



45 Years of Israeli Occupation

WHAT IS LEFT OF
THE TWO-STATE
SOLUTION

Palestine Liberation Organization
NEGOTIATIONS AFFAIRS DEPARTMENT

www.nad-plo.org



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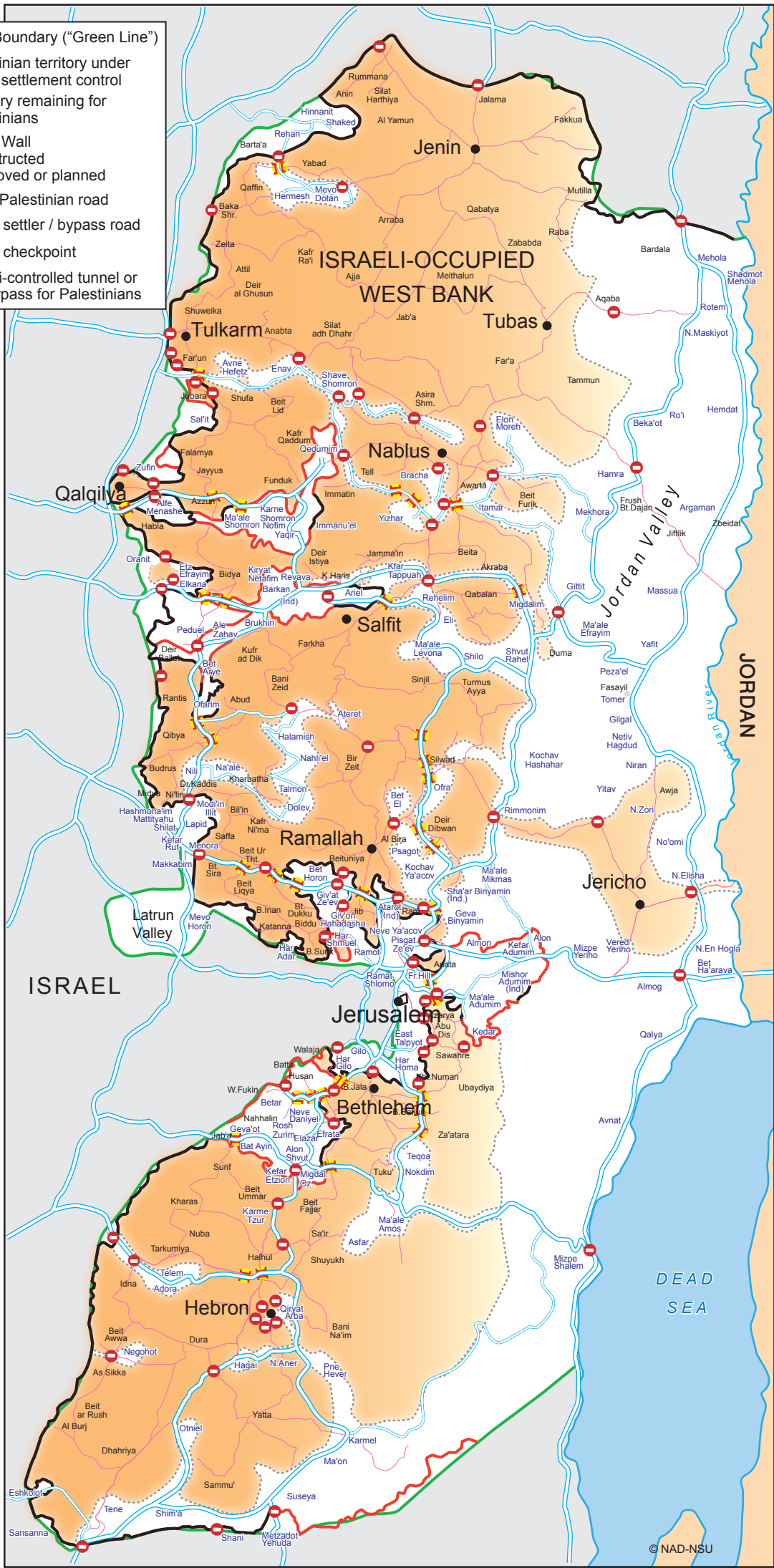
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- 1967 Boundary ("Green Line")
- Palestinian territory under Israeli settlement control
- Territory remaining for Palestinians
- Israeli Wall**
- constructed
- approved or planned
- Local Palestinian road
- Israeli settler / bypass road
- ⊘ Israeli checkpoint
- ⊘ Israeli-controlled tunnel or underpass for Palestinians





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INTRODUCTION

In June 1967, Israel occupied the Palestinian Territory, composed of the West Bank, including East Jerusalem and the Gaza Strip, in addition to the Syrian Golan Heights and the Egyptian Sinai Peninsula. The 1967 border, also known as the “1949 Armistice Demarcation Lines”, is the internationally-recognized border between Israel and the Occupied Palestinian Territory (OPT).

Shortly after its occupation of the Palestinian Territory in 1967, Israel unilaterally and illegally expanded the municipal borders of Jerusalem, enlarging occupied East Jerusalem ten-fold. The new borders were drawn to incorporate Palestinian agricultural lands from other districts, such as Ramallah and Bethlehem, while excluding main population centers. In 1980, Israel extended its Basic Law to the occupied city, thus entrenching the illegal annexation. The international community considers Israel’s annexation of occupied East Jerusalem “null and void” in accordance with UN Security Council resolution 478 among others.

Forty-five years after the beginning of Israel’s occupation, Palestinians find themselves with diminishing territorial horizons and a deadlocked political track. Israel’s policies of settlement expansion, cutting off East Jerusalem from the rest of the West Bank, home demolition, displacement and land confiscation, among other illegal measures, now threaten the viability of the two-state solution.

Already, nearly half of the occupied West Bank has been de facto annexed or expropriated by Israel through the construction of the illegal settlements and the Wall, and their associated infrastructure. Meanwhile, the remainder of the OPT is fragmented into isolated and disconnected cities, towns, villages and refugee camps.

The situation has become increasingly worrying, driving the United Nations Special Rapporteur Richard Falk to make the following conclusion¹:

“The Special Rapporteur recommends that the General Assembly request that the International Court of Justice issue an advisory opinion on the legal status of prolonged occupation, as aggravated by prohibited transfers of large numbers of persons from the occupying Power and the imposition of a dual and discriminatory administrative and legal system in the West Bank, including East Jerusalem.”

Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.

¹ <http://unispal.un.org/UNISPAL.NSF/5ba47a5c6cef541b802563e000493b8c/a72012a31c1116ec8525782c00547dd4?OpenDocument>



ISRAEL'S LEGACY IN NUMBERS

Shrinking Land, Erasing Borders

Israel's illegal settlement regime, including the Wall and associated infrastructure, already de facto expropriates approximately 46% of the occupied West Bank.

The total length of the Wall (as approved on 30 April 2006) is 708 km. This is more than twice the 320 km length of the 1967 border. Israel has completed construction of almost two thirds of the Wall's route.²

The Wall is an integral part of the settlement enterprise and its land grab policies. Approximately 85% of the Wall is inside the occupied West Bank, including East Jerusalem. For instance, the Ariel and Kedumim "fingers" stretch as far as 22 km inside the West Bank.

Fragmentation of Palestinian Territory through Colonization

The first Israeli settlement in the OPT was established in 1967, the same year that the West Bank and Gaza Strip fell under Israeli occupation. Since then, Israel, the occupying Power, has engaged in the colonization and illegal exploitation of the OPT, including East Jerusalem. This policy has seen the Israeli settler population grow from approximately 5,000³ settlers in 1968 to over half a million today.

"The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies"⁴

Article 49, Fourth Geneva Convention Relevant to the Protection of Civilians in Times of War.

The illegality of all Israeli settlement activities in the OPT is firmly established. International law, including international humanitarian law, renders them illegal. This has been repeatedly reaffirmed and embodied in various United Nations (UN) resolutions, including UN Security Council resolutions 252, 267, 271, 446, 452, 465, 471, 478, 672 and 904.

Israel's settlement activities also constitute a grave violation of the 1949 Fourth Geneva Convention Relevant to the Protection of Civilians in Times of War and the Rome Statute of the International Criminal Court.

"The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory"⁵

Article 8.2.b.viii, Rome Statute of the International Criminal Court, which lists the above as a 'serious violation of the laws and customs applicable in international armed conflict'

² <http://unispal.un.org/UNISPAL.NSF/0/63CE9EE7C1E01AD88525789D004BCCFF>

³ http://www.passia.org/palestine_facts/pdf/pdf2006/6-Land-Settlements.pdf

⁴ <http://www.icrc.org/ihl.nsf/385ec082b509e76c41256739003e636d/6756482d86146898c125641e004aa3c5>

⁵ <http://untreaty.un.org/cod/icc/statute/romefra.htm>



Hebron old city. Shop owners place wire mesh above shops to protect themselves from settler attacks.

Additionally, in its Advisory Opinion of 9 July 2004, the International Court of Justice found that Israel's Wall and its associated regime of settlements, infrastructure, and Israeli-only roads constitute grave violations of international law and Israel's obligations as an occupying Power. The Court also decided that this regime "severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel's obligation to respect that right"⁶, which the Court said was of an *erga omnes* nature, i.e. an obligation which applies to all states. The Court also ruled that Israel's illegal settlement regime could be tantamount to de facto annexation of the OPT. It stated: "...the construction of the wall and its associated regime create a 'fait accompli' on the ground that could well become permanent, in which case, and notwithstanding the formal characterization of the wall by Israel, it would be tantamount to *de facto* annexation"⁷.

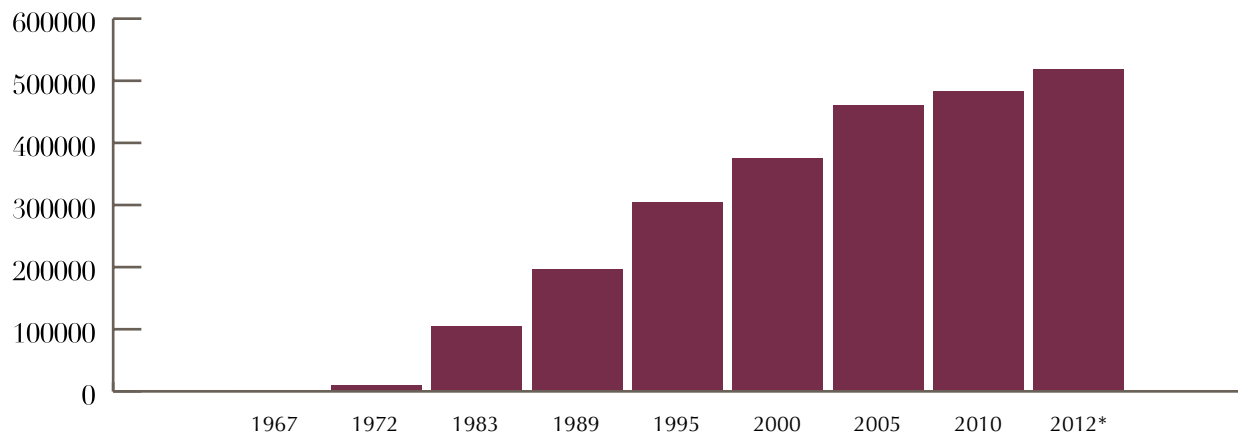
This annexation agenda, which effectively destroys the two-state solution, is a long-standing Israeli policy and dates back to the early years of the occupation. In January 1981, the Israeli government adopted a plan entitled "Settlement in Judea and Samaria - strategy, policy and plans" by Matityahu Drobles. In the report, the intention of constructing the settlements in the OPT was made clear:

"There mustn't be even the shadow of a doubt about our intention to keep the territories of Judea and Samaria for good. Otherwise, the minority population [Palestinians] may get into a state of growing disquiet which will eventually result in recurrent efforts to establish an additional Arab state in these territories. The best and most effective way of removing every shadow of a doubt about our intention to hold on to Judea and Samaria forever is by speeding up the settlement momentum in these territories."⁸

The report also made clear that building Israeli settlements around Palestinian population centers in the OPT would "reduce to the minimum the danger of an additional Arab state being established in these territories. Being cut off by Jewish settlements, the minority population [Palestinians] will find it difficult to form a territorial and political continuity"⁹.

Thirty years have passed since this Israeli policy report. The situation on the ground stands testament to the continuation of the colonization and annexation policy, which aims at denying the Palestinian people from exercising their inalienable right to self-determination hence destroying the two-state solution.

Israeli Settler Population in the occupied West Bank, including East Jerusalem



*estimated figure (Sources: 1967-2005 from Israel CBS; 2010 from B'Tselem)

⁶ <http://www.icj-cij.org/docket/files/131/1671.pdf>

⁷ ICJ 2004 Advisory Ruling <http://www.icj-cij.org/docket/files/131/1671.pdf>

⁸ <http://unispal.un.org/UNISPAL.NSF/0/B795B2D7FE86DA4885256B5A00666D70>

⁹ <http://unispal.un.org/UNISPAL.NSF/0/B795B2D7FE86DA4885256B5A00666D70>



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SETTLEMENTS IN NUMBERS

- Israeli settler population doubled since the signing of the Declaration of Principles in 1993, from approximately **250,000** to over **500,000** in 2012.
- Since 2000, the Israeli settler population in the OPT has grown each year by between **5** and **5.7%**, three times greater than the average population growth inside Israel.¹⁰
- In some settlements, the growth rate in the 10 years between 1999 and 2009 has tripled. For example, the population of Bitar Illit grew from 12,700 to 34,999.¹

The growth of the illegal settlement enterprise has been encouraged and heavily subsidized by successive Israeli governments through special budgets that provide extra benefits and services to Israeli settlers, which ordinary Israelis living inside Israel do not receive. According to recent reports, Binyamin Netanyahu's government has increased the special budget allocated to the illegal Israeli settlements by 38% between 2010 and 2011.¹² The budget share provided by the current government to Israeli settlements has also increased.

“I don't want to get into the numbers but it can be said that the aid to settlements in [the occupied West Bank] and the [occupied] Golan [Heights] grew by several dozen percent in my term as finance minister.”¹³

Israeli Finance Minister Yuval Steinitz, April 2012

For example, from 2003 to 2011, the education budget allotted for Israeli settlements in the occupied West Bank increased by 272%.¹⁴ Transportation is also subsidized. In 2011, a Peace Now study revealed that Israeli settlers enjoy subsidized fares of up to 50% on public transport.¹⁵

This subsidization is only one example of the support which Israeli governments provide the illegal Israeli settlement enterprise. In May 2012, Israel's Knesset approved a law awarding a 35% tax break to those who donate to NGOs supporting illegal Israeli settlement activities.¹⁶ These incentives explain, at least in part, why in 2002, a Peace Now poll revealed that 77% of surveyed settlers live in the OPT for “quality of life” reasons.¹⁷

¹⁰ <http://www.jpost.com/Israel/Article.aspx?id=170595>

¹¹ <http://www.jpost.com/Israel/Article.aspx?id=170595>

¹² http://www.american taskforce.org/daily_news_article/2012/08/02/investment_settlements_skyrockets_under_netanyahu

¹³ http://peacenow.org/entries/must_read_from_todays_israeli_press_-_bonus_for_settlements_nis_1059988790

¹⁴ <http://www.al-monitor.com/pulse/business/2012/08/calcalist-exposure-the-secret-do.html>

¹⁵ <http://peacenow.org.il/eng/content/peace-now-research-reveals-settlers-freeloading-your-expense>

¹⁶ <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=270883>

¹⁷ <http://peacenow.org.il/eng/content/quality-life-settlers>



Old City, Occupied East Jerusalem. Israeli flags flying over Palestinian homes, taken over by settlers.

PALESTINE'S ISOLATED AND IMPOVERISHED CAPITAL

Background

Jerusalem has always been and remains the political and spiritual heart of Palestine. Occupied East Jerusalem is the natural socio-economic and political center for an independent Palestinian state given its cultural importance, commercial vitality, historical significance, and geographic centrality connecting the northern and southern parts of Palestine. It is an integral part of the Occupied Palestinian Territory (OPT), as recognized by the international community and relevant United Nations (UN) resolutions. Consequently, there can be no viable Palestinian state without East Jerusalem as its capital.

Only weeks after its occupation of the Palestinian Territory in 1967, Israel unilaterally and illegally expanded the municipal borders of Jerusalem, enlarging occupied East Jerusalem tenfold to 72 square kilometers of the occupied West Bank. During the 1970's, Israel illegally confiscated Palestinian land, including developed and agricultural land, to build Israeli settlements in blatant violation of international law.

In 1980, Israel adopted the "Basic Law" on Jerusalem, which ratified the annexation of occupied East Jerusalem to Israel. The international community does not recognize this annexation, in line with UN Security Council Resolution 478. This Resolution rejected the Israeli measure as a violation of the Fourth Geneva Convention and determined that "all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and the status of the Holy City of Jerusalem, and in particular, the recent 'basic law' on Jerusalem, are null and void"¹⁸.

Unilateral Israeli Policies in Occupied East Jerusalem

Israel, the occupying Power, has worked systematically to ensure exclusive Israeli control over the occupied city with disregard to the rights of the indigenous Palestinian Christian and Muslim population. These actions and policies are rooted in a 1973 report by the "inter-ministerial Committee to Examine the Rate of Development for Jerusalem". The report recommended that the "demographic balance of Jews and Arabs must be maintained as it was at the end of 1972"¹⁹, which at the time was 73.5% Israeli Jewish and 26.5% Palestinian Christian and Muslim. This discriminatory policy has been unanimously condemned by the international community, including relevant

¹⁸ <http://unispal.un.org/UNISPAL.NSF/0/DDE590C6FF232007852560DF0065F-DDB>

¹⁹ Inter-ministerial Committee to Examine the Rate of Development for Jerusalem, Recommendation for a Coordinated and Consolidated Rate of Development (in Hebrew), Jerusalem, August, 1973, p.3.

United Nations bodies, as racist and illegal. Most recently, the United Nations Committee on the Elimination of Racial Discrimination voiced concern that this policy constitutes a violation of the International Convention on the Elimination of All Forms of Racial Discrimination²⁰.

Establishing Settlements in East Jerusalem

Israel unilaterally and unlawfully annexed occupied East Jerusalem and has been constructing illegal settlements within and along its unlawfully expanded borders. Not only has Palestinian land been expropriated to construct these settlements, they now form a ring around the occupied city, sealing it off from the rest of the occupied West Bank. Today, around 210,000 of the more than 505,000 settlers in the OPT live in settlements located in the Israeli-defined "Jerusalem Municipal borders", including areas annexed from the Palestinian towns of Hizma, Beit Hanina, Shuafat, Beit Jala, Beit Sahour and Bethlehem. Israel, the occupying Power, has also built an inner ring of settlements to separate the Old City from the rest of occupied East Jerusalem. These settlements are placed in highly populated Palestinian areas, affecting the areas of Silwan, Ras Al Amoud, Mount of Olives, Issawiya and Sheikh Jarrah.

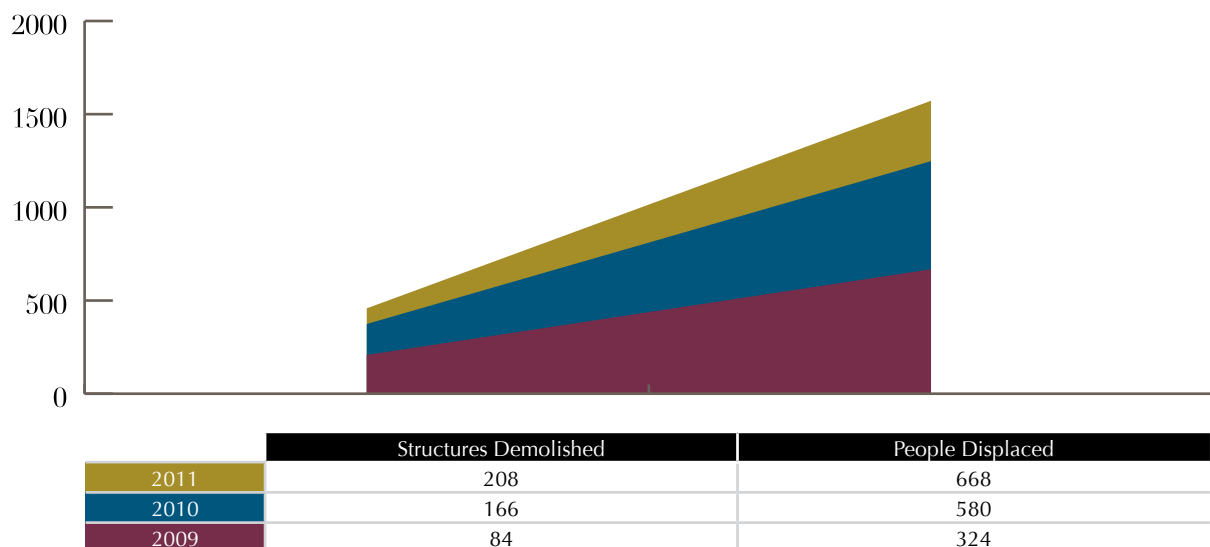
Building Restrictions and Home Demolitions

In addition to preventing Palestinian urban growth using the illegal policies of land confiscation and the construction of illegal settlements, Israel has adopted a series of discriminatory zoning policies intended to make it difficult for Palestinians to build new structures or expand existing ones. As a result, Palestinians are only allowed to build and live on 14% of occupied East Jerusalem. This proportion has remained unchanged since 1967 even though the population quadrupled in the meantime.

As a result of this Israeli policy, the housing density per room for Palestinians is twice that of Israeli settlers in occupied East Jerusalem. In 2011, approximately 210,000 Israeli settlers lived in 57,000 housing units, while nearly 361,000 Palestinians lived in only 50,000 housing units.

Further, permits to build within those areas are prohibitively expensive and nearly impossible to obtain due to Israel's restrictive and discriminatory measures and policies.

Israeli Demolition - Homes and Livelihood 2009 - 2011 (DWG-OCHA)



²⁰ <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.ISR.CO.14-16.pdf>

Estimates indicate that since 1967, Israel has demolished more than 3,300 homes and other structures in occupied East Jerusalem, including several historic and religious sites, such as the historic Moroccan Quarter in the Old City of Jerusalem. According to the Palestinian Central Bureau of Statistics, Israeli authorities demolished 94 Palestinian homes in 2005, 83 in 2006, 78 in 2007, 87 in 2008 and 103 in 2009. These policies effectively force many Palestinians from their land, as the difficulty and expense of rebuilding proves too great. Furthermore, Israel has also demolished about 100 livelihood structures such as shops, small factories, animal shelters and other structures important for Palestinian economy in occupied East Jerusalem.

“[t]he new...settlements in...the West Bank and inside Palestinian neighborhoods in East Jerusalem - are the new frontiers of dispossession of the traditional inhabitants, and the implementation of a strategy of Judaisation and control of the territory.”²¹

UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Ms. Raquel Rolnik (February 2012).

Revoking Residency Rights and Denying Family Reunification

After the 1967 occupation of East Jerusalem, indigenous Palestinian inhabitants of the city were given the status of “permanent resident”. In effect, Israel treats the Palestinians in occupied East Jerusalem as aliens with a residence permit that can be revoked if they leave the city to live elsewhere, including other parts of the OPT. Israel has the power to strip Jerusalemites of their residency solely at its discretion and habitually refuses to grant Palestinian spouses of non-Jerusalemites residency status, thereby denying family unification. In implementing its so-called “demographic balance” policy, Israel has prohibited thousands of Palestinians from residing in the city of their birth by revoking their residency rights.

Between 1967 and 2008, Israel revoked the “residency rights” of at least 14,084 Palestinian Jerusalemites, directly impacting more than 20% of Palestinian families in occupied East Jerusalem. In the past ten years, this illegal practice increased significantly. According to the Israeli human rights organization Hamoked, between 2006 and 2008, Israel revoked 4,577 Palestinian Jerusalemites of their identification cards, thus effectively banishing them from their city and severing their ties with their families and livelihood.

FACTS ON OCCUPIED EAST JERUSALEM

- Due to discriminatory Israeli restrictions on land use, Palestinians in occupied East Jerusalem live and build on only **14%** of the occupied city. This number has remained static since 1967, even though the Palestinian population in the city has quadrupled.
- The Israeli occupying forces have destroyed over **3,300** Palestinian homes in occupied East Jerusalem since 1967.
- Because of Israeli restrictions, at least **160,000** Palestinians in occupied East Jerusalem have no suitable or legal connection to water networks.
- Despite numerically accounting for only approximately **20%** of the building infractions, more than **70%** of demolitions in occupied East Jerusalem are carried out against Palestinian buildings.
- Approximately **35%** of the Palestinian economy is dependent upon metropolitan East Jerusalem, which extends from Ramallah to Bethlehem.
- The international community unanimously rejects Israel’s claim of sovereignty over occupied East Jerusalem.
- There are several United Nations resolutions on Jerusalem, including Security Council resolutions 242, 252, 267, 298, 476 and 478.

²¹ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11815&LangID=E>

**ISRAELI WALL AND SETTLEMENT EXPANSION
AROUND OCCUPIED EAST JERUSALEM
(SEPTEMBER 2012)**



- 1967 Boundary ("Green Line")
- Palestinian territory west / east of the Wall
- Israeli settlement built-up area
- The Israeli Wall constructed
- Palestinian territory under settlement control
- Israeli military base
- approved or planned

Israeli policies and practices in occupied East Jerusalem have had a devastating impact on the socioeconomic situation in the city. Approximately 78% of Palestinian Jerusalemites live in poverty²² and at least 160,000 Palestinians living in the city have no suitable or legal connection to water networks.

Constructing the Illegal Wall

The route of the illegal Wall in and around occupied East Jerusalem splits the West Bank into two distinct areas and completely isolates occupied East Jerusalem from the rest of the West Bank. Israel's illegal Wall regime isolates Palestinian Christian and Muslims from the rest of the OPT and their holy places in Occupied East Jerusalem. It also limits the last available space for much needed Palestinian growth, while facilitating the construction and expansion of illegal settlements. Furthermore, it severs the national transportation axis that connects the rest of the occupied West Bank with East Jerusalem and has resulted in an influx of Palestinian Jerusalemites to the center of the city, thus exacerbating the problem of land for the Palestinian people.

Israel's Wall

- Isolates 10.6% of the Palestinian West Bank population
- Encircles 125,000 Palestinians spread across 28 Palestinian communities.
- Separates 12.4% of the Palestinian West Bank population from its cultivated land west of the Wall, requiring Palestinian farmers to obtain permits from Israel to cultivate and/or harvest their own land.



²² http://www.acri.org.il/en/wp-content/uploads/2012/05/The-Poverty-Policy-in-East-Jerusalem_ACRI_May-2012_ENG.pdf





Wadi Qilt, Jericho.

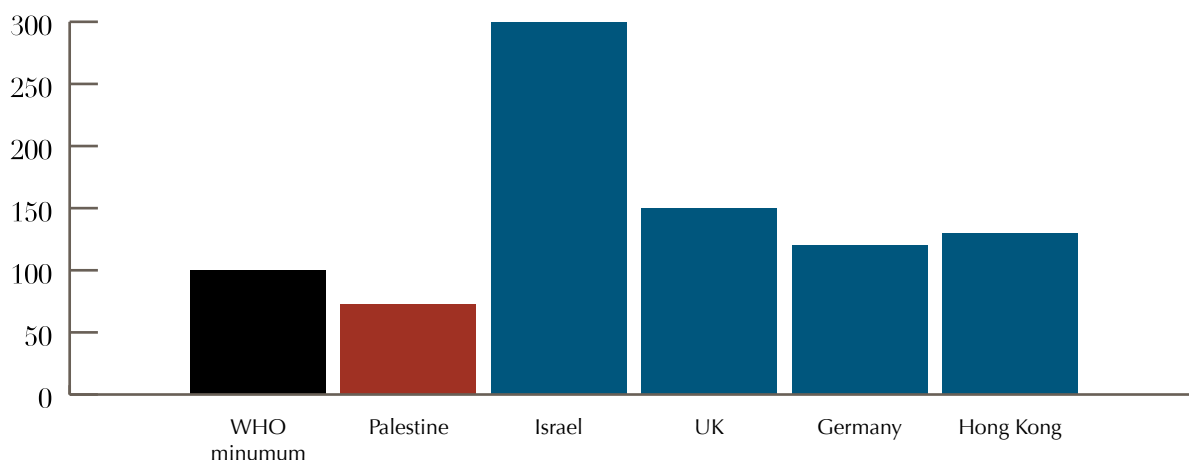
DEPRIVATION OF WATER RESOURCES

Israel controls all water resources in the OPT. The Palestinian water allocation has not changed since 1967. Moreover, any water network project, including drilling, requires 13 separate Israeli permits which take years to obtain, if they are obtained at all. Between 1967 and 1996 the Palestinians were only permitted to drill 13 wells, a figure which is less than the number of water wells which had dried up in that time period, due to Israeli refusal to allow existing wells to be deepened.²³

In terms of household consumption, the average Palestinian lives on 73 liters per day, while the average Israeli consumes 300 liters per day. In some areas, such as Yatta in southern Hebron (population 70,000), water consumption can be as low as 27 liters per day,²⁴ less than a third of the World Health Organisation (WHO) recommended minimum daily consumption of 100 liters.

According to a recent report, indirect costs of water restrictions imposed by Israel in 2010 alone were estimated at \$1,903,082,000 or 23.4% of the Palestinian GDP.²⁵

Average household consumptions (liters/person/day)



THEFT OF PALESTINIAN WATER SPRINGS BY ISRAELI SETTLERS

According to a UNOCHA report of March 2012:

- **30** Palestinian water springs have been forcibly taken over by Israeli settlers, **26** remain at risk
- In 75% of cases, Palestinians have been prevented from accessing the springs 'by acts of threat and intimidation'
- In more than **70%** of cases, the water, which was used by Palestinians for essential purposes such as irrigation, watering livestock or domestic usage, is being used by settlers as a "tourist attraction"

²³ 'Right to Water in the Arab Occupied Territories'

²⁴ http://www.btselem.org/water/20090322_international_water_day

²⁵ <http://www.mne.gov.ps/pdf/EconomiccostsofoccupationforPalestine.pdf>

OCCUPATION AND SIEGE THE GAZA STRIP

The Gaza Strip is an integral part of the Occupied Palestinian Territory. It is one of the most densely populated regions in the world (over 4,500 people per sq. km).

In 2005, Israel unilaterally evacuated its settlers from the Gaza Strip and redeployed its military forces around the borders of the territory. Having redeployed its forces around the strip, Israel then subjected Gaza to a total siege and remained in full control of all aspects of life in Gaza, including the Strip's border and commercial crossings. The siege artificially severed the connection between the Gaza Strip and the rest of the Occupied Palestinian Territory while depriving the population (approximately 1.6 million) of its most basic human rights.

The international community considers that Israel remains the Occupying power in Gaza, bound by its obligations under international law, including the Fourth Geneva Convention of 1949 to which it is a party.

“Israel has contended that its “disengagement” from Gaza in 2005 ended occupation of the Gaza Strip, and thus Israeli responsibilities there as the occupying Power. Such a contention is generally rejected in international law circles, given continuing Israeli control over Gaza’s border, airspace and territorial waters which, along with the blockade (severely curtailing the Gaza fishing industry), has generated a persistent human rights crisis.”²⁶

UN Special Rapporteur Richard Falk in report to the United Nations Human Rights Council, 2011

Israel's Siege of Gaza

Israel's siege of the Gaza Strip is hermetic. It extends to border and commercial crossings, airspace, and territorial waters. This siege has created a chronic humanitarian crisis.

Effects of Gaza's Siege

- By September 2008, Israel's siege had eliminated 99.4% of Gaza's once thriving industries; with only 23 of 3,900 left operating.
- High unemployment: 34% of Gaza's workforce, including over half of its youth, is unemployed.
- Food insecurity: 44% of Palestinians living in Gaza are food insecure and about 80% are aid recipients.
- Lowered living standards: GDP per capita in Gaza in 2011 dropped to almost 17% below the equivalent figure in 2005.
- 35% of Gaza's farmland and 85% of its fishing waters are totally or partially inaccessible.
- The ban on repair of bombed power plants and restrictions on entry of fuel result in outages of up to 12 hours a day.
- Some 90 million liters of untreated and partially treated sewage are dumped in the sea each day due to ban on spare parts.
- Over 90% of the water from the Gaza aquifer is unsafe for human consumption without treatment.
- In 2011, less than one truckload of goods per day exited Gaza; 97% less than the average of first half of 2007.

²⁶ <http://unispal.un.org/UNISPAL.NSF/0/DEB9F05FFDAC98FA8525792E0047A588>

* From OCHA Report, released in June 2012: http://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_june_2012_english.pdf

“The idea is to put the Palestinians on a diet but not make them die of hunger.”²⁷

Dov Weisglass, advisor to the Israeli Prime Minister, 2006

In Focus

Example of Good banned* by Israel (2010)²⁸

Fresh meat	Wood for construction
Plaster	Tarpaulin sheets for huts
Musical instruments	Fabric (for clothing)
Size A4 paper	Fishing rods
Notebooks	Ropes for fishing
Sewing machines and spare parts	Irrigation pipe systems
Glucose	Livestock

* Some banned goods are said to be allowed entry to internationally-administered projects

SUFFOCATING GAZA

In 2010, Gisha, an Israeli human rights organization, secured the release of three official documents outlining Israel's policy of siege, including its “policy of deliberate reduction” of basic goods. Among the findings, Gisha noted:

“The documents contain a series of formulas created by the Defense Ministry to compute product inventory (pages 8-10). The calculations are presumed to allow [Israeli authorities] to measure what is called the “length of breath” (section i, page 8). The formula states that if you divide the inventory in the Strip by the daily consumption needs of residents, you will get the number of days it will take for residents of Gaza to run out of that basic product, or in other words, until their “length of breath” will run out.”²⁵



© UNRWA

²⁷ <http://www.miftah.org/Display.cfm?DocId=9604&CategoryId=5>; source: Agence France Presse

²⁸ [http://www.gisha.org/userfiles/file/publications/products060610_eng\(1\).pdf](http://www.gisha.org/userfiles/file/publications/products060610_eng(1).pdf)

DETENTION OF NEARLY A QUARTER OF ALL PALESTINIANS

Israel ...

- Imprisons Palestinians outside the Occupied Palestinian Territory.
- Sanctions the use of interrogation measures that amount to torture.
- Tries Palestinians in military courts
- Using 'administrative detention', imprisons thousands of Palestinians indefinitely, on secret evidence, while denying them the right to be charged or stand trial.

Violating ...

- The Universal Declaration of Human Rights¹²⁵ (Articles 7, 9, 13, 17, and 18)
- The Rome Statute of the International Criminal Court²⁶ (Article 8.2)
- The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949²⁷ (Articles 49, 76, and 78)
- The International Covenant on Civil and Political Rights²⁸ (Articles 4 and 9(4))
- The United Nations Convention on the Rights of the Child²⁹
- The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³⁰



© ccdprj

²⁵ <http://www.un.org/en/documents/udhr/>

²⁶ <http://untreaty.un.org/cod/icc/statute/romefra.htm>

²⁷ <http://www.icrc.org/ihl.nsf/full/380>

²⁸ <http://www2.ohchr.org/english/law/ccpr.htm>

²⁹ <http://www2.ohchr.org/english/law/crc.htm>

³⁰ http://untreaty.un.org/cod/avl/pdf/ha/catcidtp/catcidtp_e.pdf

“The ill-treatment and torture of Palestinian children by Israeli authorities is widespread, systematic and institutionalized. This system operates within a general culture of brutality and impunity. Between 2001 and 2008, over 600 complaints were filed against Israeli Security Agency (ISA) interrogators for alleged ill-treatment and torture. To date, there has not been a single criminal investigation.”³⁵

Defence for Children International

The Numbers

- Israel has detained approximately **800,000** Palestinians since 1967, approximately **20%** of the Palestinian population in the OPT³⁶This includes women and children as young as 12 years³⁷.
- Approximately **40%** of the male population has been imprisoned by Israel at one or more times during their life.
- Since 1967, Israel has also imprisoned at least **100,000** Palestinians in administrative detention, without charge or trial³⁸
- In the past ten years alone, Israel has imprisoned **70,000** Palestinians and incarcerated at least **20,000** others in administrative detention³⁹
- In the past 10 years, Israel has imprisoned and prosecuted **7,000** Palestinian children, which is equivalent two children every day⁴⁰

Some Torture techniques Israel uses against Palestinian prisoners⁴¹:

According to human rights organizations, Israel continues to employ various forms of torture and inhumane methods against Palestinian detainees and prisoners, including minors. These include:

- Routine forms of torture: sleep deprivation, hands tied with plastic cuffs, squeezing of plastic cuffs to cut off circulation, beatings, slaps, kicks, physical and psychological threats and humiliation
- ‘Special’ forms of torture: Shabeh (position abuse), in which detainees are shackled to a chair in painful positions, placing pressure on different parts of the body, strongly shaking the detainee after being shackled for a long period of time, strangulation and other means of suffocation, pulling of hair, multiple humiliations
- Sexual assault or threat of sexual assault against child detainees⁴²



© Vivienne Goman

³⁵ <http://www.dci-pal.org/english/publ/research/CPReport.pdf>

³⁶ http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/prisonersDay2012E.pdf

³⁷ <http://www.dci-palestine.org/content/child-detainees>

³⁸ Ibid

³⁹ Ibid

⁴⁰ http://www.dci-palestine.org/sites/default/files/dci-pal_-_alternative_report_-_4_june_2012.pdf

⁴¹ <http://addameer.info/?p=496>

⁴² <http://www.dci-palestine.org/documents/dci-palestine-submits-14-cases-sexual-assault-and-threats-un-investigation>

MOST RECENT ISRAELI STEPS IN OCCUPIED EAST JERUSALEM

Continued Excavations under the Al-Aqsa Mosque Compound

Since February 2007, Israel has been bulldozing the southwestern entrance to Al-Aqsa Mosque Compound, known as the Al-Magharbeh Gate, which includes two rooms that lead to the Buraq Mosque in the Compound. In addition to the bulldozing and excavation works, Israel plans on building a wide bridge extending from the gate to the walls of the Old City

In spite of strong opposition voiced by Palestinians and the Arab and Muslim world, Israel has resolved to continue with the works on the gate. While local Israeli authorities expressed an intention to delay the construction of the bridge near the gate, the excavations continue unabated.

Excavation work is continuing on three tunnels adjacent to the Compound in the Old City of Jerusalem and the neighborhood of Silwan:

- Underneath the newly established Ohel Yitzhak synagogue, a 100-meter tunnel was completed in the Haman El Ein area of the Muslim Quarter of the Old City towards the Al-Aqsa Mosque Compound.
- In addition, excavations have been carried out in the existing Wailing Wall tunnel which, according to eye witness reports, has resulted in structural damage to several adjacent properties, including the Al-Jawaliyy School, Al-Manjakiy School, Ribat al-Kurd, Al-Uthmaniyy School and Al-Tankazi School.



Old City, Occupied East Jerusalem. Israeli-built alternative to Al-Mughrabi bridge.

- A new 600-meter tunnel is being excavated under 'Ain Silwan Mosque and private Palestinian houses in the Silwan area by the El'ad Foundation, a right-wing Jewish settler organization, under the supervision of the Israeli Antiquities Authority. This tunnel is designed to connect Israeli settlers in Silwan with the Compound. At present, some 200 meters of the tunnel has been completed, with an additional 400 meters remaining.

The construction of new commercial center in Silwan is also underway. Elad plan on turning the so-called Givaate parking, a car park located 100 meters south of the Al-Aqsa Mosque Compound, into a commercial center that will also include underground parking for 400 cars. This center will be connected to the Wailing Wall by tunnels underneath the Old City walls next to the Marrocan's Gate.

The implications of these excavations are grave. As part of Al-Aqsa Mosque Compound, al-Magharbeh Gate is a Muslim property under the custodianship and the administrative jurisdiction of the Islamic Waqf. Any excavations or maintenance taking place on Al-Mughrabi Gate or on any part of the Haram Al-Sharif compound must be agreed and coordinated by the Islamic Waqf. Contrary to media reports, Israeli authorities have failed to explain or coordinate its activities with the Islamic Waqf, let alone secure its agreement on the works. Israel is violating the Waqf's property rights and is failing to meet its obligation as an occupying power to respect private Palestinian property.

Furthermore, to the extent that Israel's excavations and work on Al-Mughrabi Gate is threatening its integrity and that of the Al-Aqsa Mosque, Israel is in breach of the Fourth Geneva Convention's prohibition against destroying property and of its duty to ensure the protection and conservation of this World Heritage Site.

The current works and excavations are part of Israel's unilateral policy of creating facts on the ground to consolidate its control over East Jerusalem and to irrevocably ensure its exclusive control over the future of the Holy City.

Moreover, such systematic and provocative acts in the holy sites in occupied East Jerusalem threaten any prospect for a negotiated peace settlement between Israel and Palestinians. They are particularly unhelpful at a time when the parties are exploring ways of moving beyond the current stalemate.

Advocating the Largest act of De-population of East Jerusalem Since 1967

The Israeli mayor of the Israeli-established Jerusalem municipality has proposed depriving Palestinian Jerusalemites east of the illegal wall of their Jerusalem IDs. If successful, this proposal would affect an estimated 80,000 Palestinians in the neighborhoods of Shufat Refugee Camp, Ras Khamis, Dahiyat Asalaam, Kafr Aqab, and Samiramis. If implemented, this plan would be the largest act of deportation and de-population of the city since the beginning of the occupation forty-five years ago. Despite requiring the illegal Israeli-defined Jerusalem boundaries to be redrawn, which would necessitate the approval of two-thirds of the Israeli Knesset, this proposal is highly alarming. These statements reflect Israel's systematic policy aimed at altering the demographic, social, and cultural reality in occupied Jerusalem, in contravention of international law. Confronting this proposal is very urgent due to its unprecedented scope and far-reaching consequences.

Renewal of the Closure of Jerusalem Institutions

In violation of its international commitments, Israel has renewed, for the eleventh year, the closure order against several Palestinian institutions in Occupied East Jerusalem, including the Orient House (headquarters of the Palestinian people in East Jerusalem), and the Jerusalem Chamber of Commerce.

The Road Map of 2002, which was endorsed in Security Council resolution 1515, stipulates Israel's obligation to reopen these institutions. However, Israel has repeatedly renewed the closure order for these institutions, which used to provide legal, economic, cultural and political support for the Palestinian population in Occupied East Jerusalem.



IMPOVERISHING THE OCCUPIED POPULATION

Israel's continued military occupation is costly in human and material terms. Forty five years of policies that systematically undermine and stunt Palestinian development, as well as repeated military assaults, have had a devastating effect on Palestinian development and economic health. In 2011, the Palestinian National Authority in cooperation with the Applied Research Institute- Jerusalem (ARIJ) published a study outlining the economic cost of occupation for 2010.⁴³ It was the first attempt to quantify these tangible costs. The study concluded that Israeli colonial measures, including the settlement regime and the illegal exploitation of Palestinian natural resources, cost the Palestinian economy USD a staggering \$6,896,849,000 or 84.9% of Palestine's GDP that year.

“Given the total fiscal deficit in West Bank and Gaza of \$1.358 billion in 2010...the Palestinian economy would be able to run a healthy fiscal balance with a surplus of \$438 million without the direct and indirect fiscal costs imposed by the occupation.”⁴⁴

This heavy economic burden, coupled with the illegal policies and practices of the occupying Power has resulted in further impoverishment.

“The Palestinian economy continues to operate much below potential because of continued movement restrictions (the number of barriers in the West Bank increased from 500 in 2010 to 523 in 2011), continuation of the economic siege on Gaza, the Palestinian Authority's fiscal crisis, and decline in donor support. Moreover, 2011 witnessed further impoverishment, with increased demolitions of Palestinian infrastructure (especially homes), and the expansion of Israeli settlements particularly in the areas surrounding East Jerusalem and Bethlehem..., adding to the existing physical fragmentation between various Palestinian “bantustans”⁴⁵

The key long-term constraints blocking the emergence of a strong economy are the loss of Palestinian natural resources, land and water to occupation and settlements, and the isolation of Palestinian producers from regional and global markets leading to their inability to procure production inputs and to export their goods and services.

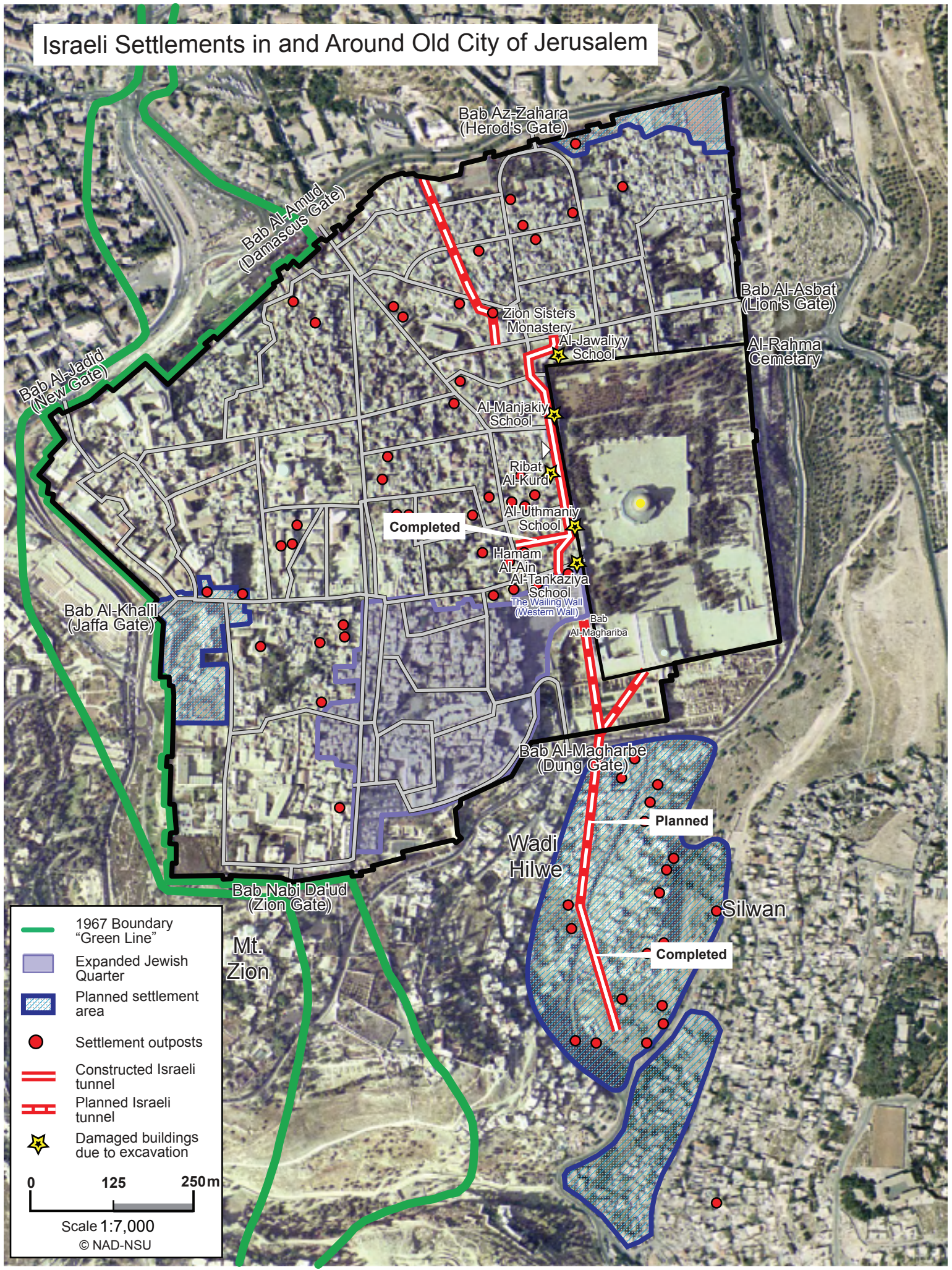
⁴³ The economic costs of the Israeli occupation for the occupied Palestinian territory, A bulletin published by the Palestinian Ministry of National Economy in cooperation with the Applied Research Institute-Jerusalem (ARIJ), September 2011. <http://www.mne.gov.ps/pdf/economiccostsofoccupationforpalestine.pdf>

⁴⁴ Ibid, p. 33

⁴⁵ http://unctad.org/meetings/en/SessionalDocuments/tdb59d2_en.pdf



Israeli Settlements in and Around Old City of Jerusalem



- 1967 Boundary "Green Line"
- Expanded Jewish Quarter
- Planned settlement area
- Settlement outposts
- Constructed Israeli tunnel
- Planned Israeli tunnel
- ★ Damaged buildings due to excavation

0 125 250m

Scale 1:7,000
© NAD-NSU

CONCLUSION

Forty-five years after the beginning of occupation, Israel continues to deliberately violate international law through policies that undermine and threaten to annul the prospect of a two-state solution.

The legacy of Israel's occupation is one of impunity and protection from international accountability. Israel continues to violate its legal and moral obligations as an occupying Power. It is entrenching its occupation of Palestinian land through colonization, illegal exploitation of Palestinian resources, and suppression of the Palestinian people's natural and legal right to self-determination and independence.

Israeli colonialism and illegal practices risk making the occupation irreversible. This is an unacceptable prospect for the Palestinian people and one that threatens regional peace and security. After forty-five years, the need to realize the two-state solution has never been as pressing. The window of opportunity is fast closing.

Despite the grim reality produced by the illegal practices and policies imposed by Israel, the occupying Power, despair is not an option for Palestinians. Rather, the pursuit of inalienable national rights for self-determination and independence is a Palestinian goal and an international responsibility that must be upheld. ■



45 Years of Israeli Occupation

WHAT IS LEFT OF THE TWO-STATE SOLUTION

Palestine Liberation Organization
NEGOTIATIONS AFFAIRS DEPARTMENT

Palestine Negotiations Support Project (PNSP)

Tel: +972 2 296 3741

Fax: +972 2 296 3740

www.nad-plo.org