citizenship, such as an individual born to an Israeli parent, may also hold a second citizenship. However, a non-Israeli who wishes to acquire Israeli citizenship by means of naturalization must in principle renounce his previous citizenship, though the Minister of the Interior may waive this or other conditions.

14. Legal residents of Jerusalem will be entitled to participate in the city's municipal elections. However, only those residents who opt for Israeli citizenship will be eligible to participate in the elections to Israel's national institutions.

15. As stipulated in the Israel-PLO Declaration of Principles of 1993 and in the Interim Agreement of 1995 between Israel and the PLO, Palestinian residents of Jerusalem may vote in the elections to the autonomy Council unless they are Israeli citizens. The right to stand for election to the Council is reserved to Palestinians residing in areas that are under the Council's authority, a provision that excludes Jerusalem. As a person may have more than one address, a resident of Jerusalem may stand for election to the Council if he has an additional permanent residence in Judea-Samaria. If elected, he or she will represent the district outside Jerusalem in which the permanent address is located.

*Holy Places*

16. The policy Israel has adopted toward the Holy Places since 1967 will remain intact: freedom of access and worship are guaranteed to all believers and each community has the right to administer its sacred sites. These provisions will be maintained, and the existing character of the Old City Basin preserved, consistent with ensuring public security and public order and with maintaining Jerusalem as a pluralistic city in which behavior may be restricted in certain areas in order not to offend the sensibilities of a large part of the population. No side will make unilateral changes involving construction or demolition. The Temple Mount will not serve any governmental or other purpose apart from religious usage.

*Symbols*

17. The residents of Jerusalem will be entitled to make use of religious symbols according to the existing STATUS QUO arrangements and within limits consistent with maintaining public order.

18. The residents of Jerusalem will be entitled to make use of national symbols according to Israeli law, international custom (such as a flag above an official legation or on a government vehicle), the agreements between Israel and the Palestinian Authority, or under special permits issued by the Israeli authorities.

*Security*

19. Because of the sensitivity associated with Jerusalem, this alternative proposes special security arrangements for the entire city, and particularly for the potentially volatile Temple Mount area. At that site, all policing and anti-terrorist activity will be under the complete control of Israel, and a special guard system will be established for the Temple Mount and its surrounding area. At present, Israeli police guard and patrol only the entrances to the Temple Mount and the immediate area. Israel will also retain control of strategic points that are needed to defend the city and have the capability – in a state of war or under threats of terrorism – to operate throughout the municipal area.

*Municipal administration*

20. Municipal administration in Jerusalem, and more particularly the development of the “community administrations” system, has undergone rapid strides in recent years. The system may be able to contribute to the permanent settlement through an arrangement by which meaningful powers will be granted to neighborhood administrations (see Alternative B). Within that framework, for example, internal neighborhood security could be enhanced by the establishment of units like the Civil Guard in Jewish neighborhoods; and the neighborhood administrations could also be granted a measure of autonomy vis-à-vis the municipal authorities. The creation of neighborhood administrations throughout the city could be encouraged, including possibly the creation of a “sub-municipality” for the Old City which would have an inter-religious council.

*Metropolitan administration*

21. Jerusalem’s metropolitan area stretches extensively around the city and includes a large population and some Israeli and Palestinian local governments. It is possible to impose a metropolitan administration on this complex system, but there is little prospect of agreement and cooperation between Israel and the Palestinian Authority on the subjects that constitute the rationale for establishing such a framework (equalization and streamlining of services, a just distribution of the tax burden, joint physical planning, etc.). The obstacles here are the vast disparity in living standards, different ways of life, internal social and political constraints, and the Palestinians’ aspiration for maximum independence together with their concern over an Israeli takeover and the continuation of the occupation by other means. Nevertheless, a joint metropolitan administration in Jerusalem is both essential and feasible with regard to specific functions and activities of mutual Israeli-Palestinian

dependence. The creation of urban associations could enable trans-metropolitan services to be provided based on common Israeli and Palestinian interests.

22. Even in a situation of extreme separation between Jews and Arabs in Jerusalem, access will have to be given to residents of the Arab neighborhoods and others from outside the city who wish to worship at the Temple Mount or the Church of the Holy Sepulcher. This will entail guaranteed arrangements, involving physical, electronic, and police means, for pedestrians to reach the Holy Places, and transportation arrangements to points from which they will proceed on foot. The future volume of traffic in Jerusalem may well necessitate special public transportation arrangements for pilgrims including separate traffic lanes.

23. Two other spheres that require coordination are drainage and sewerage, and here again joint authorities are a useful solution. Israel controls the water supply and most of the power supply in Jerusalem's metropolitan area, and is also the major provider of employment. This situation will persist for some years; afterward the Palestinians may supply these utilities themselves or may prefer to continue relying on Israel. As long as Palestinian dependence continues, the sides can derive mutual benefit from joint projects, such as water and power facilities, industrial zones, and environmental protection programs, particularly to prevent air and water pollution. In addition, coordination in matters relating to archaeology and in nature and landscape conservation could also be considered within a metropolitan framework.

24. In the final analysis, it will probably not be possible to establish a joint metropolitan administration or an urban association. Still, subjects in which cooperation is essential and will serve the interests of both sides can be identified, with one incentive for doing so being the availability of generous foreign aid.

#### *Economy*

25. Jerusalem could benefit economically from a permanent settlement, particularly in terms of tourism. Israel will pledge, as part of the economic agreement with the Palestinian Authority, to strengthen Jerusalem economically so as to enable all residents to benefit from the new economic opportunities, including government investments in the eastern city (the Arab sector).

26. It should be noted that the existing economic agreement between Israel and the Palestinian Authority stipulates that both sides will try to maintain the free movement of workers, tourists, and industrial goods between them. Application of this clause will spur the city's economic growth, forestall the decline of East Jerusalem as an economic center, and improve the economic situation of the Arab residents.

#### *Physical planning*

27. The present situation within the city's municipal boundaries will continue; the

planning authorities will scrupulously preserve cultural values and ensure planning that befits the city's character, including the Old City and the Temple Mount. It is essential to coordinate planning in the area around the city in order to avert negative environmental and visual consequences.

### *Transportation*

28. Transportation within the city's municipal boundaries will be under Israel's exclusive responsibility, unless agreement is reached on the establishment of a joint Israeli-Palestinian metropolitan transportation authority. If so, that body will administer a public transit system that will operate in part within Israeli Jerusalem and in part within the territory of the Palestinian Authority, as described below.

29. A special joint Israeli-Palestinian authority, possessing special powers in both territories, will be responsible for running the public transit system, which will operate in part within Israeli Jerusalem and in part within the territory of the Palestinian Authority. This authority will control the system of arterial roads in Jerusalem and the city's overall public transportation system, or at least the public transportation facilities that will serve tourists in Jerusalem. The authority's operation will be conditional on the resolution of the attendant security problems (the Port Authority in New York controlled the city's main roads, bridges, and tunnels, and its powers exceeded those of City Hall.)

30. The creation of interlocking systems between Israel and the Palestinian Authority will heighten the pressure to organize a special mode of public transit. Still, public transportation can solve only some of the Jerusalem area's needs. In any situation, commercial, service, and security vehicles must be able to move freely in and around the city without overloading the urban system as well as in situations of extreme separation or closure. It is therefore crucial to build the Jerusalem bypass roads, particularly the eastern bypass, as soon as possible, together with the new access roads to the city, especially Highway 45 via Ma'aleh Beit Horon. If necessary, those roads will be closed to all but specified types of vehicles and population groups, and their use restricted to connect specified areas, this by enabling access to or exit from them only via controlled "gates," as on toll roads. A decision on the location of these gates needs to be made quickly, and land set aside for the purpose. A metropolitan transit authority will greatly facilitate the management of day-to-day life in the Jerusalem area no matter what political settlement is obtained in the city.

31. Another possible site for transportation cooperation is Atarot Airport, in north Jerusalem. The problems that this facility creates for its surroundings go beyond Jerusalem's municipal jurisdiction, but could be reduced by sharing the advantages inherent in the airport, perhaps by granting usage rights, or by means of joint management. The Atarot facility could

be placed under the responsibility of the above-mentioned transit authority. In addition, use of the airport and of the Atarot industrial zone could be expanded to include the Palestinians.

### **Advantages and Drawbacks of Alternative A**

#### 32. *Advantages:*

(a) Israel controls united Jerusalem and the city is preserved (more than in any other alternative) as a Jewish national asset. In addition, this alternative:

(i) Reinforces the consensus among Israel's Jewish population and within the Jewish nation. Other alternatives, which entail the weakening of Israeli sovereignty over Jerusalem, could exacerbate tensions to the point of political violence and a rift in the Israeli society.

(ii) Preserves the city's unity and also in large measure preserves the interests of the three religions at the Holy Places.

(b) This alternative is simpler to implement than the others in terms of administrative, juridical, economic, and security arrangements.

(c) No less important, this alternative does not create an irreversible situation and leaves open options for the future. It could also function as a temporary arrangement if no agreement can be reached and be reconsidered in the future when circumstances permit.

#### 33. *Drawbacks:*

(a) This alternative is acceptable only to Israel – it is unacceptable to the Palestinians, the Arab-Islamic world, or the rest of the international community including the United States. Clinging to this alternative could threaten progress in the negotiations on other aspects of the permanent solution, undermine relations with the Palestinians and the Arab world, and generate tension between Israel and the international community.

(b) As a nonstarter, this alternative could make Jerusalem a constant locus of unrest. Since Jerusalem is always a subject of world interest, such unrest would affect tourism and slow the city's economic development.

### **Conclusion**

34. In effect, this alternative proposes the continuation of the situation that has existed in the city since the Six Day War. It is preferred by most Israelis but rejected by most Palestinians, by the Arab-Islamic world, and by most of the international community, which has never recognized Israel's sovereignty over all parts of the city (while nevertheless recognizing de facto its control of West Jerusalem).

35. Nevertheless, circumstances might arise in which the Palestinians would be ready to make substantive concessions in Jerusalem as part of a "package deal" involving the other elements of the permanent settlement. Be that as it may, even if this alternative is considered a nonstarter, it should be presented as Israel's opening position in the negotiations.

## **Alternative B: The Whole of Jerusalem Under Israeli Sovereignty with Functional Autonomy for the Palestinians and Other Communities in Various Sections of the City**

### **Gist of the Alternative**

36. Overall Israeli sovereignty is maintained within the city's municipal boundaries, with functional autonomy in certain spheres conferred on various parts of the city and on various population groups. This alternative presupposes that the Palestinian political authority will have functional sovereignty over all, or most, of the Palestinians in Jerusalem, including those who now hold Israeli ID cards.

37. Underlying this alternative are the following basic assumptions:

(a) Israel's overall sovereignty in Jerusalem will be retained, though below this level there will be a range of functional "secondary sovereignties." In some spheres, deliberate ambiguity may exist concerning Israeli sovereignty.

(b) The supremacy of Israeli law will be preserved, though enclaves of autonomous jurisdiction in various spheres – albeit still subject to Israeli law – may exist.

(c) Israel will bear sole responsibility for security in the city, though it may agree to special arrangements for guarding the Holy Places and for maintaining public order in the Palestinian neighborhoods.

(d) The city's municipal boundaries will remain intact, apart from mutually agreed changes to improve each side's foothold within its population or to better the residents' well-being.

### **Features of Alternative B**

#### *Territory and borders*

38. The present area of the Jerusalem Municipality will remain under Israeli sovereignty. Territorial changes will be possible on practical and municipal-related grounds; for example, to create demographic continuity for the supply of services without truncating main roads or infrastructure. Such modifications also serve the Palestinians' interests. Another example: annexation to the Palestinian Authority of the neighborhoods of Suahara al Garbiya, Sur Baher, and Umm Tuba in southeastern Jerusalem, which constitute an unnecessary municipal burden on Jerusalem and bring Israel no benefit in terms of land or strategic needs. This would facilitate the city's administration by Israel and constitute a territorial gain for the Palestinian Authority. Another possibility is to expand the city's boundaries or to create corridors of passage to localities such as Givat Ze'ev, Ma'aleh Adumim, Har Gilo and elsewhere (see Chapter Five and Map 5).

39. Functional autonomy, at different levels, will be granted to all the city's boroughs

and to major religious sites (details below).

*Juridical powers*

40. The entire civil judiciary system will be subject to Israeli law, under which religious courts dealing with matters of personal law are accorded a special status. In practice, though, since June 1967 the Shari'a and church courts in East Jerusalem have de facto enjoyed a special status, and as such are not under the control of the Israeli judicial authorities – in the appointment of clerics, for example – though their actions are subject to review by the High Court of Justice. This arrangement should be enshrined in Israeli law.

41. An arrangement will be worked out regarding the establishment of mediation and small-claims mechanisms based on the customary law of the different communities, or as part of the neighborhood administrations. Mediation mechanisms will also be developed for interreligious disputes and to handle disputes between the different groups in the city. Where efficient and generally accepted mediation arrangements are already operating, the possibility will be examined of enshrining them in law.

42. A way will have to be found to legalize the operation of the Palestinian institutions in East Jerusalem. In principle, institutions that antedate the signing of the Oslo accord will remain, with the functions they are permitted to carry out being defined. It is important to enforce the law with respect to foreign and Palestinian institutions that were not authorized to operate in the city under the agreements with the Palestinian Authority.

43. All the arrangements between Israel and Jordan (the status of the Jordanian dinar and of a future Palestinian currency, for example) will be regulated by law.

*Character of the borders*

44. In general, open borders will exist between Jerusalem and the territory of the Palestinian Authority. The prohibition on illegal residence in the city of Palestinians from the territories will be more strictly enforced. It will be necessary to develop a system of supervision and policing along the city's boundaries, with sensitive areas guarded by means of fences and other protective methods.

*Residents*

45. All Palestinians holding Israeli ID cards and residing in Jerusalem on the day the settlement takes effect will be considered residents of Jerusalem. The right of residency in the city will be conferred only by Israel, under Israeli law, though the possibility will be examined of introducing more flexible arrangements for temporary residents.

*Citizenship*

46. Palestinian residents of East Jerusalem who hold Israeli ID's will be able to hold Israeli citizenship (by individual request), or Jordanian, Palestinian, or other citizenship, singly or in combination, under the provisions of Israeli law. This arrangement will probably

require the promulgation of special regulations to permit residents of East Jerusalem to hold dual citizenship, with or without limitations on holding a number of citizenships

47. Residents of Jerusalem who are foreign nationals (in addition to or without holding Israeli citizenship) will be permitted to vote in elections of the countries in which they are nationals, contingent on the laws of those countries and in accordance with the arrangements that exist in Israel for foreign nationals.

48. According to the 1995 Interim Agreement, the Palestinian residents of Jerusalem (those who are not Israeli citizens) can vote in elections to the Palestinian Council. Those who wish to stand for election to the Palestinian Council may do so by moving the center of their life outside Jerusalem.

49. Under the Interim Agreement, the civil status of the Palestinians holding Israeli IDs who reside in the suburbs outside the city's boundaries (some 50 percent of the total, by one estimate) became highly complex. Additional possibilities can be examined to enable them to retain their Israeli ID with its accompanying privileges, such as National Insurance benefits, while at the same time permitting them to maintain a broad attachment to the Palestinian Authority. Another option that can be considered is the introduction of a distinctive model of personal elections for the mayor of Jerusalem.

### *Holy Places*

50. The existing situation (the STATUS QUO) at the Holy Places will be preserved. Christians will be given functional autonomy at their holy sites. Freedom of access to the Holy Places will be universally guaranteed, consistent with the limitations prescribed by the need to maintain public order.

51. Temple Mount

(a) The Muslim religious institutions that currently administer the Muslim Holy Places will be granted functional autonomy and Islamic bodies (Arab and international) will be able to share in maintaining them.

(b) The Muslim religious institutions will also have the authority – vested in them by Israel – to maintain a force of inspectors to ensure public order at the site. Cases of severe unrest will be dealt with by the Palestinian inspectors, though if they are unable to restore order the Israeli authorities will be able to intervene.

(c) Incidents of terrorism will be dealt with exclusively by the Israeli authorities.

52. Church of the Holy Sepulcher: The arrangement on the Temple Mount will be replicated at the Church of the Holy Sepulcher and the other sacred sites in the Christian Quarter, with the Christian institutions that administer them being granted functional autonomy. The principles to be worked out with the Vatican on the status of Catholic clerics will apply equally to other Christian communities, including the ethno-national churches. The

possibility will be examined of granting the Armenian Quarter – or perhaps only the territory of the Armenian monastery – a special status of functional autonomy.

53. The Jewish religious sites in Jerusalem and their related areas where Israel has direct control, such as the Western Wall, will remain under full Israeli sovereignty. Israeli sovereignty will also apply at every religious site which is not granted functional sovereignty.

#### *Symbols*

54. The residents of Jerusalem will be entitled to make use of religious symbols according to the existing STATUS QUO and consistent with the limitations required to maintain public order. Similarly, they will be entitled to make use of national symbols according to Israeli law, international custom (such as flags above official legations or on official vehicles), the agreements between Israel and the Palestinian Authority, or by special permits that will be issued by the Israeli authorities.

55. The possibility can be examined of discussing with the Palestinian Authority the establishment of a symbolic center of the Palestinian Authority in East Jerusalem. This center could house the Palestinian Authority's official representation in Jerusalem and its functions could be united with the activities of Orient House that are recognized by Israel. Possible sites for the center are: (a) an enclave in Jerusalem; (b) a narrow strip of the Palestinian Authority that would jut into Jerusalem; (c) just outside the city's municipal boundary.

#### *Security*

56. A police station will be established in each neighborhood administration. Units of traffic and tourist police will also be set up. The ethnic and religious composition of the personnel in the police stations will correspond as closely as possible to that of the local population. The possibility can be examined of granting Palestinian municipal bodies authority with respect to public order.

57. Matters pertaining to the city's security (including external security and anti-terrorism operations) will be under the exclusive responsibility of the Israeli security authorities. Security bodies of the Palestinian Authority will not be permitted to operate in the city.

#### *Municipal administration*

58. The existing system of community administrations will be extended to the entire city, including West [EAST?] Jerusalem, their composition to be consistent with the ethnic and religious composition of each borough. A council of municipal administrations, headed by the mayor, will be created to coordinate their operations. The council will serve in a consultative capacity with regard to municipal legislation and planning; the council head will have two deputies, one each from the Jewish and Arab administrations.

59. The administrations will be responsible for spheres of activity beyond those they

currently deal with: education, relief and welfare, health, culture, sanitation, landscaping, supervision of construction, and community public order. The source of their authority will be Israeli law. Each administration will be obliged to provide a municipal “basket of services,” and the boroughs will also be able to offer extra services or upgrade the existing services. Different administrations can be granted different powers, or a schedule can be set up for the gradual transfer of the relevant powers from the Municipality.

60. The mayor of Jerusalem will be elected in personal elections by all the city’s residents. The Municipal Council will be elected by all the city’s residents on the basis of citywide lists. District elections will be held in each borough for the representatives who will sit on the Borough Council.

61. **Physical planning:** Transportation, archaeology, and nature and landscape conservation: as in Alternative A.

### **Advantages and Drawbacks of Alternative B**

62. *Advantages:*

(a) Overall control in Jerusalem remains in Israeli hands, with only a limited Palestinian foothold. As such, this alternative has a good chance to secure a broad consensus among the Jewish-Israeli public.

(b) The alternative is fundamentally flexible; a variety of arrangements can be proposed in virtually every sphere, with the evolving reality examined as the arrangements are implemented.

(c) This alternative can supply concrete, and to a degree symbolic, needs of the city’s Muslim and Christian population, and of the Palestinian Authority outside the city.

63. *Drawbacks:*

(a) The complex arrangements entailed by this alternative might create friction and tension between Jews and Arabs in day-to-day life.

(b) Israeli sovereignty in the city will probably be eroded over time.

(c) The Palestinians will almost certainly be unwilling to accept this as the permanent settlement; they may agree to it on a temporary basis, though only in return for substantial Israeli concessions in other spheres.

### **Alternative C: Divided City, Part of East Jerusalem Under Palestinian Sovereignty**

#### **Gist of the alternative**

64. Israel recognizes Palestinian sovereignty (or, minimally, de facto rule) over part of East Jerusalem, meaning that the city is divided between Israel and the Palestinian Authority. Jerusalem remains an open city, with no barriers, with continuity maintained between Israeli

neighborhoods, and in parallel between Palestinian neighborhoods. The possibility exists of two municipalities operating under an umbrella municipality or a metropolitan administration as a coordinating body.

### **Features of Alternative C**

#### *Territory and borders*

65. A number of possibilities can be envisaged for demarcating the territory that will be under Palestinian sovereignty and rule:

(a) A limited area at the edge of Jerusalem's municipal boundary, territorially linked to the Palestinian Authority. The following Arab neighborhoods are possibilities:

(i) Southeast: Suahara al Garbiya, Sur Baher, Umm Tuba.

(ii) Eastern fringes of the Mount of Olives: Ras al Amud, A-Sheikh, A-Tur (possibly including the Seven Arches Hotel, which overlooks the Old City), Issiwiya.

(iii) North: Shuafat, Beit Hanina, Kafr Aqab.

(b) The Palestinians will aspire to establish a government compound in one of the areas mentioned above which will be connected with neighborhoods outside Jerusalem that are under their control. Possible sites for the government compound are: Abu Dis–Ras al Amud, Jabl Mukaber–Government House compound, A-Tur–Seven Arches Hotel, A-Ram–Beit Hanina.

(c) East Jerusalem's main business area, centering on Sallah a-Din Street and including the neighborhoods of Bab a-Zahara, Sheikh Jerrah, and Wadi Joz.

(d) All the Arab neighborhoods of Jerusalem apart from Beit Safafa, Shuafat, and the Old City Basin, which will remain under Israeli sovereignty.

(e) All the Arab neighborhoods of Jerusalem apart from Beit Safafa and Shuafat, with the Old City Basin receiving a special status of suspended sovereignty or becoming an Israeli-Palestinian condominium (apart from the Jewish Quarter and the Western Wall, which will remain under Israeli sovereignty).

(f) All the Arab neighborhoods apart from Beit Safafa and Shuafat (including the Old City apart from the Jewish Quarter).

66. It should be noted that the possibility exists of developing/expanding the area that will be transferred to the de facto sovereignty and rule of the Palestinian Authority, either by means of an agreement or through some other dynamic development. In the other alternatives the Arab neighborhoods that will remain under Israeli sovereignty will enjoy functional sovereignty.

67. Jerusalem will remain an open city with no barriers. As far as possible, continuity will be maintained between the Jewish neighborhoods in the eastern section and they will be connected to the western section; similarly, continuity will be maintained between the Arab

neighborhoods and between them and the territory of the Palestinian Authority. Overpasses or tunnels can be built at suitable locations to connect the southern and eastern Arab neighborhoods with those in the northern part of the city.

#### *Citizenship*

68. Palestinian residents who will remain in the area of Israeli sovereignty will be able to choose between Palestinian or other (Jordanian) citizenship and Israeli citizenship.

#### *Municipal and metropolitan administration*

69. An Israeli municipality and a Palestinian municipality will operate under an umbrella municipality or under a metropolitan administration, composed of equal numbers of Israelis and Palestinians, that will act as a coordinating body.

#### *Holy Places*

70. Freedom of access, freedom of worship, and the STATUS QUO will be maintained in all the Holy Places of all religions. The character of the Old City Basin including its sacred sites and cultural treasures will be preserved, and no unilateral acts of construction or demolition will be undertaken. The Temple Mount will be under the control of a Muslim religious authority (though preserving the existing prerogatives of Israel and Jordan) and will not be used for any non-religious purpose, whether governmental or other.

71. The physical STATUS QUO and the religious attachment of Jews to the Temple Mount will be preserved, including the right of worship, according to the present situation. The STATUS QUO arrangements at the Christian Holy Places where they apply will be maintained. An interreligious body, composed of representatives of the three faiths, will supervise the upholding of the STATUS QUO at the Holy Places and ensure the rights of access and worship of Jews in the areas that will be under Palestinian sovereignty.

#### *Security*

72. Israel will reserve the right to exercise force in areas that are under Palestinian sovereignty – including the Temple Mount – in cases that endanger the well-being of Israelis or in cases of terrorist attacks against Israelis or against foreigners who are under Israeli protection. Special limitations will be imposed on the size of the Palestinian police force that will operate in the areas under Palestinian control, and on its weapons. Its main task will be to maintain local order.

#### *Economy*

73. Workers and goods will be granted free passage exist between all parts of the city in accordance with special arrangements between the sides. Joint Israeli-Palestinian checkpoints will be set up to handle the movement of goods at the city's main entrances.

74. By mutual agreement, no claims regarding assets and land or compensation will be submitted. Such claims will be deemed to be frozen. Alternatively, an arbitration mechanism

will be established for claims submitted by private individuals.

*Physical planning*

75. Physical planning throughout the city will be under the authority of the separate municipalities but will be implemented in close coordination between them and on the basis of an agreement on binding principles. If a sub-municipality is created for the Old City Basin, it will be responsible for planning. An international body may participate on an advisory council of the two municipalities.

*Transportation*

76. Transportation between the two parts of the city will operate according to agreed arrangements between the two municipalities, unless agreement is reached to establish a metropolitan-wide mass transit system as described in Alternative A.

*Archaeology, nature and landscape conservation*

77. In addition to the provisions of the agreement, the possibility can be examined of setting up coordinating bodies and concluding special coordination agreements within a metropolitan framework.

**Advantages and Drawbacks of Alternative C**

78. Although there will likely be disagreement on some of the territorial components of this alternative (particularly in its maximalist version), it is preferred by the majority of Palestinians, by the Arab-Islamic world, and probably also by key players in the international community. However, it is rejected by the majority of Israelis. Essentially, this alternative would divide Jerusalem by transferring certain parts of East Jerusalem to the sovereignty/control of the Palestinian Authority, which will view Jerusalem as its capital.

*79. Advantages:*

(a) An agreement along these lines holds out the prospect of greater long-term stability and will contribute substantially to the process of conciliation with the Arab-Islamic world and toward furthering a permanent settlement with the Palestinians.

(b) Israeli sovereignty will continue to be maintained in Jewish neighborhoods in East Jerusalem, as well as in the Jewish Quarter and at the Western Wall, with much of the city's eastern section remaining under Israeli sovereignty.

(c) In return for the transfer of control in part of the eastern city, the Palestinians may:

(i) Recognize Israeli sovereignty in most of the city, including the post-1967 neighborhoods: Ramot, Ramot Eshkol, Gilo, East Talpiot, Neve Ya'akov, Pisgat Ze'ev, Givat Hamivtar, French Hill, Tsameret Habira, and the Jewish Quarter in territorial continuity with the Western Wall plaza.

(ii) Be ready to grant Israel quid pro quos in connection with other aspects of

the permanent settlement, such as the annexation of Ma'aleh Adumin and Pisgat Ze'ev to Jerusalem and of the Etzion Bloc to Israel, and the like.

(d) Jerusalem will not be divided physically. Free movement will be permitted throughout the city without damaging the economic fabric (though clearly the considerations of economic benefit will be subject to the political considerations of the Palestinian Authority).

(e) Israel will no longer have to rule some 200,000 Palestinians.

(f) Israel will retain its overall responsibility for security in the city. It should be noted that there is no guarantee that the Palestinians will accept this; it can be assumed that they will utilize their police and security forces in the areas under their rule.

80. *Drawbacks:*

(a) There will be two political capitals in the city, and Israeli and Jewish historical, religious, and national yearnings will be severely affected. Consequently, it will be difficult to muster broad support for this alternative among Israeli public opinion, and an attempt to do so could exacerbate tensions to the point of violence and create a rift in the Israeli society.

(b) This alternative is irreversible.

## Gist of the Alternatives and Comparative Description

### A. Juridical Status

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p><b>Jerusalem's Arab residents</b></p> <p><b>Citizenship</b> 1. By choice, according to Israeli law.</p> <p><b>Elections</b> 1. To the Palestinian Council: Only persons with permanent residence in the area of the PA can stand for election.  2. To Israeli governmental bodies: According to citizenship and the Israeli election laws.  3. To the municipality: According to Israeli law, for all residents of the city.</p> <p><b>Residency</b> 1. All legal residents of Jerusalem are residents of Israel.  2. The Israeli government retains the right to grant residency.</p> <p><b>Juridical status of the territory</b> 1. Full Israeli sovereignty.</p>	<p>1. By choice, according to Israeli law.</p> <p>1. To the Palestinian Council: The right to vote but not to stand for election <b>OR</b> the right to vote and stand for election if the center of one's life is moved.  2. To Israeli governmental bodies: According to citizenship and the Israeli election laws.  3. To the municipality: According to Israeli law, for all residents of the city.</p> <p>1. All legal residents of Jerusalem are residents of Israel.</p> <p>2. The Israeli government is empowered to permit permanent residency. The possibility will be examined of making the arrangements for temporary residency more flexible.</p> <p>1. Under Israeli sovereignty with functional autonomy in selected spheres (e.g., education, welfare, religion) in non-Jewish neighborhoods to all the borough administrations.</p>	<p>1. Palestinian residents who will remain in territory that is under Israeli sovereignty will be able to choose between Palestinian and Israeli sovereignty.</p> <p>1. For citizens of the Palestinian Authority: Unlimited right to vote and stand for election.</p> <p>3. To the municipality: Under Israeli law in areas controlled by Israel; under Palestinian law in Palestinian areas.</p> <p>1. In the Palestinian areas: Full powers accrue to the PA for the Palestinians, including entry and registration of residents, subject to the agreements between Israel and the PA.</p> <p>1. Area under Palestinian control: as in the areas of the PA.  2. Area under Israeli control: as in Israel.  3. Jerusalem is the capital of both states.</p>
<b>Juridical powers</b>		

<p>1. All courts to operate under Israeli law and subject to review by the High Court of Justice.</p> <p>2. Sharia Courts can rule on matters of personal status – continuation of existing custom, under High Court scrutiny.</p>	<p>1. Civil courts system subject to Israeli law, including the existing exceptions and procedures.</p> <p>2. Future arrangement to establish mediation mechanisms to be considered.</p>	<p>1. In Israeli territory: as customary in Israel.</p> <p>2. In Palestinian territory: as customary in the Palestinian Authority.</p>
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## B. Borders

<b><u>Alternative A</u> - The whole of Jerusalem under Israeli sovereignty</b>	<b><u>Alternative B</u> - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b><u>Alternative C</u> - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p><b>Borders</b></p> <p><b>A. Existing borders</b> The existing borders or their adjustment for reasons of security (annexing Har Gilo and Har Shmuel to Jerusalem), demography (leaving continuity of neighborhoods intact), or physical planning (no truncation of arterial roads or infrastructure).</p>	<p>City boundaries as in Alternative A. Possibility of limited territorial exchange by agreement.</p> <p>Functional autonomy to all borough administrations (details below).</p>	<p>Jerusalem remains an open city with no barriers. Continuity to be maintained as far as possible between Jewish neighborhoods in eastern city and their connection to the western section, along with continuity between Arab neighborhoods and between them and the PA.</p> <p><b>Three alternatives for the boundaries of Palestinian sovereignty:</b></p> <p>1. A Palestinian governmental compound within the existing municipal area and contiguous with the area of the PA.</p> <p>2. All neighborhoods populated by Palestinians apart from Beit Safafa and the Old City Basin, the latter to be jointly administered.</p> <p>3. East Jerusalem apart from the Jewish neighborhoods (including the Old City's Jewish Quarter).</p>

**B. Borders (cont.)**

<p><b>B. Territorial exchanges:</b> <b>Potential options</b></p> <ol style="list-style-type: none"> <li>1. Ma'aleh Adumim and Givat Ze'ev to be incorporated into the city's area of jurisdiction.</li> <li>2. Shuafat camp, Suahara al Garbiya, Sur Baher, Umm Tuba to be removed from the city's area of jurisdiction.</li> <li>3. Dahiyat al Barid, A-Ram, A-Zaim, al-Izzeriya, Abu Dis, and Suahara al Garbiya will not be included within the city's area of jurisdiction.</li> </ol> <p><b>C. Expanded Jerusalem</b></p> <ol style="list-style-type: none"> <li>1. Extending the city's area of jurisdiction (and of Israeli sovereignty) to Givat Ze'ev, Ma'aleh Adumim, and the Etzion-Efrat Bloc, including the Arab settlements in those areas.</li> <li>2. Extending the city's area of jurisdiction as in C(1), apart from the large Arab settlements (A-Ram, al-Izzeriya, Abu Dis).</li> </ol> <p><b>Character of the Borders</b> Functional borders for different purposes, as will be decided between Israel and the PA:</p> <ol style="list-style-type: none"> <li>1. <b>Open:</b> For goods, tourists, and pilgrims, and for matters of health, education, culture, and religion.</li> <li>2. <b>Limited:</b> For workers, with appropriate social benefits preserved.</li> <li>3. <b>Rigid:</b> Settlement (acquisition of residency rights) and security considerations.</li> <li>4. <b>Vehicles:</b> To be decided between Israel and the PA based on arrangements that will meet security needs and the terms of the economic agreements, consistent with Jerusalem's transportation and environmental possibilities.</li> </ol>	As in Alternative A.	As in Alternative A.
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### C. Municipal Administration

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p><b>Municipal administration</b></p> <ol style="list-style-type: none"> <li>1. One municipality, to be elected by all the city's residents according to the Israeli election laws.</li> <li>2. Establishment of borough or neighborhood administrations will be encouraged throughout the city, their rights and powers to be defined in law.</li> <li>3. Enlarged spheres of authority for the administrations: sanitation, landscaping, planning, internal policing, education, deciding the contents of the "basket of services."</li> </ol> <p><b>Services</b></p> <ol style="list-style-type: none"> <li>1. Under Israeli law, services to be provided irrespective of religion, race, or gender.</li> <li>2. The level of municipal services will be equalized throughout the city.</li> <li>3. Equalization of eligibility and treatment by government institutions (e.g., National Insurance) for all residents of the city. Rights to be granted taking into account the character and special needs of the different population groups.</li> </ol>	<ol style="list-style-type: none"> <li>1. One municipality with autonomous administrations in some spheres.</li> <li>2. The Jewish Quarter administration will be elected by the quarter's residents.</li> <li>3. The administrations will receive powers in education, welfare, health, culture, sanitation, landscaping, supervision over construction, internal policing (maintaining public order). Israel will remain the source of authority.</li> </ol> <ol style="list-style-type: none"> <li>1. Jerusalem residents will pay taxes to the municipality and the administrations separately.</li> <li>2. A municipal "basket of services" to be set, with each borough to set its level of additional services.</li> <li>3. A municipal council of administrations will coordinate the operations of the administrations, with advisory power in municipal legislation and planning.</li> </ol>	<ol style="list-style-type: none"> <li>1. A Palestinian municipality and an Israeli municipality, with a metropolitan administration or an umbrella municipality above them.</li> <li>2. As in Alternative B.</li> <li>3. As in Alternative B.</li> </ol> <ol style="list-style-type: none"> <li>1. Each municipality will decide and supply the "basket of services" to its residents.</li> <li>2. The level of services in Arab neighborhoods which for reasons of territorial continuity or for other reasons will not be included in the area of jurisdiction of the Palestinian municipality, will be the same as in the Israeli neighborhoods.</li> <li>3. As in Alternative A regarding neighborhoods which for reasons of territorial continuity or for other reasons will not be included in the area of jurisdiction of the Palestinian municipality.</li> </ol>

## D. Metropolitan Administration

Ties with municipal governments from Bethlehem to Ramallah and from Beit Shemesh to Ma'aleh Adumim

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p><b>Infrastructure and services</b></p> <ol style="list-style-type: none"> <li>1. A metropolitan authority for roads and transportation, to be integrated into a national system, and in coordination with the PA.</li> <li>2. Metropolitan coordination and/or establishment of an urban association for sewerage, water, electricity, refuse disposal, firefighting, and public health.</li> <li>3. Contingency plans for metropolitan cooperation in cases of disaster or other emergency.</li> </ol> <p><b>Joint arrangements and institutions for the metropolitan councils</b></p> <ol style="list-style-type: none"> <li>1. Physical planning               <ol style="list-style-type: none"> <li>a) To prevent terrorist attacks</li> <li>b) To prepare a master plan</li> <li>c) To preserve the city's character</li> <li>d) To enhance environmental quality</li> <li>e) For tourism</li> <li>f) For leisure areas and parks</li> </ol> </li> <li>2. Institutions: The administrative authority will have an identical number of Israelis and Palestinians; it will be a coordinating, not an executive, body</li> <li>3. A metropolitan transit authority consisting of Israeli, Palestinian, and perhaps international representatives, with powers regarding equipment and routes, and regarding Atarot airport. Perhaps also policing and court powers vis-a-vis travelers.</li> </ol>	<ol style="list-style-type: none"> <li>1. A metropolitan administration to be established with representatives from the municipal and local councils in the metropolitan area.</li> <li>2. As in Alternative A.</li> <li>3. As in Alternative A.</li> </ol> <ol style="list-style-type: none"> <li>1. As in Alternative A.</li> </ol> <ol style="list-style-type: none"> <li>2. As in Alternative A.</li> </ol> <ol style="list-style-type: none"> <li>3. A consultative mechanism will be set up to resolve disagreements and disputes on metropolitan issues.</li> </ol>	<ol style="list-style-type: none"> <li>1. As in Alternatives A and B.</li> <li>2. As in Alternative A.</li> <li>3. As in Alternative A.</li> </ol> <ol style="list-style-type: none"> <li>1. As in Alternative A.</li> </ol> <ol style="list-style-type: none"> <li>2. As in Alternative A.</li> </ol>

### E. Archaeology and Preservation of Nature and Landscape

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p>1. In Israeli areas: according to Israeli law.</p> <p>2. In the metropolitan areas: in accordance with the agreement to be signed with the PA and with Palestinian local governments, and in accordance with international conventions.</p> <p>3. Physical planning to preserve the city's distinctive character.</p>	<p>1. According to Israeli law. The Antiquities Authority will be obliged to employ Palestinian archaeologists and allocate funding on a permanent basis to research and conservation in spheres important to the Palestinians (Islam, Bronze Age, etc.).</p> <p>2. As in Alternative A.</p> <p>3. As in Alternative A.</p> <p>4. Possibility of signing an international convention regarding the Old City Basin to protect cultural and religious values.</p>	<p>1. In PA-controlled areas of Jerusalem: according to Palestinian law. In the Israeli areas: according to Israeli law.</p> <p>2. In the metropolitan areas: according to the agreement to be concluded with the Palestinian Authority.</p> <p>3. Physical planning: as will be mandated under Palestinian law.</p>

## F. Holy Places

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p>1. Freedom of access and worship to be respected, each Holy Place to be administered by the relevant body.</p> <p>2. Status Quo arrangements at Christian Holy Places in Jerusalem will continue; existing rights at the other holy sites will be observed.</p> <p>2a. Prohibition on propaganda and incitement against other religions and against the State of Israel.</p> <p>2b. Restrictions on noise, traffic, and pollution at every Holy Place.</p> <p>3. Policing and maintenance of public security by Israel.</p> <p>4. The Temple Mount will be subject to special legal arrangements, with existing prerogatives (Jordan) preserved and the possible addition of more Islamic bodies.</p> <p>4a. Israel has authority to use force in cases that endanger the safety of Israelis.</p> <p>4b. Israelis and tourists will be guaranteed access and right of prayer on the Temple Mount on dates to be coordinated, but no rights of public worship will accrue; current arrangements will continue, including administration by the Waqf.</p>	<p>1. As in Alternative A.</p> <p>2. As in Alternative A.</p> <p>2a. As in Alternative A.</p> <p>2b. As in Alternative A.</p> <p>3. Israel will ensure protection of the Holy Places against all forms of attack and desecration, and an interreligious advisory committee will be formed on this subject. Functional autonomy will be granted to the clerical institutions that administer the Temple Mount mosques. Israel will be responsible for preserving order and security; possible special guard units for the Christian sites. Israel responsible for combating terrorism and for external security.</p> <p>4. As in Alternative A.</p> <p>4a. Israel has full authority to intervene in cases of terrorist attacks or mass disturbances.</p> <p>4b. As in Alternative A.</p>	<p>1. As in Alternative A.</p> <p>2. As in Alternative A.</p> <p>2a. As in Alternative A.</p> <p>2b. As in Alternative A.</p> <p>3. Temple Mount under Palestinian rule <b>OR</b> under the control of a Muslim/Palestinian religious authority with possible preservation of existing Jordanian prerogatives, but in any case with the status quo on freedom of access and worship for Jews to be guaranteed.</p> <p>3a. Maintaining public order: by the controlling authority on the Temple Mount.</p> <p>4. Prohibition on the establishment of Palestinian governmental institutions on the Temple Mount.</p> <p>4a. Israel has authority to use force on the Temple Mount in cases of danger to Israelis and/or cases of terrorist attacks.</p> <p>4b. Israelis and tourists will have guaranteed access to the Temple Mount on agreed dates and in coordination between Israel and the ruling authority on the Temple Mount.</p>

## F. Holy Places (cont.)

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p>4c. Any change entailing construction or demolition will be done according to Israeli law.</p> <p>4d. Public order on the Temple Mount: to be maintained by the Islamic authority as at present, apart from policing in emergency situations.</p> <p>5. The Western Wall and the southern wall, including the archaeological excavations at the latter, will be under Israeli control.</p> <p>6. An exhaustive, "fixed" list of the Holy Places of each religion will be drawn up, including the places that are sacred to more than one faith.</p> <p>7a. Israel and the Palestinians will mutually agree to cede public sacred assets of each side that are under the control of the other side.</p> <p>7b. Structures and sites where active religious ritual was conducted on September 13, 1993, will be administered by the community that was in charge of them until that date.</p> <p>7c. Structures and sites of religious importance where no active religious ritual was conducted will be declared cultural or antiquities assets. Each side will maintain the sites in its area and enable the other side's access on reasonable dates to be pre-coordinated.</p>	<p>4c. Guidelines for construction and renovation on the Temple Mount will be set within the context of the Antiquities Law.</p> <p>4d. A Palestinian police unit will be established (under the Israeli police) to protect the Temple Mount.</p> <p>5. As in Alternative A.</p> <p>6. The possibility should be considered of drawing up a list of the Holy Places and of setting a procedure to update it; and of granting autonomy to sites that are sacred to Christianity, such as the Church of the Holy Sepulcher and the Armenian Quarter.</p> <p>7a. As in Alternative A.</p> <p>7b. As in Alternative A.</p> <p>7c. As in Alternative A.</p>	<p>4c. The physical status quo will be maintained on the Temple Mount. Changes involving construction, demolition, etc., will be subject to agreement by Israel and supervision by the "pluralistic body" (see below).</p> <p>4d. Israelis will have the right to worship on the Temple Mount according to the present status quo.</p> <p>4e. Prohibition on flying the Israeli flag on the Temple Mount.</p> <p>5. Continuity will be created between the Western Wall and the Jewish Quarter, both of which will be under Israeli sovereignty.</p> <p>7a. As in Alternative A.</p> <p>7b. As in Alternative A.</p> <p>7c. As in Alternative A.</p>

**F. Holy Places (cont.)**

<b>Alternative A - The whole of</b>	<b>Alternative B - Jerusalem</b>	<b>Alternative C - Divided city:</b>
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<b>Jerusalem under Israeli sovereignty</b>	<b>under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Part of East Jerusalem under Palestinian sovereignty</b>
<p>8. A religious council for the three religions will be established to clarify contentious issues and preserve the city's religious-cultural character.</p> <p>9. Uniform rules will be set for the Holy Places, structures of ritual and worship, and cemeteries of all the religions.</p> <p>10. Special rights and arrangements will be introduced for senior clerics at specific sites, and the possibility will be considered of enshrining these in law.</p>	<p>8. An advisory council will be established of representatives of the three religions, to advise the prime minister on matters relating to the Holy Places.</p> <p>9. As in Alternative A.</p> <p>10. The Israeli government and its representatives will do all they can to facilitate the work of the officials of the religious communities, including at their places of worship, and will treat them with due respect.</p>	<p>8. A "pluralistic body" will be established on which the three religions will be represented, among others, to clarify contentious issues and preserve the city's religious-cultural character.</p> <p>9. Each side will pledge to protect the other side's Holy Places, structures of worship, and cemeteries.</p> <p>10. Functional immunity for senior clerics in the performance of their duties.</p>

### G. Symbols

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p><b>Religious symbols</b></p> <p>1. Use of such symbols permitted according to the law. Intervention of the authorities only for reasons of security and public order, according to Israeli law.</p> <p><b>National symbols</b></p> <p>1. Use of foreign national flags and symbols will be permitted with the approval of the Israeli authorities and according to international custom (such as above official representations and on official vehicles) and on national churches.</p>	<p>1. Use of flags and religious symbols permitted based on the existing status quo and with restrictions deriving from concern for public safety.</p> <p>1. As in Alternative A.</p>	<p>1. In PA territory: as determined by the Palestinian Authority. In Israeli territory: according to Israeli practice. The right to use Jewish religious symbols in Palestinian territory and the right to use non-Jewish symbols in Israeli territory will be guaranteed.</p> <p>1. In PA territory: as determined by the Palestinian Authority. In Israeli territory: according to Israeli practice.</p>

## H. Security

<b>Alternative A - The whole of Jerusalem under Israeli sovereignty</b>	<b>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</b>	<b>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</b>
<p>1. In Jerusalem: as is customary in Israel, apart from special arrangements for the Temple Mount and the Holy Places in the city. Total control over policing, maintaining public order and combating terrorism.</p> <p>1a. A police station (Israel Police) will be established in each neighborhood administration, its personnel consistent with the area's ethnic-religious structure.</p> <p>2. Security arrangements on the Temple Mount: special Israeli guard system to protect the Temple Mount and its surroundings.</p> <p>3a. Preservation of the combat zone needed to defend the city: the hills between the Jordan Rift Valley and the West Bank ridge line, and the central hills. Camps, bases, emergency depots in the Jerusalem area.</p> <p>3b. Responsibility for security throughout the entire metropolitan area, with the right to maintain bases, emergency depots, early-warning systems and anti-aircraft and anti-missile defenses in the area.</p> <p>4a. Coordination between the Israel Police and the PA. Creation of civil guard units attached to Arab neighborhood administrations, as in Jewish neighborhoods, will be encouraged.</p> <p>4b. Israel empowered to establish a preventative intelligence system in the city and throughout the metropolitan area.</p> <p>5. Terrorism, war, emergency situation: under total Israeli control.</p> <p>6. Physical protective system including rescue services.</p>	<p>1. All matters relating to security in the city (including anti-terrorism activity and external security) under the responsibility of the Israeli security authorities.</p> <p>1a. As in Alternative A.</p> <p>2. Possible creation of police unit(s) for the Holy Places, especially the Temple Mount. Israeli intervention beginning at the level of serious disturbances.</p> <p>3a. Guard units for the Holy Places, according to an agreement with the Palestinians and with various religious groups. Critical security zone: west of the Allon Road. Network of bases and emergency depots around Jerusalem to remain intact.</p> <p>3b. As in Alternative A.</p> <p>4a. Involvement of local residents in organizing police unit for the Holy Places.</p> <p>4b. As in Alternative A.</p> <p>5. As in Alternative A.</p> <p>6. Integrated rescue services.</p>	<p>1. Israel will reserve the right to use force in cases that endanger the safety of Israelis or in cases of terrorist attacks against Israelis or against foreigners who are under Israeli protection, including such cases on the Temple Mount.</p> <p>1a. Internal security: each side responsible for the areas under its control.</p> <p>2. Palestinian Authority responsible for guarding the Temple Mount.</p> <p>3a. Guarding of the Holy Places: each side responsible for the sites under its control.</p> <p>6. Rescue services: each side responsible in its area; PA will be obliged to coordinate with Israel.</p>

## I. Economy

<b><u>Alternative A - The whole of Jerusalem under Israeli sovereignty</u></b>	<b><u>Alternative B - Jerusalem under Israeli sovereignty, functional autonomy for the Palestinians and other communities in various parts of the city</u></b>	<b><u>Alternative C - Divided city: Part of East Jerusalem under Palestinian sovereignty</u></b>
<p>1. According to the economic agreement between Israel and the PA in the various spheres, such as: importation of goods, currency, direct and indirect taxation, movement of workers, tourism, etc.</p> <p>2. Assistance and encouragement for Jerusalem's economic growth to enable all its residents to benefit from economic advantages insofar as possible. Aspiration to establish a free-trade zone in Jerusalem.</p> <p>3. Deployment for a decline in the supply of manpower from the areas of the PA and a decline in the reciprocal commercial relations between the PA and Jerusalem.</p> <p>4. Israeli control over the transit of workers and goods between the areas of the PA and Jerusalem; continued free movement of workers and goods between the different sections of the city.</p> <p>5. Assistance in the development of infrastructure and public services in the Arab sector.</p> <p>6. Aspiration to enhance Jerusalem's economic status parallel with other economic centers in Judea and Samaria.</p>	<p>1. As in Alternative A.</p> <p>2. Assistance and encouragement for Jerusalem's economic growth to enable all its residents to benefit from economic advantages equally.</p> <p>3. Deployment for changes in the consumption of public services by the Arab population.</p> <p>4. Continued free movement of workers and goods between the different sections of the city.</p> <p>5. Assistance in the development of infrastructure and public and community services.</p> <p>6. Development of joint economic zones, such as Atarot airport and its surroundings.</p>	<p>1. According to the economic agreement between Israel and the Palestinian state in all the spheres mentioned in Alternative A.</p> <p>2. Possible special model for Jerusalem as a free-trade zone, with aspiration that economic advantages granted Jerusalem by Israel will be emulated by the Palestinian state.</p> <p>3. Mutual claims for assets or compensation will be settled via an agreement for mutual concessions of assets and land under the other side's sovereignty. A "status quo" will be formulated for such claims.</p> <p>4. Special arrangements for movement of workers and goods between the different sections of the city.</p> <p>5. Development of the public services under Palestinian responsibility.</p>

## Chapter Five

### Territorial Alternatives for Arrangements in Jerusalem

#### Background and Explanatory Remarks

The series of maps attached to this report show possible territorial manifestations of geopolitical agreements in the Jerusalem area. The cartographic portrayal of the subject is particularly sensitive, and it is therefore necessary to re-emphasize that none of the alternatives described in this report should be construed as a recommendation for a specific territorial solution for Jerusalem and its environs. These are theoretical models, and a host of possibilities exist by which to integrate components of the models into different territorial proposals. It is also possible to assemble other alternatives utilizing aspects of the alternatives presented in the report, or to create completely different alternatives. In other words, the maps represent various possibilities for arrangements in the area but are not intended to recommend any particular alternative or preferred solution.

The basic assumptions that underlay the proposed alternatives were:

- 1st. Peace will be established between Israel and the Palestinian Authority and the Greater Jerusalem area will function as one socio-economic unit.
- 2nd. Borders that were delineated in the past on the basis of geographic situations and the Jewish and Arab population distribution, may change in the wake of the shifts that have occurred in population distribution.
- 3rd. A more balanced division of the different population groups and a territorial border arrangement may serve the interests of both sides better in the future.
- 4th. There will be free and uninterrupted movement between the different areas of sovereignty in the Jerusalem area.
- 5th. The geopolitical changes in the Jerusalem area will be decided in negotiations and by agreement between the sides, even if a lengthy interim period is needed to examine the day-to-day workability of the arrangements.
- 6th. It will be extremely difficult to achieve a political settlement in Jerusalem without mutual concessions.

The boundary of Jerusalem's area of jurisdiction has undergone a number of changes in recent generations (Map 1), hence it is possible that it will be further modified as part of a permanent settlement. The two political entities that exist in the Jerusalem area, Israel and the Palestinian Authority, have a common interest in bringing about the greatest possible separation between the Jewish and Arab populations. Indeed, the Israeli government advocates total separation. However, in the complex situation of Jerusalem it is obvious that there is no practical way to achieve absolute separation other than by a return to the period of barbed wire and mine fields – which no one wants. Creative solutions must therefore be

sought, which will be based on the experience of 33 years of cohabitation in the city, on the de facto arrangements that came into being during this period, and on integrated elements of a solution – territorial, municipal, and administrative – that will be accompanied by mutual concessions while enabling the broad area to remain open to all population groups. Moreover, the economic and social ties that have been forged between Jerusalem and its surrounding Arab and Jewish localities, and the need to take into account the vital interests of both Israel and the Palestinian Authority, will necessitate a more flexible approach to the question of separation, not only within the city proper but in the area around it as well. In other words, in order to implement new geo-political-territorial solutions for Jerusalem and entrench them in the form of borders, reference must be made to a fairly large area around the city. This approach will allow for greater flexibility in dealing with territorial questions and with borders. During the negotiations it will be possible, by mutual agreement, to reorganize the area in question by means of territorial exchanges that will reflect the developments of the past three decades and also meet the interests and aspirations of the two political entities conducting the negotiations – the State of Israel and the Palestinian Authority.

The maps that follow show Jerusalem at the center of the metropolitan area that surrounds it. This area, which can be called Greater Jerusalem, is shared by Israelis and Palestinians and includes continuous Arab settlement to the north, south, and east of the city, and beyond this Jewish settlement that rings the Arab locales (see Map 3). Two rings of settlements have emerged around Jerusalem. Adjacent to the city's municipal boundaries are a series of Arab localities: Bethlehem and its satellites in the south; Abu Dis, Al-Izzeriya and the outlying desert settlements of Anata, A-Za'im, and Hizma to the east; and, to the north, A-Ram, Kafr Akab, Ramallah and El Bireh. These Arab localities are, in turn, encircled by a fragmented outer ring of Israeli settlements, including: the Etzion Bloc and Efrat to the south; Ma'aleh Adumim and its satellites to the east; Abir Ya'akov, Tel Tzion, Almon, and Geva Binyamin to the northeast; and Givat Ze'ev and its satellites to the northwest. In the light of this territorial disposition, it is essential to address the Jerusalem area as an integral part of the considerations in a permanent solution for the city itself.

### **The Territorial Alternatives**

Three of the maps (nos. 4, 5, 6) depict theoretical alternatives regarding Jerusalem's border and the areas of control in this region. The scale of the maps does not always allow border lines to be rendered in detail. The maps, rather, should be seen as schematic exhibits that suggest the range of possibilities that are available in the discussion of a permanent settlement. At the same time, it should be emphasized that the territorial dimension, however important, is not the only question that needs to be addressed in working out the arrangements in the Jerusalem area. In this highly convoluted area the Jewish and Arab

populations are intertwined and the border lines are unclear and have become manifestly unreasonable over the years. In some cases the border line cuts through houses, separates parts of the same neighborhood, and is indiscernible on the ground. Competition for control of the area around the city has forged a new social and economic reality that must be taken into account, with the result that beyond the territorial dimension a whole series of subjects demands solutions. Key issues include municipal arrangements for both the city and the metropolitan area; security arrangements at the general and individual level in different sections of the city; and working out autonomous functional structures for education, culture, religion, and other services that the task team bundled together under the term “functional sovereignty.”

Two interconnected territorial phenomena served as background data for compiling the alternatives:

- The distribution of the Jewish and Arab populations in the Jerusalem area.
- The interim agreements between Israel and the Palestinian Authority between September 1995 and March 2000 (see Map 3).

The distribution of the Jewish and Arab populations throughout the area and the forecasts of their future growth dictated, in large measure, the division of the area according to the interim agreements. An underlying assumption of the mapmakers was that the “A” areas, where the Palestinian Authority has full civilian and security control, will remain intact; and that the “B” areas in the villages around Jerusalem – where the Palestinian have civilian but not security control – will in the future be converted into “A” areas. The negotiations, then, can be expected to focus on the “C” areas, where Israel still retains full control. “C” areas remain in the space between Modi’in and Givat Ze’ev and the former Green Line, and between Jerusalem via the Judean Desert to the Jordan Rift Valley. It is in these areas that the integrated solutions of Greater Jerusalem are likely to be found.

### **Description of the Alternatives**

The alternatives described below refer to territorial parameters. Each alternative reflects one possibility among many for arrangements in Jerusalem that were presented in the previous chapters. At the same time, connections can be made between the various arrangements and the territorial alternatives.

#### ***Alternative A – “Expanded” Jerusalem Under Israeli Sovereignty (Map 4)***

In this alternative the areas of Israeli sovereignty around Jerusalem’s municipal boundaries are extended and appear in blue. The new area is contiguous with Jerusalem or with other areas in Israel. The settlements that will be added to the area of Israeli sovereignty are Ma’aleh Adumim, Givat Ze’ev, Efrat, and other rural localities and communities. These places are consistent with the notion of “thickening” the city with a Jewish population. **The**

**municipal boundaries of Jerusalem remain unchanged** and some 200,000 Arabs continue to reside in the city.

Even though the annexed areas are in part contiguous with Jerusalem, they need not be included within the city's area of jurisdiction. The interest of Israel and of Jerusalem in annexing these areas is that they beef up the Jewish population in an area under Israeli sovereignty and offer large land reserves for the continued growth and development of the Jewish population in and around the city.

At the end of 1999, some 204,000 Arabs resided in the area defined on the map as being added to Israel – 200,000 in Jerusalem and about 4,000 in three villages that divide the Jewish settlement blocs from Jerusalem and the former Green Line. The villages – A-Za'im, Wadi Fukhin, and Beit Iksa – are annexed to the Israeli area in this alternative.

Apart from the three villages, all the territories annexed to Israel are part of Area C, thus leaving almost intact the division of the area between Israel and the Palestinian Authority under the interim agreements. The eastern settlements and their areas of jurisdiction that are incorporated into Israel's sovereign territory are: the Ma'aleh Adumim bloc, which includes also the Mishor Adumim industrial zone, Kfar Adumim, Allon, Kedar, and Mitzpeh Yericho, as well as land reserves to the east of Jerusalem that can be developed for the Jewish population. The northeastern bloc of settlements annexed in this alternative includes Geva Binyamin, Tel Tzion, Abir Ya'akov, Almon, Psagot, and Michmash. To the northwest of Jerusalem, the settlements to be annexed to Israel are Givat Ze'ev, Beit Horon, Givon Hahadasha, Mahaneh Givon, the lands of Ofra in the Givon Valley that are farmed, and the Har Shmuel ridge with its Jewish-owned land including the settlement currently being built on the ridge. This last group of settlements becomes part of Greater Jerusalem and connects territorially with Ramot Allon, Mevasseret Tzion, and Har Adar. To the southeast of Jerusalem, the Israeli sovereign area will include Har Gilo, Efrat, and the settlements of the Etzion Bloc – Neve Daniel, Elazar, Rosh Tzurim, Alon Shvut, Kfar Etzion, Migdal Oz, and Nahal Gvaot – together with the city of Betar Illit. The thrust of this group of settlements which is annexed to Israel is toward the Adulam District and it forms, together with Tzur Hadassah and Mevo Betar, Jerusalem's southern complex of suburbs.

As of 1999, the population ratio in this alternative was 29 percent Arabs and 71 percent Jews within the proposed area under Israeli sovereignty.

As the emphasis is on alternatives in Jerusalem and its immediate environs, the map does not address the political future of areas more remote from the city, such as the Judean Desert or the Jordan Rift Valley. Those two regions are separate issues in the negotiations on the permanent settlement, and although they have a bearing on the Jerusalem area, this is not the place to deal with them.

***Alternative B – Partial Exchange of Territories (Map 5)***

The guiding principle of this alternative, unlike Alternative A, is to reduce the Arab population in the city by annexing certain areas to the adjacent Palestinian Authority. All the Jewish neighborhoods in Jerusalem will retain their present status and remain under full Israeli sovereignty. Areas of Jewish habitation not at present within the city limits will be annexed to Jerusalem. This “exchange of lots” will be based on an agreement grounded in two principles:

- Arab-populated areas and the surrounding lands will be transferred to the Palestinian Authority.
- Jewish-populated areas and the lands around them will be transferred to Israeli sovereignty.

This alternative will remove from Jerusalem’s area of jurisdiction neighborhoods in the southeastern part of the city – including Umm Tuba, Sur Baher, and Suahara al Garbiya – as well as the Anatot refugee camp and the neighborhoods of Shuafat and Beit Hanina in the north. They will be annexed to the bloc of villages of Bir Naballah, Beit Hanina, and El Jib, which are now in Area B. **[BEIT HANINA APPEARS ON BOTH OF THESE LISTS]**

The Arab neighborhoods of Sheikh Jarrah, Wadi Joz, Ras al Amud, Silwan, Isawiyya, Savanah, and the entire Old City and its surroundings will remain within the bounds of Israeli Jerusalem. Most of this area was in the past part of Jordanian Jerusalem and was also part of Jerusalem under the British Mandate. A special arrangement, perhaps based on the idea of the community administrations enhanced by extensive functional autonomy, will apply to the Arab neighborhoods that will remain in Jerusalem. Israel will retain sovereignty and overall security responsibility.

In this alternative, the Arab population within the sovereign Israeli territory in and around Jerusalem will total about 99,000 – half the number presently living within Israel in this area – consisting of 95,000 within the city and 4,000 in small settlements being annexed to Israel. This will create a population ratio of 83:17 in favor of the Jews. The Arabs who remain within Israel will receive Israeli citizenship.

Here, too, Area C is the major area of maneuver in the negotiations, while Areas A and B around the city are barely affected.

***Alternative C – Exchange of Territories and Special Arrangements (Map 6)***

This alternative is substantially the same as the previous one, though with additional elements. First, Israel gives up more Arab-populated areas within Jerusalem, though all the Jewish neighborhoods retain their present status and remain under full Israeli sovereignty. Second, Arab villages in Area B are not annexed to Israel. And third, a special status is

conferred on the Old City and its surroundings. An area in and around the Old City, in which the majority of the Christian holy sites are located, and called a “special sacred area” in this alternative – will be subject to special arrangements that will provide appropriate representation for the various religions and organizations in the administration of the area. The Israeli government will permit the display of symbols and religious flags at various sites and permit considerable autonomy in day-to-day administration. However, Israel will retain responsibility for maintaining public order and for security.

The arrangements for the “special sacred area” will include joint civil administration by a committee on which the residents, the municipality, and the various religious bodies within a specified area will be represented, with delicate balances between the different groups being preserved.

Another element proposed for this alternative is joint Israeli-Palestinian use of Atarot airport and the development of joint industrial zones to its west. This element, in part or in whole, can also be integrated into the other alternatives described above.

In this alternative the Arab population within Israeli sovereign territory would be 66,000 (as of the end of 1999), constituting no more than 12 percent of the total population of Jerusalem, while the Jewish majority would be a solid 88 per-cent.

All the alternatives assume a situation of full peace and openness in Greater Jerusalem between the areas under Palestinian responsibility or sovereignty and the City of Jerusalem and its surroundings, which will be under Israeli sovereignty. Free movement of people, goods, and capital will take place throughout the area, and cooperation and coordination will exist on the necessary subjects, such as: overall physical planning, infrastructure systems, road building, mass transit, sewerage, solid wastes disposal, water resources, and a complex of issues relating to environmental quality.

#### ***Community Administrations as an Instrument to Moderate Conflicts (Map 7)***

Unlike the maps depicting the alternatives, this map refers to the possibility of a functional territorial arrangement which could be applied throughout the city or in parts of it. In fact, such an arrangement already exists in Jerusalem in the form of a large number of community, or borough, administrations. From a geopolitical perspective, this type of arrangement could help assuage tensions and downplay the concept of sovereignty. The community administrations, which draw their force from the local residents, serve to promote self-government on democratic foundations and thereby to enable the implementation of “functional sovereignty” covering a broad range of subjects.

The scope of community autonomy will be determined gradually and by agreement, and whether it is extensive or narrow will depend on developments and on proof of the feasibility of self-government on the ground. Already today Jerusalem’s Arab residents have

broad autonomy in the education system and in several other spheres, such as currency and the administration of the Temple Mount. This level of autonomy might be augmented by entrusting the community administrations with local policing, local (not municipal) planning, supervision of construction, street cleaning, neighborhood landscaping, welfare services, cultural services, and youth and sports activities. In more advanced stages of the administrations' operation in the city, it might be possible to divide municipal taxation or to have the administrations themselves collect some city taxes to underwrite their activity. This kind of solution, which can be called urban-functional, depends on the mutual good will of both the local communities and the municipal authorities. The communities must assume responsibility for handling complicated and expensive systems of services. This idea can be implemented throughout the city or in certain sections, in accordance with the alternatives proposed above, or by fusing the alternatives with other territorial proposals.

***Division of the Territory into Alternative Municipal Frameworks (Map 8)***

Like the division of the city into community administrations, the surrounding metropolitan area can be divided into municipal-territorial sub-units, on the basis of the large urban and rural settlements around the city, which constitute an integral part of Metropolitan Jerusalem. Of course, the organization of this region in the format of an umbrella municipality will require agreements between the cities and other localities in the area. Clearly, though, Jerusalem will be the main city, to which municipal or regional sub-units will be attached that will function in coordination with it, though not necessarily under the same municipal umbrella. Secondary regions of this type could consist of the cities of Ma'aleh Adumim and Beit Shemesh, and the settlements of the Etzion Bloc and of the Matteh Yehuda region; and they could be augmented, in far later stages, after the conclusion of a permanent settlement, by adding Arab municipal units such as Bethlehem and its satellites, Ramallah and El-Bireh, Abu Dis and Al-Izzeriya, A-Ram, and the Givon Valley bloc of settlements.

The attendant municipal structure could assume a variety of forms – from voluntary organizing relating to specific subjects that necessitate cooperation, to the creation of an institutionalized metropolitan region that is subject to its own laws and involves frameworks of enforced coordination. The focus in the first stages of creating a municipal system in the metropolitan region could be on the voluntary aspects, in order to examine the achievements or failures of the region's functional system in different formats. In later stages, when the region will be more receptive to accepting a different form of municipal structure, a further decision can be taken as to which alternative municipal structures, or formats of inter-settlement cooperation, are best suited for the Jerusalem region.

Some matters will require broader cooperation already in the first stages of the territorial organization into municipal frameworks, particularly where a common interest and

mutual dependence exist, such as public health, infrastructure, environment, tourism, transportation, and overall territorial planning. As economic activity in the area expands, calling for increased coordination, a decision will have to be made about which territorial units and subjects the spheres need closer cooperation.

***Roads and Safe Passage Routes (Map 9)***

Owing to the intricate weave of the population distribution in the area, the main roads sometimes cut across both Arab and Jewish areas. If the idea is to separate the two road networks, the focus must be on their critical points of encounter and intersection. A range of methods will be needed to bring about this type of separation, including free or “safe” routes of passage, the use of different levels, as well as tunnels, bridges, and so forth.

One of the most sensitive areas in each of the alternatives described above is the eastern entrance to Jerusalem from the direction of Ma’aleh Adumim, the so-called “eastern gateway.” A convergence of roads exists in this area which connects the Arab localities of Shuafat and Anatot, and, simultaneously, the Jewish localities of Pisgat Ze’ev and Givat Shapira. In addition, Jewish travelers arriving from the east who are bound for the Jewish neighborhoods in the city’s north or center must also cross this intersection.

The topographic conditions in the area may hold the key to the solutions by enabling traffic to be separated by means of different road levels.

The intersection will be linked in the east to the “eastern bypass” (Highway 60) which connects with Highway 45 from Ma’aleh Beit Horon and continues eastward toward Mishor Adumim. The main purpose of the eastern bypass is to ease Arab traffic between Hebron and Bethlehem and between Ramallah and Nablus. In this section, too, consideration must be given to the possibility of separating northward-bound Arab traffic and drivers who want to use Highway 45 to get to Jericho, the Jordan Rift Valley, or Amman.

In addition to the sections of the roads located in built-up areas, there are a number of main roads to Jerusalem where agreement must be reached with the Palestinians on the traffic format and on whether they are “safe” passage routes or corridors of free travel. Highway 45, for example, is crucial for Jerusalem’s connection with the coastal plain and with Modi’in. This highway is supposed to be located mainly in what is still Area C, but a large number of Arab settlements are scattered along the planned route, and this area is not likely to be annexed to Israel. A similar situation exists with regard to the southern access road to Jerusalem, the “tunnels route” (Highway 60), and the road connecting Tzur Hadassah and the Elah Valley to Jerusalem. These routes, which also pass through the present Area C, are vital for connecting the Etzion Bloc, Beit Shemesh and environs, Tzur Hadassah, and Betar Illit with Jerusalem from the south. In short, these roads are crucial for Jewish traffic. Similarly, there are road networks that are vital for the effective functioning of the Palestinian Authority

in Judea and Samaria. In this context, the Palestinians' most important road is the eastern bypass, which is the lifeline of the Palestinian Authority in the West Bank, as it links the southern region of Mount Hebron and Bethlehem with the northern areas of Ramallah, Nablus, and Jenin.

In the light of the above, the final-status talks will have to address not only questions relating to the city itself but also the national road system, in which Jerusalem is a central junction between the south and north of the country. The ridge-line road is the central traffic artery between the north and the south, and will be the major locus of the development of the Palestinian community.

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To conclude this report, it needs to be reiterated that the Jerusalem area is the most sensitive aspect of the final status negotiations on Judea and Samaria, both because of the complexity of the situation in the city itself and because Jerusalem lies at the junction of roads that link parts of the country in which both the Palestinian Authority and Israel have an abiding interest. Only creative thinking, forbearance, mutual concessions, and readiness to arrive at a durable solution even if the process takes some years, can bring about a *MODUS VIVENDI* acceptable to both sides in Jerusalem and the surrounding metropolitan area.

**Appendix: The Main Actors in the Jerusalem Arena (apart from Israel)**

<b>Actor</b>	<b>Status</b>	<b>Main Assets</b>	<b>Primary Interests</b>	<b>Alliance/Coalition</b>
<b>Palestinian Authority</b>	<p>a. International legitimacy re East Jerusalem, U.N. resolutions, etc.</p> <p>b. Support of majority of Palestinians.</p> <p>c. Autonomy/authority agreements with Israel.</p> <p>d. Main partner in negotiations with Israel.</p> <p>e. Israeli agreement to take part in elections; elections precedent.</p> <p>f. Permanent seat in the Arab League, agreements with Arab states and church bodies.</p> <p>g. Status quo on the Temple Mount, autonomy in education, currency.</p>	<p>a. Commitment to discuss the status of Jerusalem with PA.</p> <p>b. Arab-Islamic and international legitimization.</p> <p>c. Significant hold in the city.</p> <p>d. Support of majority of Palestinians.</p> <p>e. Ability to exert pressure on Israel, including use of violence and trade-off on other elements of the permanent settlement.</p>	<p>a. Seniority in administering Islamic Holy Places.</p> <p>b. Jerusalem as a Palestinian religious-national center (capital).</p> <p>c. Control (sovereignty) in the eastern city.</p> <p>d. Recruitment of the support of the Palestinian population.</p>	<p>Likely to get backing of Arab-Islamic and international bodies, Islamic League, and Christian bodies that have common interests.</p>
<b>Jordan</b>	<p>a. For historic reasons, has senior status – which is constantly diminishing – on Temple Mount and in Waqf bureaucracy.</p> <p>b. Special attachment of Jordanians to the Temple Mount.</p> <p>c. Israeli recognition of its special status.</p>	<p>a. Hold on Temple Mount as part of Jordanian Waqf.</p> <p>b. Relations with Israel.</p> <p>c. Levers of influence on Palestinian authorities.</p>	<p>a. Maximum preservation of prerogative at Holy Places.</p> <p>b. Preservation of some form of status in sovereignty over Jerusalem.</p> <p>c. Old City under special international religious regime.</p>	<p>a. Agreement in principle with Israel.</p> <p>b. Eastern churches, particularly the Greek Orthodox Church.</p> <p>c. Agreement in principle with PLO.</p> <p>d. Agreement in principle with Palestinian organizations (ad hoc).</p>
<b>Egypt</b>	<p>a. Senior status in Arab world and in Arab League, aspires to influence Israeli-PA agreement.</p>	<p>a. Senior status in Arab world.</p> <p>b. Pioneer of peace treaties with Israel.</p> <p>c. Tripartite link: Israeli-American-Egyptian.</p>	<p>a. Preservation of senior status and sincere desire to assist Palestinians, including political patronage.</p> <p>b. Strengthening of ties with U.S.</p>	<p>With PA and in part with Jordan and U.S.</p>
<b>Saudi Arabia/Morocco/ Islamic world</b>	<p>a. Saudi Arabia: Guardian of Holy Places. Economic/financial levers of influence.</p> <p>b. Morocco: Chairs “Jerusalem Conference.”</p> <p>c. Islamic world: General attachment.</p>	<p>a. Saudi Arabia: Represents Orthodox Islam. Able to finance Islamic activity. Image of state where Islamic law (sharia) rules.</p> <p>b. Saudi Arabia: Senior guardian of Islamic Holy Places.</p>	<p>a. Weakening Jordanian status and controlled enhancement of PA’s status in Jerusalem.</p> <p>b. Strengthening Islam in Jerusalem.</p>	<p>a. With Islamic bodies.</p> <p>b. Ad hoc coalitions with Arab world.</p> <p>c. Coordination with U.S.</p>

<b>Actor</b>	<b>Status</b>	<b>Main Assets</b>	<b>Primary Interests</b>	<b>Alliance/Coalition</b>
<b>United</b>	a. Superpower	a. Close ties with	a. Creation of a “Pax	a. Ties to the

<b>States</b>	<ul style="list-style-type: none"> <li>position of power.</li> <li>b. Special relations with Israel.</li> <li>c. Proven history as active begetter of agreements.</li> </ul>	<ul style="list-style-type: none"> <li>Israel and with some Arab states, and a position of strength vis-a-vis the Palestinians.</li> <li>b. Economic clout.</li> <li>c. Ability to mediate between the sides.</li> </ul>	<ul style="list-style-type: none"> <li>Americana” in the Middle East.</li> <li>b. Protection of strategic interests.</li> <li>c. Maintaining alliances such as that with Israel.</li> <li>d. Perception of Jerusalem as a city with a special status.</li> </ul>	<ul style="list-style-type: none"> <li>Palestinian community.</li> <li>b. Close ties with Israel and with the other actors.</li> </ul>
<b>Vatican</b>	<ul style="list-style-type: none"> <li>a. The senior Christian factor.</li> <li>b. Agreement with Israel and with PA.</li> <li>c. Solid status in West.</li> </ul>	<ul style="list-style-type: none"> <li>a. Status quo at Holy Places.</li> <li>b. Ramified network of religious institutions.</li> <li>c. Local community.</li> <li>d. Diplomatic representation.</li> <li>e. Support of dozens of Catholic states and Christian communities.</li> </ul>	<ul style="list-style-type: none"> <li>a. Preservation of city’s special cultural-religious status.</li> <li>b. Religious autonomy at the Holy Places.</li> <li>c. Supremacy over other churches.</li> <li>d. Preservation of local community and status of the Catholic communities.</li> <li>e. Fear of extreme Islam.</li> </ul>	<ul style="list-style-type: none"> <li>a. Western and international bodies.</li> <li>b. Ties with Israel, Jordan, PLO.</li> <li>c. Understandings with other Christian churches.</li> </ul>
<b>European Union</b>	<ul style="list-style-type: none"> <li>a. Political and economic influence over Palestinian Authority.</li> </ul>	<ul style="list-style-type: none"> <li>a. Variety of ties with Israel, Arab states, Palestinians.</li> <li>b. Diplomatic and economic clout.</li> <li>c. Variety of holy vessels from various churches in the city.</li> </ul>	<ul style="list-style-type: none"> <li>a. All EU states and their residents have a strong interest in developments in Jerusalem.</li> <li>b. Preservation of open and international character for Jerusalem, protection of its historical character.</li> <li>c. Maintaining strong Palestinian position in the city.</li> <li>d. Protecting Christian rights in the city.</li> <li>e. EU members have different emphases and interests.</li> </ul>	<ul style="list-style-type: none"> <li>a. Diverse though diffuse, and not always effective, alignment with all the actors in Jerusalem.</li> <li>b. Israel has a special status within the EU.</li> </ul>
<b>Russia</b>	<ul style="list-style-type: none"> <li>a. Historic and religious ties with Greek Orthodox Church.</li> <li>b. Religious representation in the city.</li> </ul>	<ul style="list-style-type: none"> <li>a. Considerable property.</li> <li>b. Attachment to Greek Orthodox community.</li> </ul>	<ul style="list-style-type: none"> <li>a. Restoration of Russian Orthodox foothold in city.</li> <li>b. Protection of rights and assets.</li> <li>c. Pilgrims.</li> <li>d. Use of battle over status of Jerusalem to bolster international standing.</li> <li>e. Recoil at strengthening of extreme Islam in the city.</li> <li>f. Significance for Islamic minorities in Russia.</li> </ul>	<ul style="list-style-type: none"> <li>a. Alliance with Greek Orthodox Church that will become stronger.</li> <li>b. Variety of ties with most of the actors in the city.</li> </ul>

<b>Actor</b>	<b>Status</b>	<b>Main Assets</b>	<b>Primary Interests</b>	<b>Alliance/Coalition</b>
<b>Radical Islam (Muslim)</b>	<ul style="list-style-type: none"> <li>a. Foothold in Islamic establishment and Islamic institutions</li> </ul>	<ul style="list-style-type: none"> <li>a. Base within the population.</li> <li>b. Islamic</li> </ul>	<ul style="list-style-type: none"> <li>a. Jerusalem (and all Palestine) to be Islamic.</li> </ul>	<ul style="list-style-type: none"> <li>a. In part with Jordan and Saudi Arabia.</li> <li>b. In part with Iran.</li> </ul>

<b>Brothers, Islamic Jihad, Hamas, and others)</b>	(including those under Jordanian rule). Standing on the Temple Mount. b. Support of part of Palestinian public.	legitimization. c. Ties and attachments to a network of organizations.	b. Vision of replacing PA in leadership. c. Vision of overall Islamic caliphate. d. Extra-parliamentary opposition to PA.	c. Ties with extreme international Islamic terrorist groups.
<b>Greek Orthodox Church</b>	a. Senior/important Christian factor in Status Quo arrangement. b. Ties with Greece and countries where Orthodox church is dominant. c. Member of EU. [??]	a. Full control of Synod. b. Good relations with Israel and Jordan. c. Large holdings of land and sacred assets.	a. Preservation of ?? status. b. Preservation of holdings in Status Quo arrangement. c. Preservation of property in Israel, Jerusalem, and territories. d. Maintaining control of senior church clerics over land assets. e. Fear of extreme Islam; concern that members of the community will seize assets.	a. Pragmatic ties with Israel, Jordan, PA. b. Ties with Greece, Cyprus, Orthodox states in Eastern Europe.
<b>Armenian Church/ Armenian Quarter</b>	a. Relatively cohesive organization with status and control in defined quarter with vested rights. b. Attachment to new Armenia. c. Status in Church of the Holy Sepulcher.	a. Armenian Quarter and large property holdings in Jerusalem. b. Support from Armenia, which will likely grow in the future. c. International Armenian community.	a. Preservation of church's standing and Status Quo arrangement. b. Autonomy for Armenian Quarter. c. National tie to new Armenia. d. Fear of extreme Islam. e. Consideration for members of the community in Arab states.	a. Pragmatic ties with Israel and Jordan. b. Attachment to independent Armenia and to the diaspora in Australia, Lebanon, and the United States.
<b>Copts</b>	a. Limited rights in Status Quo arrangement. b. Small community in Jerusalem. c. Represent large Egyptian community.	a. Dispute with Ethiopian Church in the Church of the Holy Sepulcher. b. Additional property. c. Unreserved Egyptian support.	a. Protecting their status in the Church of the Holy Sepulcher. b. Looking after pilgrims from Egypt.	Ties to Egypt.
<b>Ethiopians</b>	a. Limited rights in Status Quo arrangement. b. Small community in Jerusalem. c. Represent Christians in Horn of Africa, particularly in Ethiopia, Eritrea. D. Ties with Christian immigrants from Ethiopia	a. Dispute with Coptic Church in Church of the Holy Sepulcher. b. Additional property. c. Support from Ethiopia.	a. Protecting their status in Church of the Holy Sepulcher. b. Looking after pilgrims. c. Association with the Ethiopian Christian community in the wake of immigration to Israel.	Ties with Ethiopia, Eritrea.

<b>Actor</b>	<b>Status</b>	<b>Main Assets</b>	<b>Primary Interests</b>	<b>Alliance/Coalition</b>
<b>Syrians</b>	a. Very limited rights at the holy sites. b. Community of 3,000 in Bethlehem	a. Little property. b. United community.	a. Preservation of status. b. Maintaining ties with Syrianic	a. Pragmatic ties with Israel, Jordan. b. Ties with members of the community in

	and Jerusalem.		diaspora.	the diaspora.
<b>Lutherans (Protestants)</b>	a. Local community, mainly Arabic-speaking, under local leadership.	Presence in Old City.	a. Support for Palestinians in the city. B. Fear of extreme Islam.	a. Support for PLO status in the city. b. With various European bodies. c. With Lutheran churches, mainly in Europe. d. With World Council of Churches.
<b>Anglicans (Protestants)</b>	a. Local Arabic-speaking community, local leadership.	No historic holy assets.	a. Support for Palestinians in city. b. Preservation of local community. c. Fear of extreme Islam.	a. Support for PLO status in the city. b. Close ties with Anglican mother-church and with British intelligentsia. c. Ties with various bodies in Europe.
<b>Christian groups that support Israel (Protestants)</b>	Representation of a variety of Protestant movements (mainly U.S.-based)	Ties with mother-movements abroad.	a. Messianic interest in Israel's existence. b. Ideological struggle against other Christian groups.	a. Israel. b. Mother-communities and right-wing groups around the world.
<b>Greek-Catholic Church</b>	a. Status in Old City. b. Has Arab leadership.	a. Close ties with Vatican and with members of the community in Arab states.	a. Preservation of status. b. Strengthening community with education, welfare institutions.	a. Close ties with Palestinian national movement and ruling establishments in the Middle East.
<b>Other Islamic states (e.g., Indonesia)</b>			a. Securing total Islamic control at Islamic holy sites. b. Will accept a settlement that preserves religious-administrative autonomy for Islamic entity.	a. Massive support for every Muslim-Arab position in international forums.