



50 years of Israeli occupation: The roadblock to peace

“After nearly 50 years of occupation ... Palestinians are losing hope. ... They are angered by the stifling policies of the occupation. They are frustrated by the strictures on their daily lives. They watch as Israeli settlements in the occupied West Bank, including East Jerusalem, expand and expand. ... [They] have lived through half a century of occupation, and they have heard half a century of statements condemning it. But life hasn’t meaningfully changed. Children have become grandparents. But life hasn’t changed.”

(Ban Ki-moon, UN Secretary General, 27 January 2016 [\[1\]](#))

Next year, in June 2017, it will be 50 years since Israel took over the West Bank (including East Jerusalem) and Gaza by force against the wishes of the Palestinians who lived there.

It is the job of the UN Security Council to reverse aggression of this kind, which is in breach of Article 2.4 of the UN Charter, applying whatever sanctions are necessary to force the aggressor to withdraw. That is what happened when Iraq took over Kuwait by force in 1990.

Unfortunately, the Security Council has failed to reverse Israel's 1967 aggression. As a consequence, Palestinians have been forced to endure almost 50 years of Israeli military occupation without any say in how they are governed – and there is no end in sight.

Palestinian historic compromise

In November 1988, the Palestine Liberation Organisation (PLO) declared its objective to be the creation of a Palestinian state in the West Bank (including East Jerusalem) and Gaza. With that declaration, the Palestinian leadership accepted the goal of a state on just 22% of their historic homeland, with Israel continuing to exist in the other 78%.

This was an historic compromise of extraordinary generosity on the part of Palestinians, which opened the way for a “two-state solution”. It hasn’t been realised because Israel has adamantly refused to withdraw to the 1967 borders and allow a Palestinian state to be established.

It is time to face the reality that the “two-state solution” is dead, unless the international community is prepared to apply serious and sustained sanctions against Israel to force it to withdraw from the Occupied Palestinian Territories. Pressing for yet another bout of negotiations between Israel and Palestinians in the vain hope that, on its own, this will lead to a “two-state solution” is tantamount to supporting the continuation of occupation indefinitely – since Israel is not going to withdraw voluntarily and Palestinians are powerless to make them withdraw.

Israel never sanctioned for aggression

The Security Council has never applied any sanctions against Israel to force it to reverse its illegal territorial expansion. And, far from sanctioning Israel for its aggression, the US and the EU have showered it with privileges.

Since 1967, the US has given Israel over \$100 billion in (mostly military) aid and it has protected it politically in international fora, for example, by vetoing resolutions critical of it in the UN Security Council. Today, the US gives it over \$3 billion a year in military aid, making it the recipient of more US tax dollars than any other state in the world.

As for the EU, it made Israel a privileged partner, allowing it to sign up to the Euro-Mediterranean Partnership in 1995, and granted it privileged access to the EU market in 2000 under the EU-Israel Association Agreement.

In marked contrast, the US and the EU immediately applied economic sanctions to Russia, when it took over Crimea in 2014, even though the takeover enjoyed the broad support of the people living there.

Colonisation war crimes

Since Palestinians opened the way for a “two-state solution” in 1988, far from withdrawing to the 1967 borders, Israel has gone to enormous lengths to consolidate its control over the West Bank, including East Jerusalem. In particular, Israeli colonisation has accelerated dramatically. In 1988, around 190,000 Jewish settlers lived there: today, there are around 600,000 and the number is growing relentlessly.

Colonisation, that is, the transfer by an occupying power of its own citizens into territory it has taken over by force, was outlawed internationally after World War II. Thus, Article 49 (6) of the 4th Geneva Convention (1949) states:

“The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies”.

Because of its colonisation of the territory it took over by force in 1967, Israel is in flagrant breach of that Convention (which it ratified in 1951).

Colonisation is also a war crime under the Rome Statute of the International Criminal Court (ICC): Article 8.2(b) (viii) of the Statute states that:

“the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies (is a war crime).”

Israel’s 50-year project of settling its own citizens in the Occupied Palestinian Territories has involved the commission of war crimes by Israel on a massive scale – and it is still continuing.

(At present, the ICC Prosecutor is considering opening an investigation into actions committed in Palestinian Territories which may constitute offences under the Rome Statute. This became possible after Palestine became a party to the Statute on 1 April 2015. This may lead to the prosecution for war crimes of individuals responsible for settlement-building after that date.)

Immensely detrimental impact on Palestinian life

These Jewish settlements, and the infrastructure that Israel has built to service them, have had an immensely detrimental impact on Palestinian life in the West Bank.

Under the Oslo Agreement, the West Bank (excluding East Jerusalem) was divided into three areas. The largest, Area C, with around 61% of the land area, contains most of the agricultural and grazing land and water in the West Bank. It is wholly under Israeli control and it is where the Jewish settlements have been built.

Areas A and B, the lands transferred to the Palestinian Authority after the Oslo Agreement, are not contiguous; they are made up of nearly 170 “islands” surrounded by land designated as part of Area C. Consequently, although the vast majority of the Palestinian residents of the West Bank live in Areas A and B, all the land reserves which are necessary for Palestinian economic development are in Area C.

But Israel treats Area C as if its sole purpose is to serve Israeli needs, expanding Jewish settlements there relentlessly, their population having more than tripled since the Oslo Agreement was signed. It does not consider itself obligated in any way to the estimated 200,000 - 300,000 Palestinians living in this area.

Tens of thousands of hectares of Palestinian land, including pastureland and farmland, have been seized by Israel for building settlements, which have been granted allocations of land that are greatly in excess of their built-up areas. All lands allocated to settlements – built-up area and the areas around them – have been designated closed military zones which Palestinians cannot enter without a permit.

The impact the settlements have on Palestinians’ human rights goes way beyond the land seized for the actual settlements: additional lands have been confiscated from Palestinians to build hundreds of kilometres of bypass roads for settlers; checkpoints and other measures that restrict only Palestinian movement have been set up based on the placement of settlements; much Palestinian farmland – both in and outside the settlements – has become effectively off-limits to its Palestinian owners.

Israel bans virtually all construction and development by Palestinians in Area C. It has declared vast areas in the West Bank to be military zones and state land, where building is prohibited. In the few remaining areas, Palestinians are almost always refused building permits. When, having no other option, Palestinians build without permits, their buildings, including their living quarters, are liable to be demolished by Israel, with the Palestinian residents subsequently billed for the demolition costs.

On 8 April 2016, the UN Office of Humanitarian Affairs reported:

“Thus far in 2016, the Israeli authorities have demolished 539 structures in Palestinian communities in Area C, compared to a total of 453 in Area C in all of 2015. 804 people have been displaced in Area C in 2016, compared to a total of 580 in 2015.” [\[2\]](#)

There is little doubt that the objective of this policy is to drive Palestinians out of Area C altogether. Furthermore, Israel is particularly brutal in its treatment of dozens of semi-nomadic communities scattered throughout Area C, expelling or attempting to expel residents of these communities from their homes and localities.

World Bank Report on Area C

A World Bank report *Area C and the Future of the Palestinian Economy* [3] published in October 2013 pointed to the vital importance of Area C as key to future Palestinian economic development, because it is richly endowed with natural resources, including:

- large area of fertile land for agriculture, with the water to irrigate it;
- valuable minerals, principally potash and bromine in the Dead Sea, which is already exploited by Israel and Jordan, but not Palestine;
- large amounts of stone for quarrying and
- major global tourism potential, especially around the Dead Sea.

The report estimated that if the Israeli restrictions on Palestinian access to, and economic activity in, Area C were lifted, the total value to the Palestinian economy could amount to around \$3.4 billion or about 35% of Palestinian GDP at 2011 levels.

But thanks to Israel, Palestinians are denied this enormous boost to their economy.

Ban Ki-moon speaks for Palestinians

Israel has taken over the West Bank by force and occupied it for almost half a century. It has confiscated vast tracts of Palestinian land to build Jewish-only colonial settlements and the infrastructure to service them. And it prevents Palestinians from making use of their own land and resources for economic development in order to reduce poverty and unemployment.

Israel's behaviour towards Palestinians in the West Bank has been, and continues to be, outrageous. And the world has stood idly by for almost 50 years while Israel has done this.

UN Secretary General, Ban Ki-moon, spoke for Palestinians on 27 January 2016, when he said:

"After nearly 50 years of occupation -- after decades of waiting for the fulfilment of the Oslo promises Palestinians are losing hope. Young people especially are losing hope. They are angered by the stifling policies of the occupation. They are frustrated by the strictures on their daily lives. They watch as Israeli settlements in the occupied West Bank, including East Jerusalem, expand and expand.

"They are losing faith in their own leadership to deliver genuine national reconciliation and see the dream of a sovereign, contiguous and independent Palestinian state slip away.

"The people of Palestine have lived through half a century of occupation, and they have heard half a century of statements condemning it. But life hasn't meaningfully changed. Children have become grandparents. But life hasn't changed.

"We issue statements. We express concern. We voice solidarity. But life hasn't changed. And some Palestinians wonder: Is this all meant to simply run out the clock? They ask: Are we meant to watch as the world endlessly debates how to divide land while it disappears before our very eyes?"

Ban Ki-moon went on to say:

"The United Nations is committed to working to create the conditions for the parties to return to meaningful negotiations. That is the one and only path to a just and lasting solution -- an end to the occupation that began in 1967, leading to a sovereign and independent State of Palestine, living side by side in peace and security with the State of Israel."

Unfortunately, that is a pipe dream – unless serious and sustained sanctions are imposed on Israel to force it to end the occupation that began in 1967.

Without sanctions against Israel, today's Palestinian children will still be living under Israeli occupation when they are grandparents.

Israel: A democratic state?

Israel likes to describe itself as the only democracy in the Middle East, but it is not even a democracy.

How can it be described as a democracy when it has ruled over millions of Palestinians in the Occupied Territories for almost 50 years, without according them any democratic rights whatsoever?

How can it be described as a democracy when Jewish colonists living in the illegal West Bank settlements have a vote in elections to the Israeli parliament, the Knesset, but Palestinians living alongside them in the West Bank haven't? This is akin to the voting system that operated in apartheid South Africa.

To come anywhere close to meriting being described as a democratic state, Israel must either;

- (a) withdraw from the occupied territories to the 1967 lines and make way for the creation of a democratic Palestinian state, or
- (b) accord democratic rights, including the right to vote in the Knesset, to everybody who lives in the Occupied Territories, as well as in Israel.

Gaza

Israel did withdraw its ground troops and settlers from Gaza in September 2005. However, under international law it is still the "occupying power" since it remains in "effective control" of the territory, because it continues to exercise:

- almost total control of Gaza's land crossings
- control on the ground through incursions and sporadic ground troop presence, and ground fire from Israel into Gaza
- complete control of Gaza's airspace
- complete control of Gaza's territorial waters.

Israel's occupation regime in Gaza is very different from that applied in the West Bank, but it is occupation nevertheless.

Since September 2005, Israel has maintained a brutal economic blockade against Gaza. For nearly a decade, the 1.8 million people of Gaza have been punished simply and solely because Hamas is in control of Gaza. This blockade is contrary to international law, specifically Article 33 of the Fourth Geneva Convention, which forbids collective punishment of people under occupation. But the international community has stood idly by while Israel has callously maintained this blockade and brought untold misery to the people of Gaza.

Here's what Chris Gunness of the UN Relief and Works Agency told the BBC Today programme on 17 July 2014 about its effects:

“95% of the water is undrinkable. You turn on a tap in Gaza and salt water comes out of it. Millions of litres of raw sewage flow into the sea from Gaza every single day. We have a situation where the number of people coming to UNRWA for food assistance – it was 80,000 in 2000, it is now 800,000, that is, more than half of the people of Gaza have been made aid dependent as a result of man-made policies.”

Man-made in Israel, he might have added, and implemented with cold deliberation. According to a Wikileaks cable from the US embassy in Tel Aviv on 20 October 2008, Israeli officials had made it clear to the US “on multiple occasions” that “as part of their overall embargo plan against Gaza” Israel intended “to keep the Gazan economy functioning at the lowest level possible consistent with avoiding a humanitarian crisis” [4]. There, the objective of the blockade is plainly stated to be making life miserable for Gaza’s 1.8 million inhabitants. Note that Israel does not say the blockade is necessary for its security.

Chris Gunness was speaking in the early days of Operation Protective Edge in July/August 2014, an Israeli offensive which killed 2,104 Palestinians including 495 children. 475,000 people were displaced and had to shelter in UN schools and relatives’ homes. 1,500 children were orphaned. According to the Palestinian Ministry of Health, 10,224 Palestinians, including 3,106 children and 1,970 women and 368 elderly, were injured; with almost a third of those children having a permanent disability.

A great deal of the infrastructure of Gaza was destroyed – homes, schools, hospitals, mosques, electricity, sewage and water facilities. All of this in a population of just under 1.8 million (approximately the same as the Greater Dublin Area) and in an area smaller in size. Not a single person in this population has avoided the experience of multiple traumas.

David Morrison
May 2016

References

[1] <http://www.un.org/sg/statements/index.asp?nid=9422>

[2] <http://us5.campaign-archive1.com/?u=5a6b19e1cb44562e4e7a92167&id=dedc37c570&e=6dab5abd23>

[3] <http://www->

wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2014/01/23/000442464_20140123122135/Rendered/PDF/AUS29220REPLAC0EVISION0January02014.pdf

[4] <http://www.aftenposten.no/spesial/wikileaksdokumenter/3112008-CASHLESS-IN-GAZA-5105811.html>

Sadaka supports a peaceful settlement in Palestine / Israel based on the principles of democracy and justice, be that in two states or in one state. We maintain an independent position on internal politics within Palestine, favouring neither Fatah, Hamas nor any other Palestinian political organisation.