Netanyahu: Israel Will Build West Bank Settlements Despite ICC Pressure

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Israel is facing a fierce campaign over existing settlements because of efforts against it at the International Criminal Court, Prime Minister Benjamin Netanyahu told Likud politicians on Monday, in response to criticism for not doing enough to advance settler activity in the West Bank.

Netanyahu said he is proceeding carefully in order to make sure everything is legal, because of the “aggressive campaign against settlements that were already built.” His spokesman confirmed that this smear campaign is coming straight from the ICC.

The Prime Minister[spoke in the closed section of the Likud faction](https://www.jpost.com/Arab-Israeli-Conflict/Netanyahu-slams-PA-incitement-after-monstrous-Ofra-attack-573967) regarding construction in Judea and Samaria.

Last week, ICC Prosecutor Fatou Bensouda said that she was close to a decision on whether to open a full-fledged criminal probe against Israel and Hamas for alleged war crimes. Her probe also includes West Bank settlement activity.

The government will continue building new homes in settlements despite pressure not to, Netanyahu assured the politicians.

“I am a prime minister who stood up to two very very difficult US presidents for 12 years. We built and we built and we built,” Netanyahu said, referring to Bill Clinton and Barack Obama. “There is no and there will be no government that is as successful in repelling these pressures and maneuvering around them on the matter of settlements.”

“We built and we built and we built,” he repeated, “with wisdom and great persistence. What you think is simple is much more complex, but we are navigating it wisely in order to find the way, and when we find it, we will build and we will have the court’s backing.”

If he is unable to get support from the court, Netanyahu added that things might change, but in the meantime he is trying make sure it doesn't face opposition in court.

Netanyahu’s comments came hours after right wing politicians renewed their push to legalize all West Bank outposts in the aftermath of [Sunday night’s terror attack that injured seven outside of the Ofra](https://www.jpost.com/Arab-Israeli-Conflict/After-Ofra-shooting-US-diplomats-point-at-UN-for-failing-to-condemn-Hamas-573952) settlement, including a 21-year-old pregnant woman.

Bayit Yehudi MK Bezalel Smotrich plans to submit a bill to the Ministerial Legislative Committee for debate this Sunday that will set a two-year timetable to authorize those fledgling communities – which currently have an illegal status – as either new settlements or neighborhoods of existing ones.

He spoke of the bill during a meeting of the Knesset Foreign Affairs and Defense Committee that had been scheduled prior to the attack.
But right wing politicians at the meeting, including settler leaders, linked the attack to their legislative drive to legalize settler homes.

“Settlements and security are strongly linked,” Yesha Council head Hananel Durani told the committee adding that, “the serious attack in Ofra reinforces the debate today. Regulating and strengthening the settlements is an appropriate Zionist response to the [Palestinian] terror that is attempting to weaken the settlements,” Durani said.

There are dozen of places in Judea and Samaria that can be legalized as soon as possible, he said.

Binyamin Regional Council head Israel Ganz said, “we shouldn’t need terror attacks to authorize [settler homes]. This Knesset session is almost over but there has been no change in the situation on the ground [in Judea and Samaria]. There is good will. There is legislation, but no change. Now is the time to spring to achieve results in this Knesset session,” he added.

Politicians in the meeting spoke of their frustration over the lack of progress toward the implementation of a security cabinet decision in May 2017, which formed a committee in order to regulate outposts.

Some 15 out of the original list of 100 outposts have already been legalized, another 35 are in the process of legalization.
The committee, headed by veteran settler leader Pinhas Wallerstein, has counted 70 outposts that fall under his purview, this includes fledgling communities on state land and private Palestinian land. Wallerstein did not attend the meeting.

He said that 20 of those outposts would be difficult to legalize without a government decision.

Only a fraction of the outposts are completely on private Palestinian property. Others are partially built on state land and private Palestinian property.

Deputy Cabinet Secretary Ronen Peretz decided not to engage in a political attack against the prime minister and argued that he was not dragging his feet and promised to update on the committee’s progress later this month.

The outposts have already been mapped out, Peretz said.
“We don’t need terror attacks to promote the settlements, we already do a lot for them,” he explained.

Smotrich, who co-chairs the Knesset Land of Israel Caucus, was not assuaged by his words and announced his intention to put forward the bill, which he submitted in July.
It sets a two-year deadline from the law’s passage for legalizing outposts. The list of outposts is blank in the current draft of the bill.

Smotrich’s bill states that government offices and enforcement agencies should treat the communities that are added to the list as if they were already legalized, even though they were built without the proper authorizations.

During the two years before their legalization, the outposts were treated like normal neighborhoods. Now, the settlement that the outpost will become a part of will provide it with municipal services and water, although the government will budget services, infrastructure and public structures, and the electric company will provide them with electricity.

The bill’s points out that the government decided to legalize outposts built in the past 20 years, but this has not been implemented, over a year-and-a-half later. The new bill is meant “to prevent unnecessary harm to the residents of the neighborhoods and settlements that are meant to be legalized,” it states.

Enforceming action against the outposts will be suspended and residents will also be eligible for bank mortgages so they can purchase, build, extend or rebuild their homes, the proposal says.

It’s presumed that there are some 3,000 existing structures in outposts today.

Smotrich considers his bill to be the companion to the 2017 Settlement Regulation Law, which retroactively legalized close to 4,000 settler homes on private Palestinian property, of which some 800 were located in outposts.

But that legislation only allows for the outpost homes to be legalized and does not capable of legalizing the outpost.
The High Court of Justice is still adjudicating that law, which has yet to be put into practice.

Smotrich called his proposal “regulation bill 2,” meaning that it is a continuation of the 2017 law.

Separately, politicians called on Prime Minister Benjamin Netanyahu to fast track the process by which over 400 unauthorized homes in the Ofra settlement could be legalized independently of that law.

They said that a legal opinion by the defense ministry, which was put forward this summer could allow for their authorization, but that the process needs Netanyahu’s approval in order to advance.

Justice Minister Ayelet Shaked tweeted: “The legal opinion is already prepared. In response to the [Palestinian Authority President Mahmoud Abbas’s] ‘price for terrorism’” – meaning the PA’s payments to terrorists in Israeli prisons – “we are setting our own prices: Every terrorist attack will strengthen settlements instead of weakening them, and every potential terrorist will know in advance that his name will be on the strengthening of settlements.”