

Five years of illegality.

Time to dismantle the Wall and  
respect the rights of Palestinians.



The term 'Wall' was used by the International Court of Justice in its advisory opinion on the Wall and is therefore the terminology used throughout this publication. An exception is the interview with UN OCHA: this is because the UN Secretariat (the Secretary-General's Office) uses the term 'barrier', since neither 'wall' nor 'fence' are complete descriptions given that in some places the structure is actually a wall and in other places it is a fence.

*Photo cover: Playing children in front of the Wall in Abu Dis.*

*Photo back: Almond farmer in a village in Jenin area.*

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The articles in this publication were written by Valérie Féron, journalist. The publication is based upon field research conducted during May 2009. The articles reflect the views and perception of the people interviewed. It is part of a series of reports written to inform public debate on development and humanitarian policy issues.

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### Disclaimer

These articles were written by Valérie Féron, journalist. The views expressed in these articles are those of the interviewees and do not necessarily represent the views of Oxfam International. ■

Oxfam International has been working in the occupied Palestinian Territory and Israel since the 1980s. Along with 27 Palestinian partner organisations in the Gaza Strip and the West Bank, Oxfam works on agricultural development, food security, and microfinance; emergency and primary health care; water, sewage, and public health; protection of civilians, human rights, and rights of women, refugees, and workers. In Israel, Oxfam supports 25 partner organisations. Oxfam partners in Israel work to counter occupation and to promote a just, sustainable peace between Israelis and Palestinians. Based on Oxfam's first-hand experience, we are concerned about the increase in poverty and suffering for Palestinians. Oxfam believes that all people in the Middle East region

should be free from violence, coercion, and deprivation. Ensuring these basic rights for ordinary women, men, and children is fundamental to the success of any peace process. Oxfam is against the use of violence against civilians in any form and calls on all parties to protect civilians from harm. Oxfam's analysis of the Israeli-Palestinian conflict and its eventual resolution is rooted in international humanitarian law and human rights principles. Based on these principles, Oxfam seeks a just and lasting solution, in which both Palestinians and Israelis will enjoy human security and peace. Oxfam believes that the international community has a legal and moral responsibility to engage effectively in resolving this conflict. ■



# Table of contents

<b>Editorial</b>	<b>5</b>
<b>Map of the West Bank (OCHA)</b>	<b>6</b>
<b>General terminology and history</b>	<b>7</b>
<b>The Wall and the ICJ advisory opinion</b>	<b>8</b>
<b>About the Wall</b>	<b>10</b>
<b>Stories</b>	<b>12</b>
■ Aida refugee camp	12
■ Al-Walaja	13
■ Bethlehem	14
■ Beit Jala	15
■ Jayyous	16
■ Azzun Atmeh	18
■ Ni'lin et Bil'in	20
■ Hizma	22
■ Marda	23
■ Immatin	24
■ Al-Khan Al-Ahmar	25
■ Al Quds University, Abu Dis	26
<b>Interview: Allegra Pacheco (OCHA)</b>	<b>28</b>
<b>Oxfam International contacts</b>	<b>30</b>



# Editorial

*In its advisory opinion, rendered on 9 July 2004, the International Court of Justice stated that Israel's construction of the Wall in the occupied Palestinian Territory was illegal and called for its immediate dismantling. Although this opinion was the assertion of the most distinguished international legal body, it has been met only by inaction. This is an intolerable situation for the Palestinians, as well for the peace process and the credibility of international law.*

With the publication of this collection of testimonies, exactly five years after the advisory opinion delivered by the International Court of Justice (ICJ) in The Hague, Oxfam International wants to remind world leaders that they have an obligation to ensure respect for international law and to guarantee the protection of civilians.

Daily, Oxfam International and its local partners witness the tragic consequences that the Wall, permits, and checkpoints have on the lives of Palestinians. The testimonies compiled in this document are only some examples of people telling their stories. Farmers from Beit Jala, workers from Bethlehem, or students in Abu Dis, men and women, young and old, explain the major difficulties encountered in their daily lives. All of them share the frustration of having to live in the 'labyrinth of bans and restrictions' that the occupied West Bank has become. How to take care of your olive trees when you are separated from them by an impassable wall? How to give birth in a hospital when your village is enclosed? How to earn a living without knowing if the access permit you need will be granted or renewed? And how to hope for a better future when going to school becomes a daily ordeal?

Since the construction of the Wall and the setting in place of its associated regime,

the deepening impoverishment and 'de-development' of the communities in the West Bank (including East Jerusalem) are undeniable. Even though the recommendations of the ICJ were clear, the construction of the Wall continues, well beyond the Green Line, depriving Palestinians of their livelihoods and of access to basic services. These are basic rights that Israel, as an occupying power, must guarantee.

Israel's concern to assure the security of its civilians is legitimate, but its measures should nonetheless remain in conformity with international humanitarian law. For five years now, different Israeli governments and the international community have turned a deaf ear to the appeals by the General Assembly of the United Nations and have refused to yield to the opinion of the ICJ. This inaction gives the wrong signal: that international law can be violated without accountability.

As immediate changes are imperative, Oxfam International calls on the international community to demonstrate political will and to abide by its responsibility under international law. It is time to condemn and challenge the construction of the Wall in occupied territory and its associated regime, together with the construction of settlements and the confiscation and control of

natural resources (land and water), which all de facto contribute to the altering of the demographic composition of the occupied Palestinian Territory and are all in gross violation of international humanitarian law.

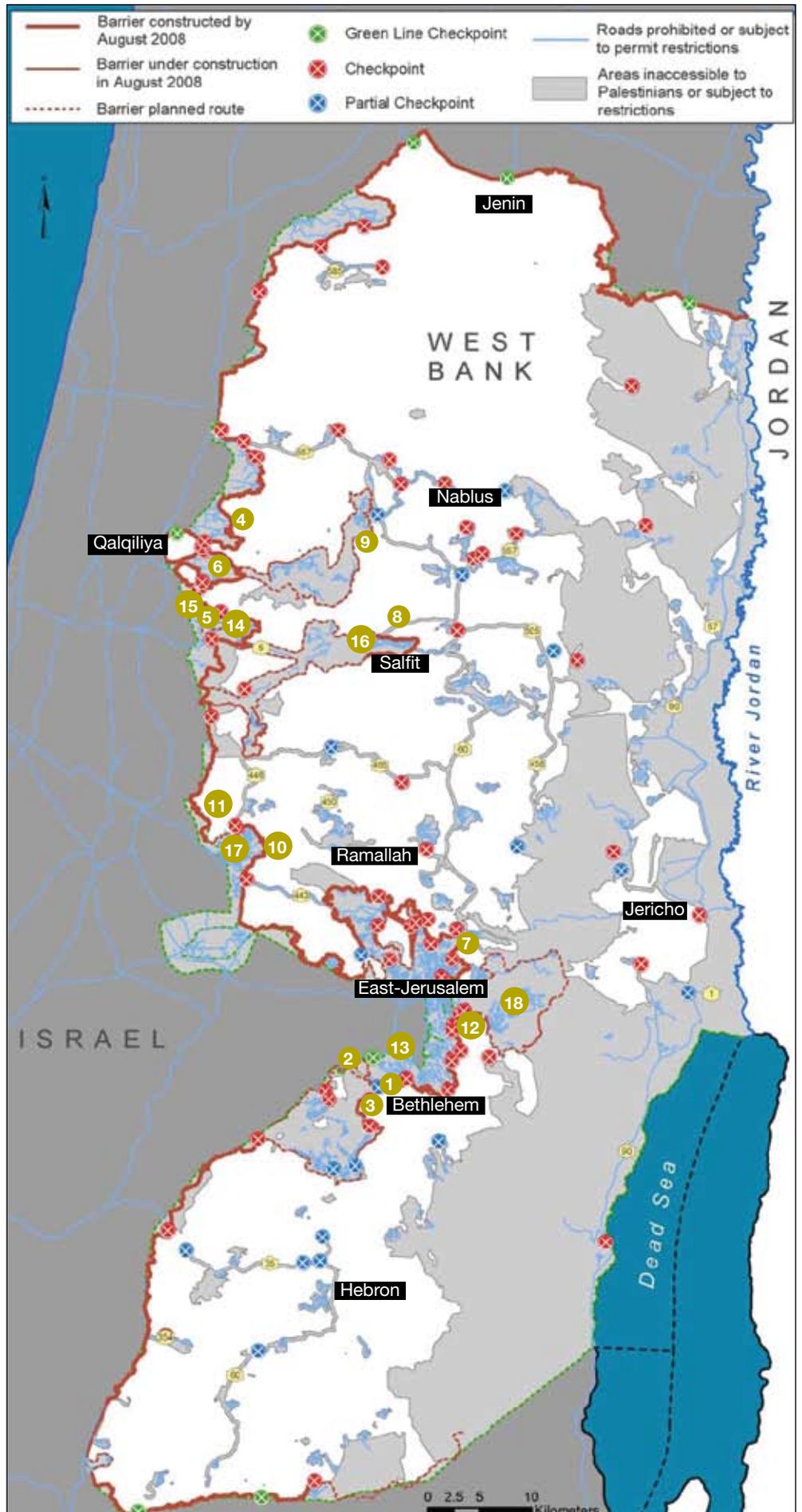
For the sake of Palestinians and Israelis alike, it is time for the rule of law to triumph. If not, it will be very difficult to achieve a just, negotiated, and durable peace in the Middle East. A peace that cannot be postponed any longer. ■

**Jeremy Hobbs**  
Executive Director  
of Oxfam International



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# West Bank (OCHA) - sept 2008



1. Aida refugee camp
2. Al-Walaja
3. Beit Jala
4. Jayyous
5. Azzun Atmeh
6. Ras Al-Tira
7. Hizma
8. Marda
9. Immatin
10. Bil'in
11. Ni'lin
12. Abu Dis

13. Har Gilo settlement
14. Sha'arei Tikva settlement
15. Oranit settlement
16. Ariel settlement
17. Mattityahu settlement
18. Ma'ale Adumim settlement

# General terminology and history

## General terminology

■ **The Green Line:** Term used following Israel's occupation of the West Bank and Gaza Strip in 1967 to refer to the post-1948 war ceasefire line (Armistice Line of 1949). The demarcation line (laid down in the ceasefire agreements of 1949) is the internationally recognised border between Israel and the occupied Palestinian Territory (Gaza Strip and West Bank, including East Jerusalem).

■ **Areas A, B, C:** In 1995, with the Oslo II agreement, three jurisdictional divisions were created in the West Bank<sup>1</sup>:

- Area A, mainly urban centres, came under the administrative and internal security responsibility of the Palestinian Authority and eventually comprised 17.2 per cent of the West Bank;

- Area B, mainly populated rural areas, eventually being 23.8 per cent of the West Bank, remained under Israeli military occupation, but the Palestinian Authority became responsible for services and civilian administration;

- Area C, eventually being 59 per cent of the West Bank, remained under exclusive Israeli civil and military administration. Area C includes Israeli settlements, settlement access roads, buffer zones (near settlements, roads, strategic areas, and Israel), and almost all of the Jordan Valley. Area C contains 63 per cent of the West Bank's agricultural lands.

■ **Settlements:** Since 1967, all Israeli governments have pursued a policy of establishing settlements. Israeli settlements, under the protection of the Israeli army, take up Palestinian land for housing, roads, infrastructure, and cultivation, as well as taking water. Settlements breach international law and various UN Security Council resolutions. Likewise, the Road Map (2003) called for the 'freezing' of all settlement expansion. However, despite the commitments under the Road Map and at Annapolis (2007), Israeli settlements continue to expand and

very few outposts – structures erected by the settler movement without the official recognition of the Government of Israel as precursors to new settlements or settlement expansion – have been effectively removed. As of March 2009, the UN counted 149 official settlements and 100 unauthorised outposts in the West Bank, including East Jerusalem, and 462,000 settlers.

■ **Dunum:** Palestinian unit of area measure. One dunum equals 1,000 square metres or one-quarter of an acre.

## General history

■ **Nakba:** Arabic for 'catastrophe', is the term used by Palestinians to refer to the first round of population transfer undertaken by the Zionist movement and the newly founded state of Israel in the period between November 1947 (UN Palestine Partition Plan) and the ceasefire agreements with Arab states in 1949 (first Israeli–Arab conflict). More than 750,000 Palestinians were forcibly displaced from their homes and lands, and approximately 500 Palestinian villages were depopulated. The establishment of the state of Israel in 1948 was among others the result of ongoing racism and the persecution of Jewish citizens in Europe, in particular the Holocaust.

■ **1948-1967:** In the absence of stable peace agreements with neighbouring Arab states and in order to suppress Palestinian resistance, Israel placed the remaining Palestinians left within its territory under military rule, which severely restricted their freedom of movement and served to confiscate more Palestinian land and to prevent the return of Palestinian refugees and internally displaced persons. Meanwhile the Gaza Strip fell under Egyptian administration and the West Bank under Jordanian rule.

■ **1967:** In the shadow of the June 1967 war (second Israeli–Arab conflict), over 400,000 Palestinians, half of them 1948 refugees,

were displaced from the West Bank and Gaza Strip. The Government of Israel imposed a military regime over Palestinians in the 1967 occupied Palestinian Territory, which since then has facilitated colonisation and forced displacement of Palestinians. Meanwhile Palestinian armed resistance and hostilities with neighbouring Arab countries continued.

■ **1993-1995 / Oslo:** Series of peace talks that began with secret negotiations in Oslo, Norway, between the members of the Palestine Liberation Organisation (PLO) and Israeli officials. These talks led to the Declaration of Principles on Interim Self-Government Arrangements in 1993, which outlined the way for further bilateral negotiations hoped to bring a permanent solution to the Israeli–Palestinian conflict. The Oslo Accords provided for the creation of a Palestinian Authority, which would have responsibility for the administration of the territory under its control. The Accords also called for the withdrawal of the Israeli army from parts of the Gaza Strip and the West Bank. The Oslo Accords were a framework for the future relations between the two parties. It was anticipated that this arrangement would last for a five-year interim period, during which a permanent agreement would be negotiated (beginning no later than May 1996). Final status issues such as Jerusalem, Palestinian refugees, Israeli settlements, security, and borders were deliberately left to be decided at a later stage. Interim self-government was to be granted by the Government of Israel in phases. ■

<sup>1</sup> [www.diakonia.se/sa/node.asp?node=1125](http://www.diakonia.se/sa/node.asp?node=1125)



# The Wall and the ICJ advisory opinion

*On 9 July 2004, upon the request of the UN General Assembly, the International Court of Justice (ICJ) – the most distinguished legal body in the world – rendered an advisory opinion on the legal consequences of the construction of the Wall in the occupied Palestinian Territory, stating that the construction of the Wall and the settlements on West Bank land, including East Jerusalem, were illegal under international humanitarian and human rights law. Although the Court’s recommendations were clear, five years later Israel continues with the construction of its Wall in the West Bank, affecting hundreds of thousands of Palestinians, and the international community has failed to hold Israel accountable to international law and to provide effective protection to Palestinians.*

In its advisory opinion, the Court considered that the construction of the Wall and its associated regime (see page 10 ‘About the Wall’) created facts on the ground and that Israel was under an obligation to immediately terminate its breaches of international law; to cease the work of construction of the Wall being built in the occupied Palestinian Territory (OPT), including in and around East Jerusalem; to dismantle forthwith the structure therein situated; to cancel all legislative and regulatory acts relating to the Wall; and to make reparation for all damages caused by the Wall.

## The official positions of the two parties

Israel began constructing the Wall in the West Bank in 2002, following a decision by the Government of Israel, on 23 July 2001, to construct a ‘security fence’. The Government of Israel stated that its sole purpose ‘is to provide security... and [it is] ... a manifestation of Israel’s commitment to defend its citizens...’<sup>2</sup> The Wall has a precedent. Since 1994 the Gaza Strip has been surrounded by a Wall which cuts off Palestinians living there from the rest of the world.

The Palestine Liberation Organisation (PLO) states that the Wall and its associated regime within the OPT violates international

humanitarian law (IHL), because it is not justified by military necessity and violates the principle of proportionality. The PLO maintains that the Wall causes destruction to Palestinian property and infringes Palestinian human rights. The PLO also contends that the construction of the Wall is an attempt to annex Palestinian territory contrary to international law and that the de facto annexation of land interferes with the territorial sovereignty and the right of Palestinians to self-determination.<sup>3</sup>

## The advisory opinion

The International Court of Justice (ICJ) rendered on 9 July 2004 an advisory opinion on the legal consequences of the construction of the Wall in the OPT, stating that the construction of the Wall and the settlements on West Bank land, including East Jerusalem, were illegal under international humanitarian and human rights law. Although an advisory opinion is not binding on the parties to a conflict, such an opinion is highly regarded as it comes from the most distinguished international legal body.

The advisory opinion of the Court represents the most authoritative statement to date of the content and applicability of international law concerning Israel’s occupation of Palestinian territory. On 20 July 2004,

the UN General Assembly voted overwhelmingly (150 against six) to pass a resolution demanding that Israel heed the advisory opinion of the ICJ. However, ever since the ICJ advisory opinion was rendered, the UN Security Council has taken no action on it.

As a follow-up to the ICJ opinion, the UN General Assembly requested the UN Secretary-General to establish a register of damages for all persons who had suffered such damages from the construction of the Wall. On 15 December 2006, the UN General Assembly adopted a resolution that formally established the UN Register of Damage (UNROD). The office of the register will not provide compensation or reparation, but will document the damages and gather evidence for the purpose of any possible future international adjudication. However, to date UNROD is still not fully operational. ■





### Main findings and recommendations reflected in the advisory opinion of the International Court of Justice, 9 July 2004

- The Court found unanimously that it has jurisdiction to give an advisory opinion according to its own regulations.
- The Court found that '[Israel] has the right, and indeed the duty, to respond in order to protect the life of its citizens. The measures taken are bound nonetheless to remain in conformity with applicable international law'.
- The Court considered that the construction of the Wall and its associated regime created facts on the ground that could well become permanent, in which case it would be the same as de facto annexation, forbidden under international law.
- The Court mentioned the risk of alterations to the demographic composition of the OPT by reinforcing the illegal Israeli settlements which also violate IHL.
- The Court repeated that legislative and administrative measures taken by Israel as

the occupying power which have changed or declared the change of status of Jerusalem are not valid, since they violate international law.

- The Court ruled that the Hague Regulations and the Fourth Geneva Convention, as well as human rights law, are applicable to the OPT.
- The Court stated that Israel is under an obligation to immediately terminate its breaches of international law; to cease the works of construction of the Wall being built in the OPT, including in and around East Jerusalem; to dismantle forthwith the structure therein situated; to cancel all legislative and regulatory acts relating to the Wall; and to make reparation for all damages caused by the Wall.
- The Court added that all states are under an obligation not to recognise the illegal si-

tuation resulting from the construction of the Wall and not to render aid or assistance in maintaining the situation created by such construction. In addition, states party to the Fourth Geneva Convention are under the obligation to ensure Israel's compliance with IHL as embodied in that convention.

- The Court noted that the UN, and especially the General Assembly and the Security Council, should consider what further action is required to bring an end to the illegal situation resulting from the construction of the Wall and the associated regime, taking due account of the present advisory opinion. ■



<sup>2</sup> Israeli Ministry of Defence, <http://www.securityfence.mod.gov.il/Pages/ENG/purpose.htm>

<sup>3</sup> Annex II – Summary of the Legal Position of the Palestinian Liberation Organisation, report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/13, A/ES-10/248, 24 November 2003. UN General Assembly resolution ES-10/13 of 21 October 2003, adopted at the resumed tenth emergency special session of the Assembly. In paragraph 1 of the resolution, the Assembly 'demand[ed] that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law'.



# About the Wall <sup>4</sup>

*The 'Wall' is either a concrete wall approximately 8–9 metres high with watchtowers and sniper positions, or an electric barrier approximately 3–5 metres high. In both cases it includes a buffer zone, ditches, razor wire, military patrol roads, electronic sensors, and cameras. Its 'associated regime' refers to a set of administrative measures imposed by the Israeli occupation, composed of military orders (land and property confiscation), closed areas, a new permit system, and new regulations at checkpoints (or terminals) and gates. The Wall and its associated regime are part of an Israeli system of multi-layered access and movement restrictions imposed on Palestinians in the West Bank.*

The Wall is de facto fragmenting the West Bank into three different parts and up to 22 smaller isolated enclaves.<sup>5</sup> This clearly seriously jeopardises the potential viability of a future Palestinian state. Due to the construction of the Wall inside the Green Line, tens of thousands of Palestinians have found themselves trapped between the two, in areas called the 'seam zone', 'closed area', or 'buffer zone'. These are also some of the most fertile lands in the West Bank. The Wall and its 'buffer zone' pave the way for large-scale demolitions. Family ties have been disturbed, farmers separated from their families, children from their schools, and movement has become more difficult. Palestinians residing in the closed area face an uncertain future in terms of their personal status and land status. According to the Israeli seam zone authority, the 'closed area' is intended to enable command and control through the use of observation systems, as well as the provision of space for pursuit of suspects.<sup>6</sup>

Since October 2003, the residents of the 'closed area', as well as visitors and humanitarian staff, have been required to obtain a special type of permit, usually referred to as a 'green permit'. This allows them to move in and out of the 'closed area' through specific gates in the Wall, which do not operate regularly.<sup>7</sup>

## Once completed:

- The length of the Wall's route will be between 726km and 790km in total. About 57 per cent of the construction has already been completed, 9 per cent is under construction, and 34 per cent is planned. Only 14 per cent of the total planned route of the Wall runs along the Green Line; 86 per cent is located within the Green Line.
- East Jerusalem will be completely cut off from the West Bank.
- 125,000 Palestinians will be surrounded on three sides.
- 35,000 Palestinians will live in closed areas (enclaves).
- 10.2 per cent of the West Bank lands, including 42 Palestinian villages, will be enveloped by the most recent route of the Wall. The enclosed areas include valuable agricultural and substantial water resources.<sup>8</sup>
- The Wall will incorporate over 414,000 Israeli settlers (up to 90 per cent of the total settler population in the OPT) on its west side (Israeli side).<sup>9</sup>

As of June 2008, the Wall passed through 171 West Bank localities, affecting 712,313 Palestinians. So far it has resulted in the confiscation of 49,291 dunum of land, the isolation of another 274,607 dunum, and the displacement of some 3, 880 households (about 27,841 people).<sup>10</sup>

There are 630 closures in the West Bank (as of March 2009). Closures take the form of checkpoints, partial checkpoints, road gates, roadblocks, earth mounds, trenches, road barriers, earth walls, etc. This number does not include a weekly reported average of 60–80 flying checkpoints or 78 obstacles in Hebron City, gates in the Wall, and eight Green Line checkpoints.

The Government of Israel has to date created 70 agricultural 'gates' in the Wall. In practice these do not guarantee access of Palestinian farmers to their lands but instead strengthen Israel's strangling system of permits and checkpoints imposed on Palestinians in the occupied West Bank.<sup>11</sup>

The Government of Israel has started opening so-called 'Fabric of Life' roads, making road infrastructure investments to build alternative routes for Palestinians. The estimated cost of these is NIS2bn.<sup>12</sup> To date, approximately 39km of roads have been constructed and another 40km are planned, while 43 tunnels and underpasses have been constructed and a further 17 are planned.

Total number of agricultural gates	Daily open	Seasonally/weekly open	Closed
70	22	20	28

### **The Wall and its associated regime put Palestinian communities further at risk of forced displacement**

Since 1967, internal displacement in the OPT has directly and indirectly followed policies and actions of the Government of Israel, including house demolitions and the expropriation of land for settlement expansion, construction of the Wall, revocation of residency rights, and military incursions and clearing operations. People have also been displaced where the regime of closures and limitations on freedom of movement have made the situation of residents of OPT's enclaves untenable. Following the Oslo Accords most displacement has been reported in the West Bank's 'Area C' and East Jerusalem.

Displacement has entailed loss of family unity, social welfare, and livelihoods, and has also had wide-ranging physical and psychological impacts, including trauma and anxiety for children. Communities in areas under threat of expulsion or eviction have faced heightened protection risks, including harassment and intimidation. They include between 50,000 and 90,000 at risk

of displacement due to the construction of the Wall, several thousand families in Area C and East Jerusalem affected by demolition orders, and the Arab Jahalin Bedouin community, whose traditional land rights are not recognised by the Government of Israel. Meanwhile the Israeli state remains the primary perpetrator of forced displacement and does not provide assistance or protection to IDPs. Internal displacement is generally not recognised by the Government of Israel.

For the vast majority of internally displaced people in OPT, durable solutions remain tied to the reversal of policies of occupation, and an eventual final resolution to the conflict. NGOs and experts have warned that the failure of the international community to address the underlying sources of forced displacement is increasingly rendering any notion of a two-state solution defunct. Prioritisation of the rights of those affected is ever more pressing, in light of the demographic changes that displacement entails and the continuing consequences that these changes will have for contested areas.<sup>13</sup> ■



4 Unless indicated differently, the main source of information is UN OCHA, [www.ochaopt.org](http://www.ochaopt.org)

5 Stop the Wall Campaign, May 2009, [www.stopthewall.org](http://www.stopthewall.org)

6 [www.securityfence.mod.gov.il/Pages/ENG/route.htm](http://www.securityfence.mod.gov.il/Pages/ENG/route.htm)

7 [www.djakonia.se/sa/node.asp?node=969](http://www.djakonia.se/sa/node.asp?node=969)

8 World Bank, 'Palestinian Economic Prospects: Aid, Access and Reform. Economic Monitoring Report to the Ad Hoc Liaison Committee', September 2008, [www.worldbank.org](http://www.worldbank.org)

9 PLO Negotiations Affairs Department (NAD), [www.nad-plo.org](http://www.nad-plo.org)

10 Palestinian Central Bureau of Statistics (PCBS), June 2008, [www.pcbs.gov.ps](http://www.pcbs.gov.ps)

11 Stop the Wall Campaign, May 2009, [www.stopthewall.org](http://www.stopthewall.org)

12 NIS: New Israeli Shekels. NIS1 equals about € 4 or US\$4.

13 Internal Displacement Monitoring Centre, [www.internal-displacement.org](http://www.internal-displacement.org)





Salah Ajarma

## 'If the Israelis want a wall, let them build it on their side of the Green Line!'

*Confined to 66 dunum of land (6.6 hectares), 4,700 women, men, and children are packed into Aida refugee camp, in the north of Bethlehem. In all, four generations of refugees from 27 villages surrounding Jerusalem live here. Having endured forced displacement and the daily difficulties of life in the camp for decades, these refugees now face a new moral and physical challenge: the construction of the Wall by Israel.*

In this area, the first construction work on the Wall began in 2002. Since 2004, concrete blocks 8 metres high have tightly encircled the camp on two of its sides, standing tight against the first houses. From the top of watchtowers, Israeli soldiers often fire towards the houses and at the UNRWA school, which is close by. The school has had to block its windows to protect the pupils and staff. The Israeli army frequently bursts into houses to carry out searches or make arrests.

### 'No one is safe'

A constant state of tension has gradually been created: 'No one feels safe here, especially the families living close to the Wall,' explains **Salah Ajarma**, 36, father of two girls. 'Since it was built, there have been growing social problems. There is a desperate lack of space for building housing and creating green areas. Our children don't have their playground any more, as it is now on the other side of the Wall. So the children play in the streets of the camp, which

creates noise and prevents the older ones from studying. And playing in the streets is dangerous because the soldiers can fire at any moment.'

The Wall and its regime further worsen socio-economic problems. The lack of privacy in this already overpopulated camp is tearing households apart. Access to basic services is becoming increasingly difficult. To get drinking water, the inhabitants depend on the goodwill of the Israeli occupier: 'During the summer, we often have no water for several days,' continues Rasha, Salah's wife. 'Why do you think we use so many plastic cups and plates? To avoid having to wash the dishes too often! Although it's not polite to give guests plastic cups...'

'If the Israelis want to build a wall, that's their problem,' exclaims Salah. 'But let them build it on their side of the Green Line, not on our land! Not right in the middle of Bethlehem, miles away from the settlements that it's supposed to protect!' ■

### The refugees and international law

- Universal Declaration of Human Rights (1948), Article 13/2: 'Everyone has the right to leave any country, including his own, and to return to his country.'
- UN Resolution 194 (1948), Article 11: '... refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date (...) compensation should be paid for the property of those choosing not to return and for loss of or damage to property...'
- International Covenant on Civil and Political Rights (1966), Article 12: 'No one shall be arbitrarily deprived of the right to enter his own country.'

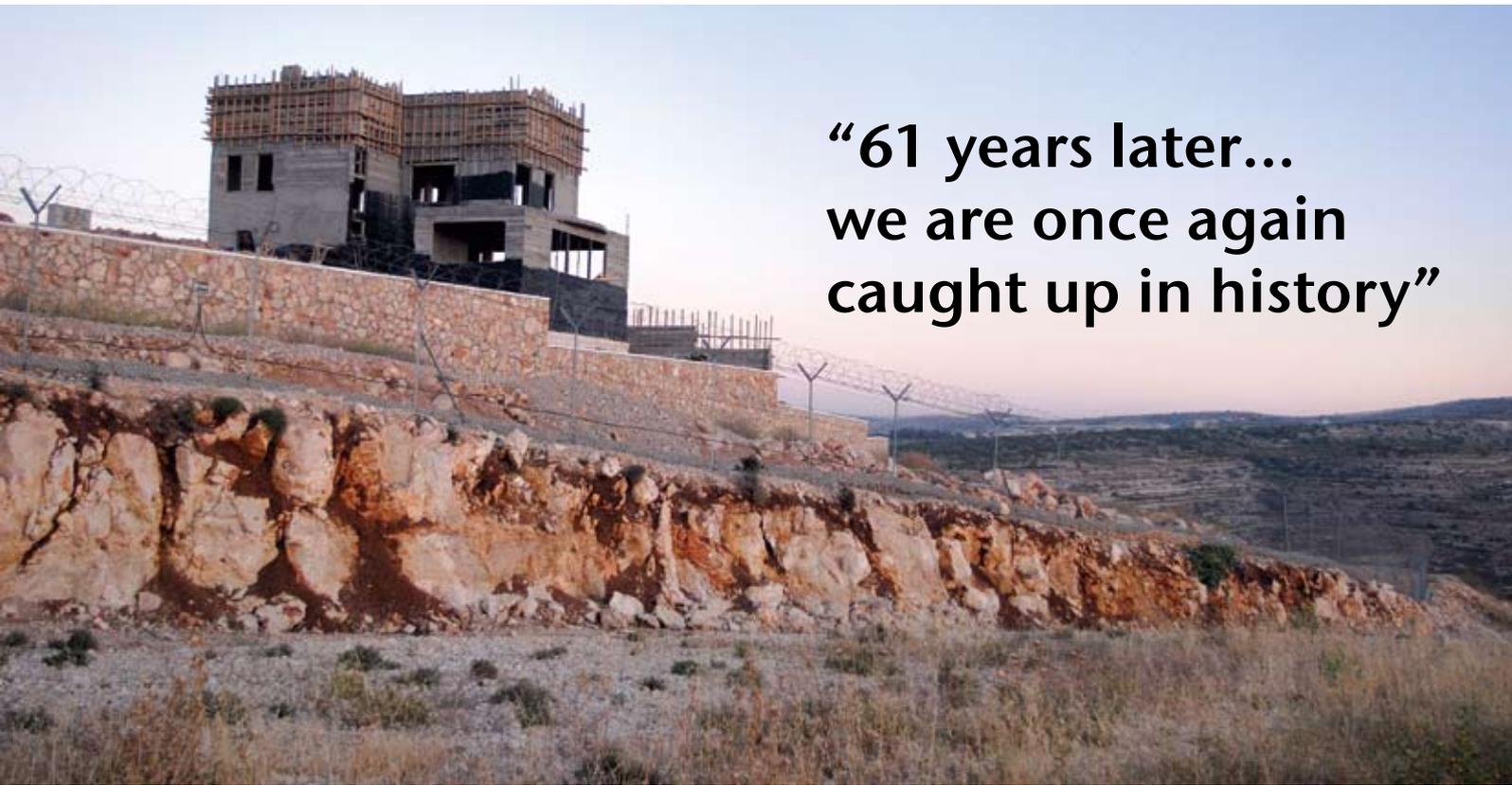
### UNRWA

United Nations Relief and Works Agency for Palestinian Refugees in the Near East. Established in 1949 to provide assistance to the refugees of the first Israeli-Arab conflict, this UN agency was also called upon to aid the refugees of the 1967 conflict. ■

"No one feels safe here, especially the families living close to the Wall."



# “61 years later... we are once again caught up in history”



*A block of new housing units of Har Gilo settlement.*

*For the people of Al-Walaja, as for many Palestinian communities, the history of expropriations, dispossession, and expulsions began in 1948. Sixty-one years later, this village now has only 6,000 dunum of its initial 17,800 (600 hectares instead of 1,780). The village of 1948 has been divided in two, with the residential part transferred to Israeli jurisdiction following a land exchange with Jordan. Since then, the villagers of Al-Walaja Al-Jadida – the new Walaja – have not had access to that part of their land, which they can still see when they look westwards.*



*Salih Hilmi Khalifa*

**W**hen you take the road leading from Beit Jala to Al-Walaja, south of Jerusalem, the first houses you come across are a block of new housing units of Har Gilo settlement. A little further along, on the other side of the road, you see the houses of the Palestinian village, stuck between the Green Line and the Wall. This road also marks out the future line of the Wall. It will scrupulously follow the boundary line of the first houses of the village, separating the villagers from their farmlands. ‘Wherever there are no houses, there will be the Wall,’ comments the chairman of the local council, **Salih Hilmi Khalifa**. ‘And, on the other side, there are 4,000 dunum of land that belong to us.’

The chairman resumes: ‘At the beginning of the 21st century, the 2,061 villagers of Al-Walaja Al-Jadida are, once again, caught up in history. During the occupation of 1967, Israel decided to illegally annex one of the village’s quarters (Ayn Jwesia) to Jerusalem, which came under its complete control. As the 600 inhabitants of this quarter hold West Bank identity cards and not Jerusalem IDs, they have, since then, been considered as illegal immigrants. Demolition orders have been placed on their homes and those or-

ders are regularly carried out. In this way, the Israelis are trying to seize the rest of our land while, at the same time, getting rid of its inhabitants. The army doesn’t stop harassing us, turning up at our homes in the middle of the night and regularly destroying houses.’

Eventually, this part of the village is expected to be used to build a new settlement. If those plans are carried out, Al-Walaja will be completely encircled by the Wall and the settlements – and therefore deprived of a future. What remains of the village is located in areas B and C, where any construction and renovation project depends on permits that are granted or refused by the Israeli authorities. ‘Although we, the adults, may be prepared to confront this situation of oppression, there is a risk that our youth will go and look for a better life elsewhere in order to be able to marry, have a job, and live with dignity,’ says Salih Hilmi Khalifa, expressing his concern. ‘We will continue to oppose the Israeli project. They may have the military force that lets them do whatever they want but we have the force of law. But, ultimately, all these questions are, first and foremost, political ones.’ ■



## The Wall and the checkpoint, the scene of daily humiliations

*The Wall and its checkpoints are important instruments, part of the control system imposed on the Palestinians in the occupied West Bank. They are also symbols of the occupation and the main scenes of the humiliations that are suffered on a day-to-day basis.*

It is only two in the morning, but already the first Palestinian workers are beginning to flock in. In this place, the main road connecting Bethlehem with Jerusalem is cut off by the Wall. In order to pass through, Palestinian workers have to wait until the checkpoint opens at 5.30am. As they wait, hundreds of them attempt to doze for a few hours before going to work in Jerusalem and Israeli cities.

One of them is Ibrahim, 37, a construction worker who works regularly on building sites in Ashdod. He comes here this early in order to be sure that he does not arrive late for work. 'We never know whether we're going to get through quickly or not, whether they're going to search us more than usual,' he explains. This father of three has trouble finding words to express his feelings. 'What is there to say? That hundreds of workers like me arrive here each night and work themselves into the ground just to feed their family? That we are angry and frustrated? Yes, it's true. But what can we do? This Wall and these checkpoints are symbols, representing all the humiliations that we suffer day after day.'

### The iron maze

Between 6.30am and 7am, other Palestinians working in Jerusalem arrive. Like Ibrahim, they all have the same feeling of humiliation, injustice, and frustration when they wait in line, stuck between the iron bars that form corridors in front of the first gate of the checkpoint, which is built into one of the concrete blocks of the Wall. Everyone has to suffer the same ordeal. After showing their identity papers and permit a first time, they have to go down another corridor leading to the inside of the checkpoint. Here they have to wait for the soldiers, sitting behind their bullet-proof windows, to operate the buttons that open and close the turnstiles where people pass through one by one to undergo security checks. These can range from simply placing objects in the X-ray machine up to a full body search. They then have to present their papers and permit again, to other soldiers, or even place their hand on a magnetic screen in order for the computer to display their file. It is only then that they can – finally – get out of there.

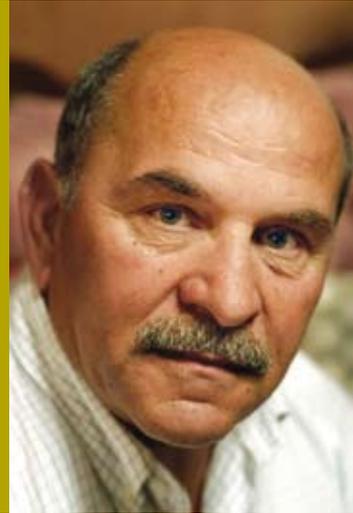


This long procedure is particularly tiring for the elderly and for sick people who are in need of medical care in East Jerusalem. The tiredness they experience is not due only to the endless waiting, but also to the transport conditions they must endure even before arriving at this checkpoint. Because of the Wall, buses and collective taxis serving the surrounding villages have had to change their routes. Today, people must sometimes change buses three or four times before they even get here. ■

The Bethlehem neighbourhood next to the Wall was one of the first places to suffer the economic, social, psychological, and religious asphyxiation created by the Wall that now spreads throughout the occupied West Bank. Suhail Al-Khalila, a researcher for the Palestinian organisation the Applied Research Institute – Jerusalem (ARIJ), recalls the beginning in 2000, when the Israelis started blocking the entrance to Rachel's Tomb, a holy place for both Jews and Muslims. 'First they surrounded the tomb with blocks of concrete but left the entrance visible, before closing it completely in 2003. At this time, the construction of the Wall was already going at a great pace in the northern West Bank. Today, the neighbourhood around the tomb is deserted. No one comes here any more, whereas ten years ago it was one of the most prosperous neighbourhoods in Bethlehem. The economic consequences were devastating for its businesses, most of which had to close shop,' he says, regretfully. ■

# 'By uprooting our olive trees, it is us they are destroying'

To illustrate the dramatic economic consequences of the Wall, Youssef Salim describes the situation of the co-operative of which he is a member.



Youssef Salim

Founded in 1963 – before the Israeli occupation – the Beit Jala co-operative now has 850 members and helps over 2,000 farmers throughout the region around Bethlehem. 'Before the construction of the Wall, we harvested over 3,000 tonnes of olives; now we only have between 500 and 1,000 tonnes depending on the year,' explains **Youssef Salim**, an olive grower from Beit Jala. 'We were self-sufficient, but today we are forced to buy from elsewhere. The result is that most Palestinian farmers now live under the poverty line.'

Youssef Salim is directly affected by this situation himself. Because of the Wall, a section of his olive groves is now no longer accessible to him. 'I have 18 dunum (1.8 hectares) of olive trees isolated behind the Wall,' he explains. 'For years now I haven't been able to tend to them because it is absolutely forbidden to enter this zone. In any case, there is no agricultural gate to allow us to pass through. If we have the misfortune to get too close, the army arrives immediately to chase us away. These 18 dunum allowed me to produce 1,350 litres of olive oil per year. And I risk losing 23 additional dunum because they are surrounding water sources.'

## The olive tree: a symbol of Palestine

Thousands of olive trees are regularly uprooted as the Wall is built, which has consequences not only for the Palestinian economy but also for its cultural heritage. 'In the Palestinian culture, the olive tree is not merely an important source of income: it is also a genuine symbol,' continues Youssef. 'It represents land, freedom, love, and peace. It is a sacred tree for Christians and Muslims. It is the inheritance which our families pass on to us from century to century. When the Israelis uproot and burn down our olive trees, they are destroying us, the humans, at the same time.'

The Palestinians' economic and cultural attachment to the olive tree makes it easier to understand their unshakeable determination to demand their rights. This struggle is all the more vital, in Youssef's view, as the Wall is isolating the Palestinians more and more, at a time when everyone is talking of a 'global village'. 'Let's hope that one day the Israelis will become aware of the situation and will return to international law and ideas of justice. It is the only way that we can possibly live together in this land,' he concludes. ■

## Eight years: 1.6m trees uprooted

For many Palestinians the olive tree is irreplaceable; it is the primary source of income for more than 100,000 Palestinian families in the West Bank and the Gaza Strip. However, since 1967, the Israeli army and settlers have regularly destroyed olive groves and orchards. The uprooting of trees has increased since the beginning of the Second Intifada in 2000 and since work started on the Wall in 2002.

Between September 2000 and August 2008, more than 1.6m trees were uprooted in the occupied territories, contrary to international law. It is estimated that more than 10 per cent of the Palestinian land isolated by the Wall is used to cultivate olive trees. Attacks by Israeli settlers against olive fields and farmers have increased over the years and are particularly frequent around the harvesting period.

Source: Applied Research Institute - Jerusalem (ARIJ)  
[www.poica.org/editor/case\\_studies/view.php?recordID=1632](http://www.poica.org/editor/case_studies/view.php?recordID=1632) ■





Sharif Omar

## Confiscating land by all possible means

*Numerous Israeli measures lead to Palestinian farmers being dispossessed of their lands. Sharif Omar, a farmer from the village of Jayyous, details the different methods used.*

### Permits by drip-feed

A permit to access your own land? At first, the farmers of Jayyous, who have been separated from their fields by the Wall, refused outright to bow to this demand. But with the balance of power working against them, they finally had to resign themselves to it, reluctantly.

Obtaining this precious document is no easy task. Some Palestinians find themselves blacklisted by the Israelis and cannot obtain a permit. Those who have passed security clearance can demand access to their lands. But first they have to produce identity papers, have documents proving that they are the owners of the land or that they have inherited it, fill out various forms, and produce photographs of the land

plots. This whole procedure takes place in co-ordination with the Palestinian Authority.

Permit refusals are increasing, and are usually justified on security grounds. This is an explanation that puzzles **Sharif Omar**, a 66-year-old farmer: 'Two years ago, I had to wait seven months before being able to go to my land. My eldest son, Azzam, is a businessman. He has a permit to go to Israel – to Netanya, Tel Aviv, or Haifa – but he has no permit to go with me to our land here in Jayyous.'

### Agricultural gates in the Wall

Once the permit is obtained, a farmer can then go to the nearest agricultural gate. In Jayyous, this gate is supposed to be open three times a day, for half an hour at a time.

'But the soldiers are often late, don't come at all, or close the gate a quarter of an hour earlier in the morning,' explains Sharif. The fact that the Jayyous gate opens at increasingly irregular times is, in his view, absolutely deliberate. 'They are pushing us to use the Falamiya gate, four kilometres from here, where, theoretically, we're not allowed to pass but where the soldiers turn a blind eye,' he says. 'Why are they sending us over there? Because the Jayyous gate is near the area where the Israelis are planning new land confiscations! So, I suppose they want to get rid of this gate in the future. Why do you think, by chance, the Falamiya one is open 12 hours a day...'

### Legal ploys

'As we do not accept to be dispossessed of





*The gate is supposed to be open three times a day, for half an hour at a time.*

our lands, all means are used to take them from us by force. Then, legal ploys do the rest,' he continues. Once the Palestinian farmers are separated from their lands by the Wall or by the closed military zones, the Israeli authorities invoke laws dating back to the time of Ottoman or British rule, as well as the 'absentee property law', to try to give a legal framework to these confiscations. The Ottoman law specifies, for example, that any land neglected by its owner eventually becomes public property. 'By preventing us from accessing our land, the Israelis can then easily say that we are not taking care of it,' protests the farmer. 'The land is under constant surveillance and the Israeli

authorities take aerial photographs in May and November, that is to say before planting and after harvesting. And so it's difficult to prove that you are taking care of your land all year round.'

### **The battle of names**

Another dispossession technique is that of family names. Traditionally, Palestinians go by their first name, followed by those of their father and paternal grandfather. But the Israelis are now making them add their family name, which completely changes the information. 'My family's lands are registered under my father's name, Mohammad Omar Mohammad. My name is Sharif Mohammad

Omar Mohammad, which the Israelis turn into Sharif Mohammad Omar Khalid. So my eldest son, Azzam, is called Azzam Sharif Mohammad Khalid, and my grandson is called Sharif Azzam Sharif Khalid. On first glance, there is no obvious link left between their names and my father's name. So, in a few years' time, the Israelis will be able to state that my grandson has no link with the family land.' ■



## The labyrinth of bans and restrictions

*In the village of Azzun Atmeh, south of Qalqiliya, life is regulated by the sad ritual of bans and restrictions. Encircled by the settlements of Sha'arei Tikv and Oranit and by the Wall, this little village of 1,085 souls has been divided into two. Completely isolated, its inhabitants are now subjected to checkpoints, permits, and daily humiliations.*

Abdelkarim Ayoub, secretary of the local council, lives with a number of other families in the most remote part of the village. 'My neighbours and I are completely boxed in,' says this father of five children. 'It's out of the question for us to bring in a donkey or a vehicle: everything we want to bring back here has to be carried by hand.'

When he leaves the house to go somewhere outside the village, Abdelkarim has to go through two checkpoints, gates in the Wall: the first one to enter another section of the village, where some 75 other families are also locked in, and the second one to leave the village's main gate.

The Sha'arei Tikva settlement, east of Azzun Atmeh, is steadily expanding. Its first houses are now adjacent to those of the villagers and to one of the schools. Every

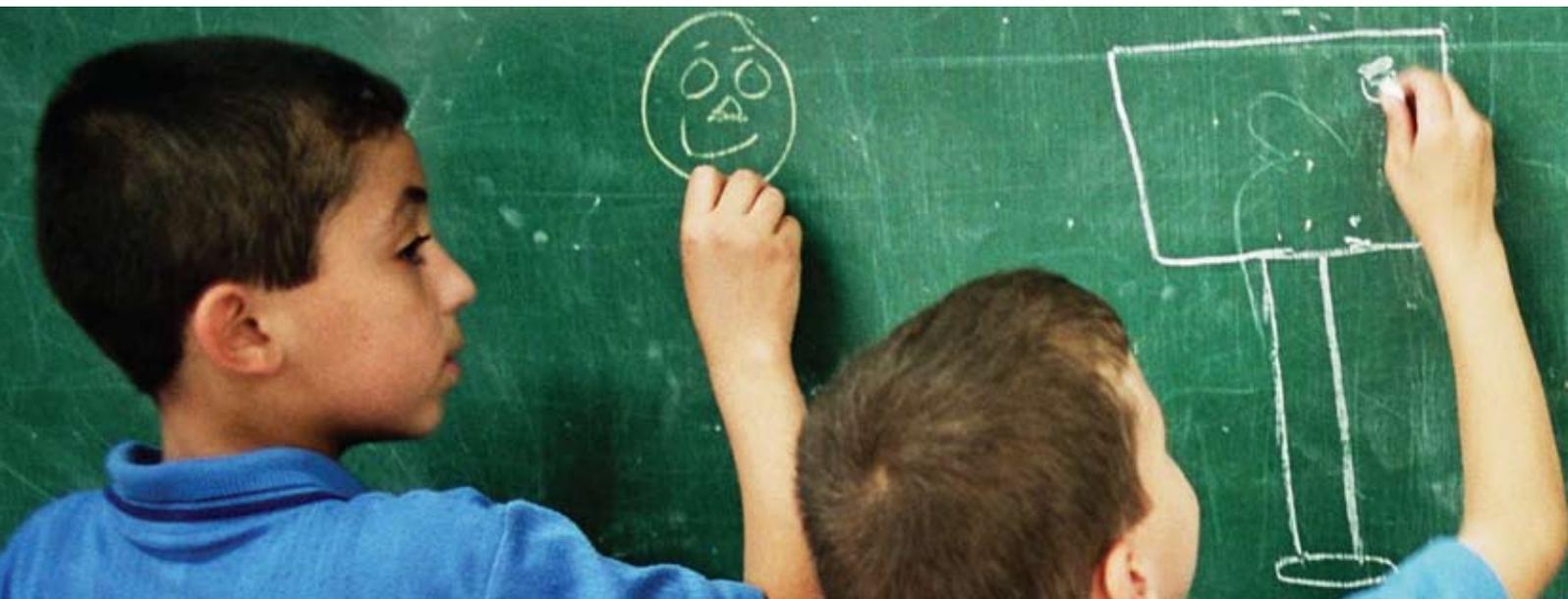
morning and evening, the school's pupils and teachers undergo the same experience of waiting and humiliation at the checkpoint. The olive groves next to the settlement are also isolated. 'For us to get there, the soldiers have to be present,' explains Abdelkarim. 'But the problem is that they show up when they want to. They arrive at eight o'clock in the morning instead of six, and in the evening they don't come and get us until it's pitch black. Sometimes they don't show up at all. How can we work and look after our trees properly under these conditions? For the olive harvest, some families are given permits, but not until December when the olives are already on the ground.'

### **A permit to live at home**

The permits system in force in the village turns the right to live in one's own home into a privilege. "Permanent residence" permits

allow us to pass the checkpoint and continue to live... in our own homes!' exclaims Abdelkarim Ayoub. 'Some people have to renew their permit every month, others every six months or every year. So the soldiers can decide at any time to prevent a villager from going home. This means that social life is reduced to nothing. We are a small community and there is no doctor living here full time. So we don't have access to basic health services. We called upon a mobile clinic that comes here once a fortnight. But even the mobile clinic team has to have a permit to be able to enter.'

From 10pm to 6am, the village is completely cut off from the world. 'At night, it's out of the question for us to be ill, to have to give birth, or have any problem at all at home: neither ambulances nor the fire truck can enter. It's also impossible to go out and see





friends,' he laments. 'We try to talk to the soldiers in an emergency but they make us wait for one or two hours, tell us that they are not allowed to come and let us in or out, or just admit that they don't feel like coming. This village has become a real prison.' ■

**Hanan Yacoub, 20,  
local resident of Azzun Atmeh**

'Two years ago, I took part in a first aid training course organised by the NGO PMRS [Palestinian Medical Relief Society]. My mother was expecting my brother and was about to give birth. It was evening. We were not allowed through the checkpoint to go to the hospital in Qalqilya. In the end, she had to give birth in the car. My little brother was still attached by the umbilical cord when my parents returned home. My mother and brother needed treatment. I called my instructor to ask her what to do. I didn't know what to do. My mother and my brother could have died! My little brother was named Karim, which means generous. Because God was generous in keeping him alive.' Today, Hanan is completing her training as a midwife and works as a nurse in a hospital in Nablus. ■

**Shadia Maghaba, headmistress  
of the Ras Al-Tira school**

Shadia Maghaba wages a daily battle inside her school. Every day, she tries to give the 280 pupils a 'normal' education in a completely abnormal environment. The Wall runs just next to this school. Some pupils live on the other side and so every day have to endure the arbitrariness of the soldiers in order to reach class and return home. 'Many schoolchildren walk several miles to come to school. When a child is late home, the parents panic: a quarter of an hour late and they call me, worried sick. And with good reason: their children can be held for an indefinite period at the checkpoint. Sometimes, the parents have to go and look for their children at a military camp where the soldiers have taken them.' ■



Shadia Maghaba





Salah Khajawa

## The choice of non-violent resistance

*Faced with the serious problems caused by the Wall and the settlements, Palestinian communities have set up 'Popular Resistance Committees', which organise peaceful resistance activities. Two examples are Ni'lin and Bil'in, two villages which regularly make the news because of their non-violent actions against the Israeli Wall and settlements built on their lands.*

### Ni'lin: 'The Israelis will do everything they can to put this movement down'

From the plateau situated at the upper end of the village of Ni'lin, you can clearly make out the Green Line, the settlements, the Wall, and the impact of the forced displacement on Palestinians since 1948. That year, Ni'lin lost 50,800 dunum of land (5,080 hectares), then another 14,600 in 1967 (1,460 hectares). With the help of the Wall, the six settlements that have been constructed nearby are gradually taking what remains.

Here, as in the rest of the occupied West Bank, the land continues to be taken away from beneath the feet of its villagers. However, these villagers are famous for their non-violent resistance. One of the activities they engage in involves going as close as possible to the bulldozers responsible for levelling the land in order to force the machines to stop work, which is costly for the contractors. During the demonstrations that they organise weekly, adults and children face the soldiers and the bulldozers together. However, this resistance has a price:

five inhabitants of Ni'lin have been killed in the past few years, including a child of ten, Ahmed Mousa, who was shot in the head. Some 600 people – Palestinian villagers, Israeli pacifists, and international volunteers – have been injured at least once and dozens of others have been abducted from their homes by the Israeli army literally in the middle of the night, including children aged from 10–13 years of age. **Salah Khajawa**, a member of the Popular Resistance Committee is convinced that the Israelis will do anything to put down this peaceful resistance movement, 'because they know that it can serve as an example'.

### Bil'in: 'The Wall is fully part of the system to steal our lands'

To try to recover their lands, many villages are also taking legal action. In Bil'in, lengthy debates were necessary before the Committee was able to go to the Israeli High Court, in order to obtain a deviation of the Wall's route and to recover part of their lands confiscated for its construction. Some villagers were opposed to the idea of going 'to claim our rights before the courts of the occu-

pier'. Mohammad Abu Rahma, co-ordinator of the Popular Resistance Committee, believes that there was no other choice and, above all, nothing to lose. The lawsuit has enabled the village to recover some of the lands – however, only in theory, because to date the army has refused to comply with the orders of the High Court. This is one of the facts that strengthen the villagers in their conviction that the Israelis do not want peace or the establishment of a Palestinian State within the 1967 borders.

Other trials of this type are under way, including in the Canadian courts. The targets are two Canadian companies that are constructing apartments in the Matiyahu settlement on land belonging to Bil'in. In this case, the Committee will not settle for compensation but wants to obtain reparations, that is to say the simple demolition of the parts of the settlement and the Wall already built, a full halt to construction work, the restitution of the land, and the payment of compensation for the damages and losses suffered. 'Obviously, these legal actions are expensive,' emphasises Mohammad



### Rima, inhabitant of Ni'lin:

The Wall has repercussions for all of us. As parents, we are very worried about the future of our children. The unemployment rate is constantly rising and delinquency poses a threat to our young people. They risk losing their spirit of resilience, abandoning all hope of improving their daily lives. That's why we, women, have a crucial role to play. We are, at the same time, wives, mothers, and grandmothers. We form the link between the generations. It's an important responsibility, which we are ready to take on in order to defend our families, our homes, and our lands. How could I fail to react when a soldier takes up position on the roof of my home and might well shoot my son? All of us, young people and adults, will continue together to face the occupation and the settlement policy, the army and the settlers, by taking part in non-violent actions near the Wall.' ■

Abu Rahma. 'The costs of the cases against the two Canadian companies alone are estimated at \$50,000. The Palestinian Authority pays half and the rest is funded by outside donations.'

These examples show that many Palestinians are choosing a strategy of peaceful resistance against the mechanisms of co-

lonisation. 'The Wall and the settlements are killing us off economically, socially, and psychologically,' continues Mohammad Abu Rahma. 'The Wall is not just a physical obstacle: it is fully part of the system to steal our lands, just like the colonies which continue expanding at our expense. But we will not allow a repetition of the mass expulsion of 1948 or even that of 1967.' ■



Rima



Muwafaq Amer

## 'No development is possible if you're imprisoned and under occupation'

*Cut off from Jerusalem by the Wall and by Israeli settlements, the inhabitants of Hizma also face serious problems in accessing water. The 'blue gold' is first of all reserved for the neighbouring settlements.*

In Hizma, a Palestinian village in the suburbs of East Jerusalem, the main impact of the extension of the settlements and the construction of the Wall is that of being cut off from its natural environment. The village has lost nearly 4,300 dunum of land (430 hectares) and no fewer than 35 wells. These springs, located in Palestinian territory designated as Area C, have been confiscated by the State of Israel, to give priority in water supply to its settlements.

The people of Hizma depend on the Ramallah water company for their water supply. This company bills its clients and then must pay the Israeli company Mekorot. However, the latter charges prices that are three to five times higher than those set for the settlements.

### No work, no water

Separated from Jerusalem by the Wall, the villagers now have to go through a checkpoint to get to their places of work. But as permits are granted only for short periods and in an increasingly random way, many doctors, employees, and labourers working in Jerusalem now find themselves unem-

ployed, unable to pay their bills. As a result, the families of Hizma become increasingly indebted and frequently have their water supply cut off.

But the problem of water in Hizma doesn't end there. 'The water main is old,' explains **Muwafaq Amer**, the head of the village council. 'It dates from the 1970s and is full of leaks, which leads to a lot of water wastage and pollution. The whole water supply network should have been replaced a long time ago. This would cost around €12,000.'

Since 1967, Israeli military orders have de facto prevented Palestinians from digging wells, which forces families to opt for building private water cisterns. 'Even if we were to find a solution for the supply, the waste and pollution of water would remain a real problem,' concludes the head of the local council. 'It's a vicious circle which brings us back to the only possible solution: ending the occupation and getting rid of this Wall. No development of communities is possible when you're imprisoned and under occupation.' ■

### Isolated behind the Wall

Due to the Wall, a hundred or so residents of Hizma are cut off from the rest of the village. This is the case for Ahmed and his family. 'The total isolation began in 2006, when they finished the Wall in our area. We found ourselves separated from our families. In order to go home, we now have to face the soldiers and endure their moods,' he explains.

These families do not have the right to enter with their cars, which means that everything has to be carried, on foot: bags of vegetables as well as gas cylinders and water containers. 'Even wheelchair patients are not allowed in by car,' sighs Ahmed. 'My sister-in-law is disabled. We have to carry her ourselves, on our backs.' ■

View from Hizma on the Pisgat Ze'ev settlement.



# ‘Making our lives as difficult as possible to make us leave’



Sewage from Ariel settlement.

*Located in the north of Salfit district, the village of Marda is being put under heavy pressure by the Israeli occupier and by the settlers of Ariel. On top of the problems caused by the construction of the Wall and the confiscation of land, there is also a serious problem of water pollution.*

At first sight, it seems that nothing could disturb the tranquillity of the 2,400 inhabitants of Marda, a small village nestling at the foot of a hill, in the midst of olive trees. But the gate situated at the main entrance to the village is the first sign of an abnormal situation. In fact, the Israeli army has erected two gates, which it opens and closes as it sees fit. ‘Once they close the gates, we become prisoners in our own village, surrounded by barbed wire,’ says **Imm Qayis**, a nurse at the local medical centre. ‘Often we are even trapped inside our own homes, because the army regularly imposes curfews.’

Looking up from the village, there is another danger that continually threatens the villagers. Right at the top of the hill, you can clearly make out the barbed wire and the first houses of Ariel, the largest Israeli settlement in the northern part of the West Bank. Because of this settlement, the route of the Wall cuts deep into this region. There is a constantly present risk of seeing the settlers turn up in the fields to attack Palestinian farmers – a frequent occurrence here. In addition to this violence, there is also the tactic of letting loose wild boars, which wreck crops and scare the villagers.



Imm Qayis

## The battle for water

Access to water is also a huge problem for the people of Marda. The villagers are forced to buy their drinking water from the Israeli company Mekorot, even though there are three significant springs very close by. However, two of them are under exclusive Israeli control, being located behind the future route of the Wall. ‘The amounts of water that they allocate to us are inadequate and there is not enough pressure for the homes in the upper part of the village,’ explains Imm Qayis. ‘The Israelis charge us steep prices for water and, curiously, those prices fluctuate widely although we always use the same quota. But we don’t have access to the meter.’

There is still the third spring, which is accessible because it is situated in the middle of the village. But analyses have to be carried out to check the quality of its water. The land and the groundwater are polluted by the outflow of waste water discharged by the settlers in Ariel. The only free water in the village is the sewage that makes its way along the hillside until it reaches the village houses, damaging the olive groves in the area.

The water supply problem is also accompanied by problems of access to electricity, which has deterred the village from installing an olive oil press. In the opinion of Sadiq Al-Khufash, chairman of the local council, all these problems have just one and the same aim: to make the life of the villagers as difficult as possible in order to make them leave. This makes him bitter about the credibility of international law.

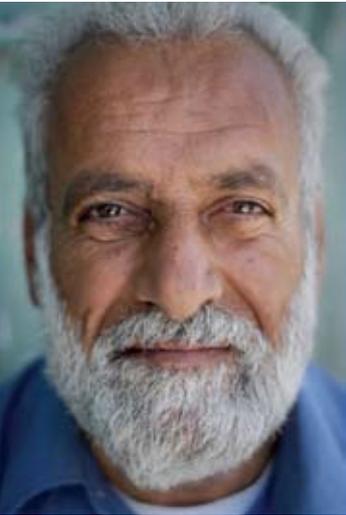
‘Since 1947, all the United Nations resolutions have been flouted,’ he complains. ‘The International Court of The Hague has declared that the Wall built inside the Green Line is illegal. In 2004, it recommended halting its construction and destroying the part already built. But the Israelis continue to build this wall without any sanctions from the international community. So how do you expect us to have faith in international justice?’ ■

## Water scarcity is a major concern in the West Bank

Access to, and control over, water resources is a constant struggle. Under international law, a significant part of the water sources that Israel uses to meet its needs, including that of the settlements, should be shared equitably and reasonably by both Israelis and Palestinians.

Israeli per capita water consumption is more than five times higher than that of West Bank Palestinians (350 litres per person per day in Israel compared to 60 litres per person per day in the West Bank, excluding East Jerusalem). West Bank Palestinian water consumption is 40 litres less than the minimum global standards set by the World Health Organization (WHO).

*Source: UN OCHA, ‘The Humanitarian Impact on Palestinians of Israeli Settlements and other Infrastructure in the West Bank’ (July 2007) ■*



Farouq Ghanam

## The olive trees as a frontline

*Although they are 17km away from the Green Line, the inhabitants of Immatin face a very real border each and every day: that of the Wall, which cuts deeply through this area in order to incorporate the three settlements surrounding the village. Here the villagers, when trying to access their land, are faced with their most serious problem, the violence of Israeli settlers.*

In Immatin, olive and almond trees are vital resources. Most of the villagers' income depends on these trees, of which a large number are isolated behind barbed wire. In total, 4,000 dunum (400 hectares) of farmland have been separated from the village in this way. Attempting to access these land plots is a serious challenge for the farmers, who often face verbal and physical assaults from the Israeli settlers living nearby. 'When we go to these fields, we always go as a group,' explains **Farouq Ghanam**, an inhabitant of the village. 'If we are alone, close to the future route of the Wall, it is even easier for the settlers to attack us. And this is without taking into account the army, which

opens fire or throws teargas that is so powerful you think you're dying on the spot.'

The olive groves have now become an open line of confrontation between, on the one hand, the settlers and armed Israeli soldiers and, on the other, villagers who are determined to farm and protect their land. 'My family has a field very close to the outpost of Gilat [a settlement that is not recognised by the Israeli government],' one of the villagers tells us. 'One day, my father and brother went there to work, alone. Seeing that settlers were arriving, they called us and the whole village went up there. We were really scared. There were confrontations and the

settlers set fire to our olive trees, in front of the soldiers. The soldiers would not allow the firefighters to come while the settlers were still there. So we also stayed, and the army then ordered the settlers to leave.'

The Israeli settlers also carry out raids on the village, with or without the presence of the army. 'If the army is present, there are two options: either they decide that the group of settlers is not large enough to confront us and they evacuate them, or that there are enough of them and they let them vandalise the village', says the villager. ■



*In Immatin the olive groves have become an open line of confrontation.*

### Increasing Palestinian casualties

In the first 10 months of 2008, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) recorded 290 settler-related incidents targeting Palestinians and their property. This figure, while not comprehensive, reflects a worrying trend, since it surpasses the total recorded by OCHA in each of the previous two years (182 in 2006 and 243 in 2007). 293 Palestinians got injured and 4 killed as a result of settlers' violence between 2006 and 2008. During the same period, 116 Israeli settlers got injured and 10 killed as a result of Palestinian violence.

Source: UN OCHA, 'Special Focus: Unprotected: Israeli settler violence against Palestinian civilians and their property' (December 2008) ■

# Bedouins deprived of water and grazing lands



Abu Raeb

*It is often forgotten, but the Palestinian people also include a large Bedouin community. The ancestral way of life of these semi-nomadic people, which is completely different from that of residents of villages and towns, has also been greatly disrupted since 1948. It is directly affected by the consequences of the ongoing Israeli construction of the Wall and settlement policy.*

In order to survive, Bedouin families count on two things: sources of water and grazing lands for their animals. These are resources that are increasingly lacking for the tribes in the West Bank. Today, the 7,500 members of the hamula (clans or extended families) of the largest tribe, that of the Arab Jahalin, bear the social and economic consequences of the extension of Israeli settlements and the construction of the Wall.

One camp of the Arab Jahalin is located five minutes away from the Israeli settlement of Ma'ale Adumim, between Jerusalem and Jericho, right in the middle of Area C. Although water sources and grazing for animals are not lacking in this region, the

Bedouins themselves must endure extreme living conditions. With each day that passes, the settlements and the Wall gnaw away at their living space. Access to water and to a large part of the land – essential for livestock breeding – is now forbidden. Basic services are non-existent. A drinking water pipe is in fact visible, but it is reserved for nearby settlements, on the other side of the Wall. 'We had to make a connection in the pipe to reroute the water so that our families and animals could drink,' explains **Abu Raeb**. 'We're merely taking back what was taken from us by the Israelis. They are trying to deprive us of everything we have to force us to leave.'

## Displaced since 1948

Historically, the Palestinian Bedouins lived mostly in the Negev desert (the area of Bir As-Saba and south of Hebron). Some tribes originate from Galilee. In 1948, there were between 50,000 and 90,000 Bedouins in the Negev, grouped in 92 clans living in an area of about 11,870,000 dunum (1,187,000 hectares). Between July and November 1948, at least 11 of these clans were forcibly displaced from their land by the newly-created Israeli army. As the decades went by, the Bedouins were forced to leave their land, which is still threatened with expropriation today. Some clans settled in the West Bank, in particular in the regions of Jericho, Bethlehem, Hebron, and Jerusalem, where they continue to face forced displacement. ■

By taking over water and land, the settlements and the Wall directly damage the Bedouins' way of life. The simplest habits of their way of life – such as sleeping under the stars when it is too hot in summer – are completely disrupted. 'The security guards [private companies hired by the settlements] often turn up here at night with their 4x4s. Our children are woken up with a start, frightened,' says Abu Raeb, whose brother was recently arrested because he had tried to graze their herd of goats on land close to a settlement. 'The security guards called in the army, claiming that he had thrown stones at one of their dogs and at a car,' he sighs. ■



Abu Nimr with the children of the Bedouin camp.



Abeer

## When studying becomes a day-to-day challenge

*In Abu Dis, a Palestinian village adjacent to East Jerusalem, concrete blocks 8–9 metres high cut across the main road leading to the capital. The Wall, which blocks the sun from reaching the houses and shops located at its foot, runs alongside the road leading up to Al-Quds University and continues its winding path towards Bethlehem. The university, which has over 9,000 students, can no longer be expanded: any extensions for new lecture halls or sports facilities are impossible due to this physical obstacle, which not only blocks out the horizon but also the students' future.*

Being a student at Al-Quds University requires a strong will, if only to arrive at lectures on time each morning. 'The Wall has a major impact on all aspects of university life, both for students and teaching staff. It makes it difficult to follow lectures, prevents students from concentrating, and harms social life within the University itself,' says Dr. Ziyad Qannam, head of the department for sustainable development.

The Wall now cuts the main road down the middle along its full length, and students have to make long journeys to get to lectures, even when they live close by. A journey that would normally take 15–20 minutes for

the 2,000 students who come from East Jerusalem now takes about an hour and a half, without counting the checkpoints where soldiers deal in a particular way with students. 'If you happen to forget your identity papers, it's impossible to get through,' complains **Abeer**, a law student. 'To go to lectures, it's more problematic to forget your identity papers than your books.'

### The power of law

Abeer didn't decide to study law by chance. It is her way of fighting against the human rights violations committed in the occupied Palestinian Territory, in particular in East Jerusalem, where she lives with her family.

For this young woman, the Wall is a daily ordeal. 'I have to see it and go through it every day to go to lectures and to return home. At the checkpoints, I see Israeli buses passing through without any problems, whereas ours are immediately stopped and searched. Every day, we have to get out so the soldiers can check our papers and inspect the bus. It's really humiliating. Since when has studying represented a danger to the Israelis?'

'When we arrive, even before going into lectures, we're already thinking about the problems that await us on the journey home,' explains one of her fellow students, Mu'taz.





Students and teaching staff experience the same problems when travelling to the university; the first challenge lies in bringing together a majority of the students and their lecturer at the same time in the lecture hall. Exam schedules need to be readjusted systematically. University life is almost non-existent: lectures are grouped together in the space of a few hours, and social or cultural activities are few and far between.

In order to try and adapt to the problems involved in reaching the university, some students live in studio flats in Abu Dis. This entails extra expense for their families, yet does not enable these students to enjoy

some of the best years of their lives by having fun and meeting others. In the shadow of the Wall, there is limited space to express ideas of freedom and democracy. And the only windows on the world remain virtual: via telephone, television, or the Internet. ■

**Usama Al-Risheq, co-ordinator of the campaign against the Wall and for the right to education at Al-Quds University:**

‘Starting with the example of our University, we are trying to get the attention of the outside world to the violations of the right to education which Palestinian students face due to the Wall and the Israeli occupation. All the measures taken by the occupier, like the checkpoints and the Wall, flout our basic right to education. I know that a lot of people here think our efforts have no impact on opinions in the West. But as future lawyers, we believe in the international community’s obligation to protect our rights. This campaign is also aimed at making our students understand the significance of the violations they are facing. We Palestinians are so accustomed to humiliation that some of us no longer even pay any attention to it and react with indifference. We have to make them aware of the fact that what they are being subjected to is absolutely not normal.’ ■



# ‘It is not too late to change the course of things’

*Allegra Pacheco is head of the advocacy unit of the Office for the Coordination of Humanitarian Affairs in the occupied Palestinian Territory (OCHA-oPT). She explains to us the restrictions on movement and access imposed on Palestinians and expresses the hope that international law can be utilised more consistently.*

## **Could you describe the system of restrictions on the freedom of movement imposed upon the Palestinians?**

First, let's clarify things: when we talk about freedom of movement, we are talking in fact about a multi-layered system of restrictions that restrict access to space, not only to the road network. The system in place includes more than 600 road obstacles such as checkpoints and earth mounds. In addition, it includes the Barrier: if construction of this continues as currently planned, it will be 726km long, nearly double the length of the Green Line. The objection to the route of the Barrier is simple: 86 per cent of it is located inside the West Bank itself and not on the demarcation line of June 1967 between Israel and the occupied Palestinian Territory. Because of this, the Barrier is separating Palestinians from each other and from their lands.

These physical obstacles are complemented by administrative restrictions. Whereby, more than 20 per cent of the West Bank has been declared 'closed military zone' by the

Israeli authorities. Palestinians who want to build on their lands in these areas cannot access them and face house demolitions. Moreover, 9 per cent of the West Bank is classified as 'natural reserves'. This might sound nice, but when you look at the map you see that these zones are generally located next to the military zones, or in some cases even inside the military zones. They are actually an extension of the zones to which the Palestinians no longer have access. Access is also forbidden for Palestinians without a permit to approximately 3 per cent of the land where settlements are located.

## **Israel is currently building a lot of tunnels, refurbishing checkpoints, and rebuilding roads. What is the purpose of this?**

Israel has already built 39 alternative roads and 30 passageways under primary roads in the West Bank. The objective is to put in place a separate and secondary road network for Palestinians and to reserve the original network for the use of Israeli settlers. For Israel, this road network is a

kind of 'compensation' aimed at solving some of the problems caused by the Barrier, the checkpoints, and the settlements. About 100km of the primary road network in the West Bank is already partly or wholly non-accessible for the Palestinians in certain sections, where they are blocked by obstacles, walls, or long fences. Israel has already renovated and expanded several main checkpoints located in the middle of the West Bank to facilitate Palestinian movement through them – but these large investments in checkpoint expansions raise our concern that these checkpoints are becoming permanent.

Currently the Israelis are investing a lot of money to reinforce this system. All of this is happening in an occupied territory where, under international humanitarian law, changes to the territory by the occupying power should be for the benefit of the local population. In this case, the major changes to infrastructure are designed to accommodate the commuting and security needs of the Israeli settlers.



*Demonstration against building the Wall, Brussels 2003 ©Eric de Mildt*

### **What about the permits system, and the fact that the number of permits issued keeps on decreasing?**

One of our surveys, conducted last year in several dozen villages in the north of the West Bank, revealed that approximately 80 per cent of the Palestinians who used to go to lands on the other side of the Barrier have not received permits from the Israeli authorities. The remaining 20 per cent who have received permits are often elderly people who no longer have the physical capacity to work in their fields, while their children or grandchildren do not have permits. We even came across the case of a permit delivered to a Palestinian who for the past 20 years has lived in Australia.

The same problem emerges with access to water and the maintenance of wells. Because of the Barrier, many agricultural water sources are cut off from the land that they supply, as in Jayyous, for example. Tens of thousands, perhaps hundreds of thousands, of Palestinians have been affected by the construction of this Barrier: directly

in the case of localities that are close by it, and also indirectly due to the physical and administrative obstacles associated with it, such as going to Jerusalem, for example.

### **Can the Palestinians still hope that the international justice will put an end to the construction of the Barrier, or even lead to it being dismantled?**

According to the United Nations and the International Court of Justice in The Hague, the underlying problem is the route of the Barrier and not its construction itself, which Israel considers essential for the protection of its citizens. International opinion is that if Israel still wants a wall, it should be built on the Green Line and not inside the occupied Palestinian Territory.

It is not too late to change the course of things: the Barrier is not completed. Moreover, its construction has slowed down over the past three years, apparently due to a lack of funds, according to the Israeli media. We have today a half-completed Barrier coupled with an advisory opinion of the

International Court of Justice calling upon Israel to cease construction of the Barrier inside the occupied Palestinian Territory and to dismantle what it has already built. This opinion was overwhelmingly reaffirmed by the General Assembly, including the EU, which voted as a block to affirm the ICJ opinion. There is room for continued lobbying regarding the implementation of the advisory opinion rendered by the ICJ. ■

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the wall