

OBSERVATION REPORT

ISRAEL - PALESTINE

THE OCCUPATION IS WALLING UP THE FUTURE

SURVEY ON THE THREATS OF THE COLONIZATION SYSTEM
AND THE RESISTANCE OF THE CIVIL SOCIETIES





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Introducing the mission

La Cimade has a history shared with the Israeli as well as the Palestinians. Marked by its WWII commitment to the Jews jailed and threatened with deportation, the society quickly worried about the consequences for the Palestinians of the creation of the State of Israel. As early as the 1950's, it carried out humanitarian initiatives towards the Palestinian refugees, and developed more political actions after 1967, when the Palestinian territories were occupied. Pursuing a dual objective of fair and durable peace through international law and reconciliation between the peoples, it has supported initiatives of the third sector aiming at building bridges between the communities. Having supported numerous Israeli and Palestinian partners until the 2000's, La Cimade has also contributed to create the Platform of French NGOs for Palestine, designed to widen awareness and advocacy in France and in Europe.

Since then, its mobilisation has fitted into an inter-association work in France, through the networks it is a member of: the Platform of French NGOs for Palestine, Christians of the Mediterranean, the Middle-East Platform of the Protestant Federation of France, the coordination committee EAPPI (ecumenical accompaniment Programme in Palestine and Israel-Jerusalem), and APRODEV (Association of World Council of Churches-related Development Organisations in Europe) until 2013. La Cimade has taken part to the flotilla for Gaza in 2011, and led the coalition against Agrexco in the Languedoc region in 2012 together with its partners. In 2009 the national council of La Cimade supported the initiative launched by the Palestinian third sector, BDS (Boycott, Disinvestment, Sanctions).

DETAILS ABOUT THE DELEGATION'S ITINERARY

The mission whose conclusions are spelled out in this report was carried out from 16 to 25 February 2014. Ten years after the last official mission of La Cimade in Israel- Palestine, its objective was to get back in touch with the realities of the field, to analyse the stakes the third sectors in each territory face, and to collect information about the situation of asylum seekers and refugees in Israel. The delegation, eight people representative of La Cimade movement, comprised the president of La Cimade, two volunteer members of the National Council, two volunteers of local groups (Strasbourg and Marseilles), two employees and one volunteer of the International Solidarities Department.

In Tel Aviv, we met Israeli societies working with asylum seekers, refugees, then workers (Palestinians and migrants): ASSAF (Aid Organization for Refugees and Asylum Seekers) the Hotline for migrants, and Kav Laoved. We were received by Zochrot whose work on the memory of the Nakba is remarkable, and exchanged with academics Anat Matar and Kobi Snitz, who campaign against the occupation. The organisation Who Profits informed us about the Israeli and International companies which take profit of the occupation. The mission went on to visit the suburbs of Jerusalem with Michel Warszawski of the AIC (Alternative Information Center), then meeting other associations : B'Tselem, the organisation of defence of human rights, and the Public Committee Against

Torture in Israel ; Gisha, which works on the freedom of circulation in Gaza ; Ewash, which links organisations devoted to access to water and its purification ; Kairos and Sabeel, which carry the message of Palestinian Christians ; the support assistants of EAPPI who bear witness to the daily oppression on the West Bank ; the OCHA agency, the UN agency which gathers data on the humanitarian situation. We have also met the deputy general consul of France and the cooperation attaché, as well as members of the political section of the representation of the European Union. Our delegation visited areas marked by occupation: Hebron with the association Hebron France Solidarité; the villages of Bil'in and Nabi Saleh and their committees of popular resistance; The Jordan valley with the farmers support NGO UAWC (union of agricultural work committees). In Ramallah we met the Palestinian BNC which coordinates the BDS actions, the great organisation of defence of human rights Al Haq, and Addameer which works to defend the rights of political Palestinian prisoners and administrative detainees. In Beer Sheva in the Negev region, we met Adalah, association of defence of the rights of minorities, particularly Israeli Bedouins. Finally, we were honoured to chat with Idith Zertal, Israeli Historian specialist of colonisation.

IT IS URGENT TO ACT

From this plunge into the machinery of a lethal occupation, La Cimade delegation concludes that it is urgent to act. To act to support the local organisations in Israel and in Palestine who struggle in a specially difficult environment to collect information on violations of rights, to publish reports, to warn the Israeli and international public, the European institutions and the United Nations. Act to support the work done towards the refugees and asylum seekers, the other dark side of the Israeli policy of sidelining the unwanted. Act to relay the appeal of the popular resistance committees which, through their unrelenting and peaceful struggle against the bulldozer of colonization, call for an urgent international solidarity. Act towards the French government so it implements a courageous policy and support, with all means, the recognition of the rights of the Palestinians by Israel. Act, finally, so that oppression yields to justice, a justice longed for by the Israeli and Palestinian societies, without which no peace can ever happen.

Thanks

La Cimade thanks all those who contributed to the good organisation of this mission: the staff of the Platform of French NGOs for Palestine for their logistic support; Michel Warszawski who offered us an essential introduction to the occupation policy in East-Jerusalem; Abdallah Abu Rahma who welcomed us in Bil'in and provided us with the elements of understanding which he took time to give us about popular resistance; the UAWC for accompanying us in the Jordan valley. And all the people we met during this mission who allowed us to understand how complex the situation is, and towards whom we committed ourselves to bear witness.

INTRODUCTION

How can we speak of peace under occupation?



Route 443 connects Jerusalem with Tel Aviv. The Palestinian villages of Bir Nabala and Qalandiya are just behind the walls, but cannot access the road.

For decades the 'peace process' has been the obligatory framework when talking about Israel and Palestine. In the international forums, as in all of the negotiation processes conducted under the auspices of various American administrations since the Oslo Accords of 1993, the objective of reaching a "faire and durable peace" has never ceased to be the official guiding principle.

Today, following the failure of the most recent negotiation process, the deadline for which was set at 29 April 2014 by the American Secretary of State, the realisation of this objective seems further away than ever. More so than during any other period of negotiations, the State of Israel pursued the policy of occupation of Palestinian land and people which it has employed unrelentingly since 1967. Despite the time that John Kerry dedicated to the negotiation process, the fundamental question of the recognition of the 1967 borders, in accordance with UN Resolution 242, was repeatedly postponed by Israel. Clearly, Israel's objective is to call this framework into question by imposing its presence and control beyond the 'green line' and in doing so, change the conditions on the ground irreversibly.

At this stage, the only move that could engender belief in a true peace process is the end of occupation. Yitzhak Rabin understood this, and he was assassinated by a fanatic settler, in a context of tension and hate that was largely orchestrated. Since that time, no Israeli government has demonstrated a willingness to commit to that route. On the contrary, under Netanyahu's government, the process of settlement in Palestinian lands has continued to accelerate. And the control of the occupying power in all areas of Palestinian life becomes stronger and more suffocating for the occupied people each day. The settlement 'steamroller' continuously picks up speed, with a 123% increase in the number of houses being constructed in the occupied territories between 2012 and 2013, compared to just a 4% increase within Israel, and destroys the mere idea of a return to the 1967 borders in its wake. The 'low intensity warfare' led by the State of Israel at the moment takes two faces. A demographic war in Jerusalem to ensure a Palestinian presence of less than 30% of the population, at the price of expulsions and all sorts of restrictions to limit the demographic growth of the Palestinian part of the city. And a spatial war in the occupied terri-

stories to monopolise as much territory as possible and establish settlements connected by a network of roads, bridges, and tunnels that divide and separate Palestinian villages and land.

FLAGRANT ILLEGALITY

In this undeclared war of occupation, the State of Israel seems to win victory on victory, all within the view and knowledge of the international community who cannot, or do not want to, oblige Israel to respect international law. Nonetheless, Israel's conduct is flagrantly illegal, particularly with respect to Article 49 of the Fourth Geneva Convention, ratified in 1951 by Israel, which forbids "the Occupying Power" to "transfer parts of its own civilian population into the territory it occupies". Confident in its impunity, the Israeli government has

Israel's conduct is flagrantly illegal, particularly with respect to Article 49 of the Fourth Geneva Convention, ratified in 1951 by Israel

even multiplied its acts of provocation and contempt against the Palestinian Authority. For example, Israel decided to construct 3,000 new houses in East Jerusalem in retaliation for the historic recognition of Palestine as an observer state of the UN General Assembly on 29 November 2012. And furthermore, heavy economic reprisal measures were imposed by Israel on the Palestinian Authority following its request to join a dozen international treaties in April 2014: a freeze on taxes collected by Israel for the Palestinians (80 million Euros per month, or two-thirds of the revenue of the Palestinian Authority), and a ceiling on bank deposits. These recent measures of hostility could provoke a financial and political crisis for the Palestinians with unpredictable consequences in the current context of tensions.

Under the influence of an ethno-nationalist ideology, propagated in particular by the settlers, two new demands have been made by the Israeli government, giving rise to strong national and international reactions:

- The international redefinition of the State of Israeli as a Jewish State.
- The legal distinction between Christian and Muslim Arab-Israeli citizens.

TOWARDS A PALESTINIAN STATE ALONGSIDE ISRAEL?

Considered by the Palestinians, both within and outside the Palestinian territory, as unacceptable provocations which further undermine the chances of achieving a just and durable peace, these steps are also condemned by diaspora Jews and by Christian churches.

The project to recognise Israel as the "Nation State of the Jewish people" has received the strongest criticism from the organisation Une autre voix juive [An alternative Jewish voice]. Representing an important current of opinion amongst citizens "who identify as Jews and refuse to allow Israel to speak in their name", they wrote on 22 February 2014 asking the US Ambassador to refuse this demand that "would establish, on a legal and permanent basis, the discriminations between Israeli citizens", but also which "would have the consequence of infinitely feeding the resurgence of anti-Semitism". The authors consider that: "The current demands of the leaders of the State of the Israel are against the Declaration of Independence which alone permitted the establishment of Israel in the concert of nations and its recognition as a member of the UN, to whose resolutions, Israel, at its creation, declared itself bound".

The second initiative, reflected in a bill passed 24 February 2014, is unanimously rejected by the Palestinian Israeli citizens, who represent 20 % of the population of Israel, by the PLO and by the Christian churches who denounce this strategy of division of the Palestinians and more broadly the citizens of Israel, on ethnic and religious bases.

Against these increasingly aggressive offensives of the Israeli government, the Palestinian Authority, already in a weak position in the highly asymmetrical power relations between occupier and occupied, has a decreasing margin of maneuver. The divisions, physical and political, of the Palestinian people, between the citizens of a micro-territory besieged in Gaza governed by Hamas, and the residents of the occupied territories of the West Bank placed under the significantly reduced power of the Palestinian Authority, have only aggravated the power imbalance.

The reconciliation agreement signed on 22 April 2014 between the PLO and Hamas, and the undertakings to constitute a national unity government and organise presidential and legislative elections before the end of 2014 could change the story. That is certainly the prediction of the Israeli government, which officially announced the suspension of negotiations with the Palestinian Authority the day after the agreement. The current priority given by the Palestinian leaders to reconciliation and national unity opens new perspectives which imply courageous political and strategic choices for both sides. It leads to a strengthening of the internal and international legitimacy of Palestinian officials able to foster respect for international law by Israel. But also to ensure respect for human rights in their country. The plan to create a Palestinian state alongside Israel is heavily debated at present. For some, it is too late, in light of the extent to which the settlements have divided up the Palestinian territory, rendering the establishment of a viable state unimaginable. For others, the claim to a sovereign state remains indispensable and historically unavoidable for the Palestinian people, who have the right to establish themselves as a state for the first time in their history.

The disastrous consequences for the two people of pursuing this logic of occupation and settlement are more evident than ever. Out of step with law, morality, and history, the policies of the Israeli government are leading towards catastrophe, under the eyes of a powerless international community.

IN ISRAEL

The clear-headed men and women in Israel are conscious of this fatal downward spiral and are starting to make themselves heard. The voices of these "resistance fighters", intellectuals, artists¹, youth who became aware of the inhumanity of the occupation during their military service in the territories, activists, are still limited in number and barely audible. According to surveys, the majority of Israel's population do not support the settlements. But they prefer to ignore it. It is much easier for the Jews of Israel to not go into the occupied territories and live, also in captivity, behind the wall which conceals a reality that they do not know and do not want to know. "The wall has closed our lives" says a young Israeli, observing with bitterness that the single-minded priority placed on questions of security prevents people from seeing the problems around them and that the media

and politicians maintain a climate of fear. "An existential fear is part of our heritage" underlines the historian Idith Zertal, "but it is systematically developed as the means to silence all questions. We are always sent back to the image of the persecuted victim, even though it is in our name today that our state occupies and persecutes another people". She adds, "how, with our history, have we got here?" For her "Israel is occupied by the occupation, mentally, intellectually, morally".

IN PALESTINE

The majority of the Palestinian people suffer but refuse to give up. Their attachment to the land and their conviction that international law is on their side feeds their capacity for "resilience". Today, Palestinian civil society organisations come together in supporting the

Despite the fragmentation of civil society, in Israel as in Palestine, numerous organizations resist the logic of occupation with non violence.

non-violent boycott strategy initiated by the BDS call (Boycott, Divestment, Sanctions), launched in 2005 to capture public opinion around the world. Despite the fragmentation of civil society, in Israel as in Palestine, and the considerable obstacles to interaction between Palestinians and Israelis, numerous organisations non-violently resist the logic of occupation, settlement, and discrimination, and refuse to resign themselves to a fait accompli. Alongside the Palestinians, Israeli activists, still very few in number, dare to transgress the physical and psychological barriers which separate the two peoples.

Signs of hope for the future exist: they are to be found and supported in these peaceful activists who fight against the current today, in Israel and in Palestine.

¹ Movie director Dror Moreh produced the documentary « the Gatekeepers », where 6 former Shin Beth officials show with impressive lucidity and authenticity the disastrous logic of the policy led since 1967

01

The Occupation System

A closer look at the Israeli occupation of the Palestinian territories reveals a relentless system with multiple stakes. While the aim is always to colonize and annex as much territory as possible, the means vary, ranging from the «legalization» of settlements by successive governments, to the construction of wild out-posts that are essentially tolerated by the authorities, to pure and simple annexation by the wall of separation. It is also about making Palestinians' lives impossible by any means, ostensibly to prevent them from organizing and to discourage them to the point of leaving if they haven't been chased out already, as in Hebron or in the Jordan Valley. It is thus a combination of all types of means, pressure and restrictions, codified by thousands of civil and military decrees and combined with brutal, continuous repression.



Hebron, check-point at the entrance of the Tomb of the Patriarchs

1.1. EAST JERUSALEM

Prior to 1967, East Jerusalem, geographically located at the center of historic Palestine, was the cultural, economic and political center of Palestinians' lives. Since the illegal annexation of the city, the State of Israel has conducted an aggressive policy of judaization aimed at driving Palestinians out and destroying the links between the city and the Palestinian population of the West Bank.

In 1980, Israel extended the annexation of Palestinian territories by expanding the border of the municipality of Jerusalem from the districts of Ramallah in the north to Bethlehem in the south. Within this «Great Jerusalem» all of the Palestinian villages are entirely caged in by security barriers separating them from the settlement blocs that surround them. The settlements constantly expand due to what Israelis call «natural growth,» but also due to the continued arrival of new settlers, primarily from France and the United States: from 103,000 in 1986, today there are more than 250,000 illegal settlers in East Jerusalem. The greatest increase in the number of settlers occurred during the negotiations of the Oslo Accords.

Annexation and settlement

While the municipality of Jerusalem is constantly constructing new housing for Jews, it is virtually impossible for Palestinians to obtain a construction permit. In addition, all non-constructed and non-settled zones in East Jerusalem have been declared «green zones» where construction is prohibited. Palestinian families have no choice but to build their houses illegally, facing the risk of having them destroyed by the Israeli military, or having to emigrate to the West Bank, thereby losing their right to live in Jerusalem. According to OCHA (the U.N. Office for the Coordination of Humanitarian Affairs) 33% of Palestinian houses do not have permits and are at risk of being destroyed by the Israeli Army.

The launching of the «El» Plan starting in 2006 extended the Maale Adumin settlements to the east of Jerusalem, thereby completing the surrounding of the city. It also created an east-west stretch of territory covered by settlements, from Jerusalem to the Jordan Valley, cutting the West Bank into two separate geographic zones.

Judaization, “the eleventh commandment”

According to a report by the heads of missions of the European Union on Jerusalem in 2011, the State of Israel is conducting a full-scale demographic war against the city’s Palestinian population. The objective is to eliminate any possibility of Jerusalem becoming the capital of a future Palestinian State, thereby rendering obsolete the “two state solution.” This demographic obsession is part of the “Master Plan” implemented by the municipality since 2002

SILWAN

The district of Silwan, situated at the foot of the Al Aqsa mosque and of the Mount Temple, has been under severe tension for several years. In this Palestinian district, the State of Israel intends to build an archaeological complex, the « City of David National Park ». The Israeli government has entrusted this « archaeological » project to Elad, a specially violent far right organisation. As early as 1990, Elad started grabbing the land and the houses of the Palestinian residents evicted under the provision of the APA (Absent Propriety Act) and managed by the JNF (Jewish National Fund). Evictions, counterfeit ownership certificates, extortions of signatures of elderly people, violence against children, public spaces closed for supposed archaeological excavation, being conducted so hurriedly that they triggered the collapse of flats and schools; by all means, Elad tries to drive away the Palestinians to replace them by Jewish settlers. According to the Civic Coalition for Defending Palestinians’ Rights in Jerusalem, more than 400 settlers occupy 54 settlements in the district.



In Jerusalem, the Silwan district starts at the bottom right-hand corner of the photograph

which seeks to establish and maintain a demographic balance of 70% Jews to 30% Arabs until 2020. According to Michel Warschawski, President of the Alternative Information Center news agency, there is broad consensus among Israeli society on the necessity of maintaining a Jewish majority, which is what he calls the “eleventh commandment.”

Second class residents

Despite annexation, the State of Israel does not grant Israeli citizenship to Arabs from Jerusalem. Instead they are given the precarious status of “resident,” the same status given to foreigners. This status can be revoked for multiple reasons by the Israeli authorities. To conserve the right to “reside” in East Jerusalem, Palestinians must prove according to strict criteria that East Jerusalem is “the center of their lives.” Contrary to Palestinians living in the West Bank or Gaza, residents of Jerusalem have a right to mobility, but it comes at a price: studying abroad for “too long” or obtaining a residence permit in another country leads to the loss of residence status in Jerusalem. According to the human rights organization B’Tselem, based on data from the Israeli Ministry of the Interior, approximately 15,000 Palestinians have had their right to residence revoked since 1967.

The right of residence is not transferred automatically to children, in particular in cases where only one parent is a resident and the other is from the West Bank or Gaza. This causes a number of problems for the registration of over 10,000 Palestinian children in Jerusalem, who cannot benefit normally from basic health and education services.

Residents who marry a person from the West Bank or Gaza wishing to live with their spouse in Jerusalem must apply to the Israeli authorities for “family reunification”. In most cases, the lengthy and costly application procedure is unsuccessful. Since the introduction in 2003 of the temporary order “Law on the Nationality and Entry into Israel” the ban on living in Jerusalem is applied not only to residents’ Palestinian spouses but also to their children.

Holy Places

They are the focus of recurrent tensions where religious and political stakes mix dangerously. Such is the case in Hebron, Nazareth and the esplanades of the mosques of Jerusalem. The Knesset chose to start



In the heart of Hebron’s old city. In the background, the new Yeshiva built by Israeli settlers.

discussions on the status of the Al-Aqsa Mosque on February 25th 2014, the very day of the 20th anniversary of the Hebron massacre. Over the past few weeks, the Israeli government has been waging an offensive aimed at imposing its sovereignty on the esplanade of the mosques. The Israeli Army has scaled up the number of violent interventions and increasingly seals off sites to allow Jewish extremists to occupy the premises.

1.2 HEBRON, MARTYR CITY

Thirty-five kilometers south of Jerusalem, the city of Hebron carries the cruel markings of occupation. As the second most populated city in the West Bank, it is an important economic center for Palestinians and a major issue because of the Cave of the Patriarchs, a holy site for the three monotheistic religions, located at its center. Hebron was the first city to be colonized, with the establishment of the Kiryat Arba settlement in the east of the old city in 1967. Four more islands of occupation later developed in the heart of the old town. Marked by serious violence between the two communities, the city was the scene of a massacre in 1994 committed by a

religious nationalist Israeli settler. Twenty nine people were killed while praying in the mosque. The recurrent violence escalated during the second intifada, during which the city was under curfew for 600 days.

Since 1997 and the Hebron Protocol, 80% of the population lives under Palestinian authority in the zone known as H1. The remaining 20% live under Israeli control in zone H2, which encompasses the old town, its surroundings, and the Cave of the Patriarchs. The situation is grotesque: 40,000¹ Palestinians live under the occupation of 600 Israeli settlers heavily protected by almost 1,500 soldiers. Palestinian businesses are prohibited around the settlements, leading to the closure of some 1,900 shops. Since the year 2000, Palestinians are barred from accessing part of the old town, including Martyrs Street, the former main street. In all, the army has put in place 120 barriers to the movement of Palestinians, including 18 permanent check points. The army justifies these measures as necessary for the protection of the settlers, who are there illegally. As a result, 1,000 houses have already

¹ OCHA, East Jerusalem, Key humanitarian concerns, December 2011

been abandoned for economic reasons related to the closure of shops or due to the restrictions on movements and curfews imposed on inhabitants. For those who have stayed, the humanitarian situation has seriously deteriorated. Access to basic services, particularly water, is very limited; violent acts committed by settlers are never punished. The once vibrant city

ZONES A, B ET C

Since the 1967 war, the West Bank has ipso facto been under the control of the Israeli army, and according to the agreement known as Oslo II or Taba, signed in Washington on September 1995, it is divided into three areas:

- Under Palestinian civilian and military control, it comprises the cities of Jenin, Nablus, Kalkiya, Tulkarem, Ramallah and Bethlehem, as well as the town of Jericho, already autonomous since May 1994. These towns represent 3 % of the West Bank and 20 % of the population.
- Under a mixed regime, with a Palestinian civilian control and a joint military control, it comprises nearly all the Palestinian West Bank villages (about 450), which represent 27 % of the West Bank and 70 % of the population. Areas A and B represent 90 % of the population of the West Bank.
- Under Israeli military control, it spreads over the remaining territories, which represent 70 % of the West Bank, in other words the largest part of East Jerusalem and the fertile lands, among those the near whole of the Jordan valley, all the roads leading to Israeli settlements and all the buffer areas (next to the settlements, the wall, and the strategic points), as well as all the borders. The Palestinian Authority is in charge of the matters of education and health for the area C residents, while any building or repair of infrastructure must be authorised by the Israeli. For B'Tselem, the Israeli policy in area C answers only to Israeli needs (as a priority, developing the settlements and the economic interests) and deliberately ignores the needs of the Palestinian population, who live in fear of expulsion, eviction, or the destruction of their houses or means of subsistence.

center has become a ghost town. Above the streets of the market, inhabitants have put up nets for protection from settlers who live above and throw objects and garbage out of the windows. For Hebron - France Solidarité, an association of cultural exchanges that organizes alternative visits of the city, the Palestinians' simple act of staying in Hebron is a daily act of resistance to the occupation. On February 21, 2014, 2,000 Palestinians demonstrated for the reopening of Martyrs Street, closed to Palestinians for the past 14 years. The army's response was disproportionate - 13 people were injured and 5 were arrested. Hebron, the first city to be colonized, a city being destroyed from the inside by the presence of settlers, is the ultimate tragic symbol of the occupation.

1.3 THE WALL AND THE AGGRESSIVE EXTENSION OF THE SETTLEMENTS IN THE WEST BANK

Over 500,000 settlers² live illegally in the West Bank and East Jerusalem, on the other side of the internationally-recognized 1949 border. The oldest settlements, now veritable cities, have de facto been annexed by Israel by the route of the barrier, and new constructions continue despite negotiations underway since late 2013 under the auspices of U.S. Secretary of State John Kerry.

While Israeli settlers have access to all basic services and are under civil administration, Palestinians live under a military regime; they do not vote for the government which administers them and do not have access to basic services, including water, which is rationed. The human rights association B'Tselem, which has been documenting human rights violations in the occupied territories for 25 years, has observed a worsening of the situation in the past few years, calling it a "system of occupation"³. While soldiers may not always be visible on the ground, and there aren't reports of daily explosions of violence, the occupation is ever-present, maintained at a level just above what is still bearable for the Palestinian population.

From security barrier to demographic stakes

Today, Israel controls all access routes to Palestine, except for the Rafah terminal point at the border between the Gaza Strip and Egypt. Everything is restricted: the movement of goods and persons, the capacity of local Palestinian communities to develop.

The separation wall, built as of 2002 along 700 km, of which 85% is judged to be illegal⁴, is presented by Israel as a security measure to prevent terrorist attacks on its territory. Yet Palestinian workers cross the wall every day clandestinely to work in Israel with the silent consent of the authorities, who turn a blind eye, undercutting the security argument. The wall, the settlements and the roads linking them together are the three pillars of the occupation system. The so-call "separation" wall has as its objective to protect the illegal settlements and their zone of natural growth. The location of check points and the delivery of construction permits in Zone C depend on their proximity to the settlements. The occupation is devastating to Palestinians' daily life: their access to schools and farmland is deliberately blocked; they suffer violence and harassment from settlers, who are never punished and act in total impunity, destruction of their houses or buildings by the army, and arbitrary arrests including of their children. The direct eviction and the seizure of land lead to a progressive displacement of the population, with a clear demographic impact. The city of Bethlehem, surrounded by settlements, no longer has sufficient land reserves to develop. To the west of the city, Palestinian lands which have been made inaccessible to them fall under the three year law: this Ottoman custom allows the Israeli government to seize any land that has not been farmed for the past three years.

The wall, which also isolates 11,000 Palestinians⁵ on the "Israeli" side, breaks up Palestinian communities and subjects them to daily humiliations. With 85% of the inhabitants of the settlements living on the "Israeli" side of the wall, the seizure of Palestinian land appears irreversible.

Violence by settlers, military violence: Al-Nabi Saleh

The Palestinian village of Al-Nabi Saleh, with 550 inhabitants, is located 21 km north-west of Ramallah. In 1977 the illegal settlement of Halamish was established on its land, where 1,600 settlers now live⁶. A road separates the village from the settlement, connecting the settlement to Tel Aviv. Following a complaint filed in 1978, the High Court of Justice ruled that the seizure of the land was illegal and ordered its return, but the ruling was never applied. Hundreds of olive trees have been destroyed by settlers on the village's land. From the top of a hill overlooking the road, the water source



Halamish settlement occupies the majority of Al-Nabi Saleh's farm land.

is visible, protected by military jeeps. In December 2009 the settlers seized the water source from the village, which was private property, and transformed the surrounding area into a park. Despite the ongoing legal action, the Israeli military continues to block Palestinian access to the water source, while allowing Israelis to access it freely.

Without protection from settlers' violence and in the absence of the application of legal decisions which ruled in their favor, the inhabitants of Al-Nabi Saleh have organized since late 2009 weekly peace demonstrations to demand justice. The military has responded with extreme violence. Under Military Ordinance No. 101 from 1967, meetings of over ten people considered to be political in nature are prohibited unless authorized by the zone's military commander. This regulation has enabled the army to deploy an entire arsenal of repressive means: excessive use of force and of arms, check-points at the exit of the village and blocking access to the village's land for holding demonstrations, arbitrary arrests and detention, withholding assistance to wounded people, night raids of houses, destruction of private property.

Since the beginning of the peaceful protests, two people have been killed, including Mustafa Tarnini, killed by gunshot in December 2011. While he laid bleeding unconscious on the ground, the military refused to allow

² Trade away peace: how Europe helps sustain illegal Israeli settlements, 2012.

³ La Cimade, interview with Yael Stein, 19 Feb. 2014

⁴ Trade away peace: how Europe helps sustain illegal Israeli settlements, 2012

⁵ Trade away peace: how Europe helps sustain illegal Israeli settlements, 2012.

⁶ www.amnesty.fr

BUILDING CUTS FOR PALESTINIANS IN AREA C

About 63 % of area C depends on local and regional settlement councils and are thus unattainable for Palestinians to build. Adding to this the bans linked to military shooting zones, the nature reserves, and the proximity of major roads, only 30 % of area C is not a *priori* prohibited for building. Yet the civilian administration imposes severe restrictions, *de facto* allowing building on 1,5 % only of area C, a major part of which is already built on. Out of the 1640 applications for building made between 2009 and 2012, 2,3 % only have been granted. All the others have been ordered to be demolished (source: B'Tselem)

the ambulance to get through for nearly thirty minutes. He later died at the hospital. The inquiry into the soldier responsible for the shooting was closed without further action. The inhabitants' distress is palpable in this village being eroded by a settlement which is gaining ground under military protection. The members of the committee of popular resistance are determined, despite the lack of means, in particular legal means, at their disposal. Their message is clear: they call on the responsibility of the international community and on strong international solidarity to face this deeply unjust situation. Bil'in's situation is symbolic too. Situated North of Ramallah, the village is marked out by the block of the illegal settlements of Modi'in Illit, the oldest of which goes back to 1994. The Mattiyahu settlement, part of the Modi'in Illit block, stated growing in 2001; a separation wall was built at the end of 2004 to protect



The Modi'in Illit settlement is build on Bil'in's former olive groves.



Bedouin house demolished for the umpteenth time, village of Fasayel, Jordan valley.

it, seizing 50 % of Bil'in's lands. The popular resistance committee which was set up has organised peaceful marches every Friday since February 2005. The residents have brought the case of the wall and of the theft of their lands before the courts.

In September 2007, the High Court of Justice pronounced that the outline of the wall had to be revised and should run on public lands, not on village lands. In December 2008, refusing the second outline proposed by the Israeli government, the court ordered part of the wall to be destroyed; this was done only in June 2011⁷. The wall's new outline hacking off another 1 300 dunams (or about 150 hectares) from the village, the demonstrations are continuing up to this day. As in Al-Nabi Saleh, the army has responded with disproportionate force to these peaceful demonstrations, bringing about the death of Bassem Abu Rahma, hit in the chest by a direct grenade hit in April 2009. The marches bring together Palestinian villagers, Israeli and international activists who advance to the wall behind while the soldiers shut themselves away, waiting to shoot their tear-gas grenades.

On the other side of the wall spread the new settlements. In Bil'in too, the wall outline is based solely on Israeli interests, without consideration for the residents and violating their rights. The wall brings the *de facto* annexation of the lands situated on the settlements side.

1.4 BLIND REPRESSION AIMED AT DESTROYING PALESTINIAN SOCIETY

The wall, the settlements, the roads reserved for Israelis, the seizure of land and resources, all of these elements are the building blocks of the occupation.

Among the worst is the policy of mass imprisonment and administrative detention specifically aimed at destroying Palestinian society from within.

Since 1967, 800,000 Palestinians have been arrested, accounting for 20% of the Palestinian population and 40% of Palestinian men. According to prisoner support and human rights association Addameer, 5,023 people are currently in prison, including 157 children and 17 women; 155 people are under administrative detention, mainly young people, leaders of political groups or associations - the leaders of the resistance. The strategy of the Israeli forces to counter peaceful protests and advocacy against the wall changed in 2009, when these actions achieved international recognition and legitimacy. The Israeli occupation forces (IOF) have implemented a policy of mass imprisonment to put pressure on all forms of resistance and to prevent normal social life among Palestinians. When some of the leaders were recognized by the United Nations and the European Union⁸ as human rights defenders, the level of violent repression increased.

Villages like Bil'in where the resistance gets wide press coverage are particularly targeted. Night raids are carried out to punish families for the alleged action of one member, ending in the destruction or confiscation of private property and harassment. The arrest and imprisonment of human rights defenders is often based on confessions extorted from children (imprisoned from as young as 12 years old) by force or torture. The criminalization of advocacy and of all forms of free speech is orchestrated by over 1,650 military orders, and Order 101 (which requires authorization from the military commander for all meetings of a political nature with over 10 people) is applied even in the private sphere and within houses. For those who are arrested, the charges are frequently exaggerated and brought without evidence. The accused has to prove himself not guilty, in total disregard of the presumption of innocence. Palestinians facing charges are found to be guilty in 99.7% of cases, either based on confessions extorted by torture, or by "pleading guilty" in order to obtain a shorter sentence. Given that the accused are sure to be imprisoned in any case, their lawyers often counsel them to follow this strategy for a reduced sentence.

⁷ www.btselem.org

⁸ Abdallah Abu Rahma, met during the mission, Israel recognized human rights defender by the representative of the European Union for Foreign Affairs and Security

ABDALLAH ABU RAMAH

Abdallah Abu Ramah, 45 years old, was a teacher at the Latin Patriarchate high school in Birzeit until his arrest. Today, he is the coordinator of Bil'in's popular committee against the wall and the settlements. In 2003, bulldozers and chainsaws started destroying the



olive groves, amputating 50 % of the village territory. As early as 2005, the residents of Bil'in decided spontaneously to demonstrate peacefully. The night before the Human Rights Day, on December 10, 2009, Abdallah Abu Ramah was arrested at his home at 2 am. Seven Israeli jeeps surrounded his house, the Israeli soldiers broke the door, pulled Abdallah from his bed and after a brief good-bye to his wife Majida and his three children, they blindfolded him and took him to jail, where he spent 16 months. The reason for this arrest: he had exhibited used tear gas canisters and bullet cases to show the violence of the army against the demonstrators! Abdallah carries in himself the awareness that this cause and this fight are just. When he welcomes you warmly in his house in Bil'in, you are gripped by this certainty that the march you will take part in with him is a universal act, which goes beyond all borders, against all forms of injustices. When you face this wall under a rain of tear gas, you know that the fight will be rough, and nevertheless, you hope, because the one who accompanies you yearns for a just peace, and because he does not harbour hate. He says: « Our only enemy is occupation ». « At first, the Palestinians were doubtful. They did not think that non-violence could accomplish anything in front of the Israeli army. But watching our successes, they have understood that non-violence was effective. And this too is something we are proud of. Our Intifada (from the Arabic « to rise ») is peaceful, and that is why it is strong. »

* Abdallah Abu Ramah interview, from the article by Hassina Mechaï, Mediapart, March 24, 20

When they aren't judged, Palestinians can be placed under administrative detention for six months without trial, renewable indefinitely. This practice, established under the British mandate, was reinstated by Israel after 1967. Administrative detention is strictly regulated by international law, and can only be used by an occupying power for "imperative security reasons"⁹ and on a case-by-case basis. In practice, it is applied broadly¹⁰ by Israel to punish what are often minor alleged acts, when it was intended to prevent serious threats against national security. Persons held under administrative detention are not informed of the charges against them and their lawyers do not have access to their files. They can be detained in this way for months or years.

The liberation of prisoners, presented by Israel as a goodwill gesture, has not improved the rights of the 5,000 still imprisoned or under administrative detention. Furthermore, it has not reduced the number of arrests: 23,000 persons have been freed since 1993, and 86,000 have been arrested in the same period. The 104 prisoners whose liberation was announced in July 2013 had been in prison since before the Oslo Accords, meaning some have spent nearly 25 years in prison and have almost completed their sentence. Of the 104 prisoners, 26 have still not been released.

1.5 COLONIZATION OF THE JORDAN VALLEY

Located to the east, along the Jordanian border, the Jordan Valley represents 28% of the West Bank. With the exception of Jericho, the Palestinian Authority has no sovereignty over it. 88% of the Jordan Valley, classified as Zone C, is controlled by the Israeli Army; 46% has been declared "land for military exercise," and 20% are enclosed plots of land declared to be "natural zones." 10,738 Israeli settlers intensively farm the Valley's best land on 39 illegal plantations¹¹.

The State of Israel leads an intensive policy of displacement of the Arab population, and since 1967, each successive government has affirmed its intention to annex the Valley. Before 1967, over 320,000 Palestinians lived in the Valley. Today, there are only 80,000 left, the majority of which are Bedouins and small-scale farmers, many who have no choice but to work as laborers on the settlers' plantations in order to survive.

Dispossession, destruction and forced displacement

In order to appropriate the greatest amount of land in the Jordan Valley and drive away its inhabitants, Israel uses several means: seizure of land by applying the "law on absent owners," demarcation of security zones at the border; creation of military exercise areas and requisition of lands for the creation of "natural zones"; allocation and reallocation of lands to settlers; check-points and limitations on movements of persons and agricultural inputs, preventing Palestinian farmers from cultivating their land and commercializing their production¹²; bans on the construction of housing, schools, health structures and agricultural infrastructure.

The civilian administration in charge of the Valley - directed by the Israeli Army - works closely with the Settlements Council. A significant part of their work consists in preventing any Palestinian development and systematic destruction of housing, wells, water reservoirs and makeshift shelters, for which authorizations to Palestinians are always denied. The Israeli administration exercises the greatest violence against the Bedouins. Most of them are refugees who were forced out of the Negev by Jewish militia in 1948. The majority of the grazing areas in the Valley where they move their herds have been declared "military exercise areas". The Israeli occupation forces destroy their camps with bulldozers, seize their herds or use them as targets. On February 9th 2014, in a rare show of protest, the International Committee of the Red Cross (ICRC) suspended part of its aid and strongly protested Israel's seizure of the shelters and tents provided by the international organization to displaced Palestinians in the Jordan Valley¹³.

Palestinian farmers: trapped and exploitable

Unable to cultivate their land due to a lack of water and farming inputs, many Palestinian farmers in the Jordan Valley are faced with competition from the settlements' agro-business supported and subsidized by the Israeli State. They have no choice but to sell their labor to the settlers who farm the fertile lands that were stolen from them. In the high season, 20,000 Palestinians are hired as seasonal workers through a system of middle-men, without employment contracts, health or pension benefits. According to the Palestinian farmers' association UAWC, there have been cases of serious injuries where the settlers simply left the injured worker near the closest check-point¹⁴.



Bedouins' sheep in the Jordan Valley. In the background, the palm grove of an Israeli settlers' farm.

While a 2007 labor law sets the minimum wage at 150 shekels (31 €), Palestinian workers in the settlements receive an average of only 60 shekels (12 €). Most laborers work in dangerous conditions without any form of protection, whether from massive exposure to chemicals or from the risks associated with pollinating palm trees 30 meters off of the ground¹⁵. Approximately 10% of the laborers are children who are paid less than adults. According to Kav Laoved, an organization for the protection of the rights of Palestinian and migrant workers, children are particularly exposed to dangerous working conditions in the palm groves.

1.6 WATER, A VITAL ISSUE

The Jordan Valley has major aquifer resources; however it is the area of the West Bank where the Palestinians suffer the most from lack of access to water. Israel maintains total control over the surface and subterranean water sources in the occupied territories, in addition to all pumping station infrastructure

and pipeline systems. The vast majority of the water used inside Israel comes from the reserves in the occupied territories, mainly from the Jordan Valley. According to the Israeli association B'Tselem, 69% of the water extracted from the West Bank by the national water company Mekorot comes from Israeli wells built in the Jordan Valley¹⁶. These bore holes also provide

9 Article 78 of the Geneva IV Convention

10 12 persons were in administrative detention before the 2nd intifada, 1000 in 2002-2003 when the repression reached its climax

11 B'Tselem, *Acting the landlord, Israel policy in area C, the West Bank*, June 2013

12 According to OCHA the cost of the cumulated delay due to checkpoints in West Bank is 321 423\$ / year. On the other side, access to national and international marketplaces is easy for Israeli settlers' products thanks to special roads and State subvention (free access to ports and airports). Settlers can supply local marketplaces and have a strong competitive advantage compared to Palestinian producers

13 « Red Cross stops providing emergency tents to Palestinians in Jordan Valley », Haaretz, 6th Feb. 2014

14 This Israel confirmed by Kav Laoved in *Employment of Palestinians in Israel and settlements: restrictive policies and abuses of rights*, August 2012

15 El Assimi Ouessale, *Palestinian and migrant agricultural workers in Israel and the settlements. A History of Exploitation*. UAWC Confédération Paysanne, February 2014

16 B'Tselem, *Dispossession and exploitation : Israel's policy in the Jordan Valley and Northern Dead Sea*, May 2011



Palestinian crops in the Jordan Valley

the water for agricultural production in the colonies. The settlers consume up to 490 liters of water per day paying almost nothing, while most of the Palestinian farmers receive only 60 to 70 liters per day¹⁷.

The depth of the bore holes and the intensive water pumping by the Israelis has resulted in the drying out of the shallow Palestinian wells. Since 1967, no new wells have been built. All requests made by inhabitants of the Jordan Valley have been systematically refused by the joint Israeli-Palestinian Commission for water. This Commission is responsible for approving projects for the development of infrastructure and water resources in the West Bank, and Israel has a right to veto. Repairs of existing wells are also under Israeli authority, which grants permission only occasionally. Palestinians are not allowed to collect rain water in basins - the Israeli Army systematically destroys this type of infrastructure. To be able to live, raise livestock and farm an ever smaller piece of land, Palestinians of the Valley depend on quotas that have not changed since 1967. They have no choice but to purchase water at a high price from the Israeli company Mekorot and stock it in tanks. This quantity of

water, delivered irregularly, does not allow them to farm all of their land and generate sufficient income to live. Thus they face the risk of having what little land they still have confiscated under the Ottoman law referred to above (land which has not been farmed during three years is seized by the State who becomes the owner).

Blatant discrepancy

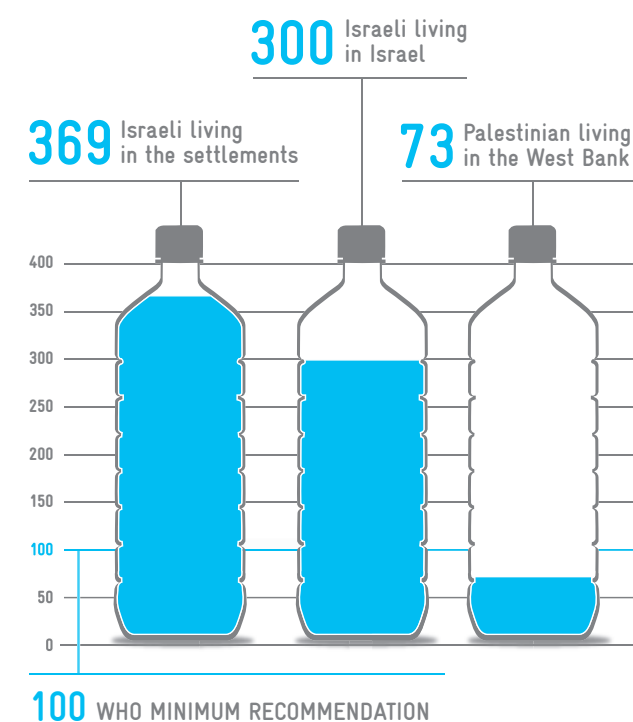
Beyond the situation in the Jordan Valley, the issue of water is a major challenge. On satellite images, the demarcation line between Israel and the West Bank is visible: to the west in Israel, the land is greener. Drought is not a fatality in the Jordan Valley: the problem is political and the distribution of water is grossly unjust.

Since 1967, Palestinians have a right to only 20% of the aquifer resources and receive no water from the Jordan River. In the 150 communities of the West Bank, 50,000 people survive with less than 20 liters of water per day (the minimum vital amount set by the WHO for emergency situations¹⁸). While the Palestinian authorities are working to improve access to water, with support from

international NGOs, Israel actively obstructs the development of the water and sanitation sector. Over the past few years, in Zone C (60% of the territory), authorizations to repair or construct wells were denied in 94% of the cases¹⁹; communities live with the constant risk of having their infrastructure destroyed. Even the tanks for rain water, that do not take water from the aquifers, and are necessary for the survival of rural communities, are regularly threatened with destruction. According to OCHA, in 2012, the Israeli Army destroyed 60 structures (tanks fountains, reservoirs) and 39 more between January 1st and October 31st 2013. While the outflow of the Jordan River has been reduced to 3% of what it was in 1948 due to draining by Israel for agriculture and use by the settlements, the average consumption of a Palestinian is 4 to 5 times less than an Israeli; 500,000 settlers in the West Bank consume 6 times more water than 2.6 million Palestinians.

Israel, as the occupying power, is responsible for ensuring access to basic services - including water - to civilian populations. Not only does the Israeli State violate international law by restricting Palestinians' access to water, but it utilizes the channeling of water to push Palestinians to leave their land, thereby turning this vital resource into one of the key mechanisms to silently displace the populations in Zone C.

AVERAGE DAILY CONSUMPTION



In Gaza, NGOs and the United Nations describe a catastrophic situation²⁰. The water supply depends entirely on a coastal aquifer, which is not sufficiently supplied by the rain water from the hills of Hebron. The 1.6 million inhabitants of Gaza consume more water than what is available and extract each year 100 million cubic meters of water from the groundwater table. Due to the decrease in water level, the groundwater is infiltrated by sea water, making it unsafe for human consumption. Agriculture and insufficient sanitation contribute to polluting the aquifer, in particular with nitrate, causing serious disease especially among infants and pregnant women. Because of the blockade, there are no materials available to fix or develop infrastructure, while 30 km of the water network and 11 wells managed by the Gaza water authorities were damaged or destroyed during the Israeli operation "Cast Lead" from December 27th 2008 to January 18th 2009. The constant cuts in electricity affect the pumps that extract and distribute water to households, as well as the capacity of water treatment factories. Today, only 25% of waste water is treated and reused, while 90,000 cubic meters of waste water are thrown into the sea daily. With 90% of the aquifer on which the inhabitants depend already polluted, and its water unsafe for consumption, the United Nations has alerted that the Gaza aquifer could be unusable by 2016, and irreversibly destroyed by 2020.

1.7. GAZA BESIEGED

More than 40 % of the Palestinians live in Gaza Strip, cut from the world by Israeli blockade and the strict closure of the border by the Egyptian military authorities since July 2013. Since the Israeli left the area in 2005, Gaza is no longer "occupied" but besieged, economically suffocated and politically isolated. More than 1.7 million people (54% of whom are under 18) are stacked on a small and overcrowded strip between sea and desert. The living conditions are catastrophic, feeding despair and turning the fundamentalist groups into extremism. Palestinians in Gaza have lived a collective punishment for the past 14 years (second Intifada), and since Hamas took power. After winning the

¹⁷ Only 37% of Palestinians living in the Jordan Valley are connected to water network

¹⁸ The recommend daily amount is 100 liters per capita per day

¹⁹ OCHA 2008

²⁰ UNRWA, *Gaza in 2020, a livable place ?*, Aug. 2012

majority during the general elections in January 2006, Hamas constituted a coalition government with Fatah for a year, and then seized power in June 2007. Western countries blacklisted Hamas as a terrorist organization and stopped all relations with Gaza, while Israel caged a whole people in the strip.

The humanitarian, economical, social and political consequences of this isolation are major; drastic restrictions on movement are imposed to the population. Figures given by OCHA show that the survival of the population is at stake:

- 80 % of households survive thanks to international food aid and 57 % suffer serious food insecurity
- The unemployment rate (41,5 % in 2013) is one of the highest in the world due to restrictions to the importation of construction material, blockade on the exportation of agricultural products and ban on fishing on 2/3 of the Oslo agreements recognized Palestinian fish area

Until July 2013 Gaza economy depended on goods "smuggled" through tunnels dug under the Egyptian border. They are closed now by the Egyptian military, due to insecurity in Sinai desert and to the opposition of the new Egyptian government to Hamas, linked to Muslim Brotherhood. Hamas is more and more isolated from its traditional supports in the area, Egypt and Syria (it had to leave Damascus after supporting the rebellion). With Gaza transformed in a time bomb, radical groups may take advantage on Hamas. Thus the search for solution to the conflict must not neglect Gaza.

1.8 ARABS IN ISRAEL: CITIZENS DISCRIMINATED AGAINST

Whereas quite efficient in 1947, the forced transfer²¹ of Palestinians living in the land attributed to the Jews by the United Nations partition plan is not completed yet. The Israeli historian Benny Morris²² and the current Foreign affairs minister Avigdor Liberman have shown disappointment: Israel is still composed of 20% of Arabs. The Arab minority does not have the same rights as the Jewish majority, and the differences are instituted by the law. During Cape Town session in November 2011, the Russell Tribunal on Palestine concluded that the Israeli legal framework violates the international ban on apartheid. As says Dr. Thabet Abu Rass,

Director of the association Adalah fighting for Arab Israeli rights: *"Israel is a Jewish State for its Arab citizens and a democratic State for the Jewish ones."*²³

Prawer-Begin Plan

Israel has been planning the judaization of the North of Negev desert for years. The development plan includes the construction of several cities, a military base, an industrial complex for military technology and a civilian industrial area. The only problem is the presence of dozen of thousands of Bedouins in the area. After surviving Naqba²⁴, they were expropriated in 1950 and now live in about 40 villages with no basic public services, most of them considered illegal by Israeli authorities.

In order to accelerate their departure from the area, the Knesset adopted in June 2013 the Prawer-Begin plan (named after its backers). Justified by the so-called necessity to "urbanize" Bedouins, the plan forecasts the destruction of most villages, the transfer (again) of the population and their regrouping in townships. The "liberated" area will then allow Jewish citizens to install. According to Adalah, the French Embassy in Israel supports the Prawer-Begin plan as it brings "modernity". Following demonstrations in Israel and the West Bank in December 2013 the plan itself has been suspended, but the destructions conducted by the Israeli army are going on.

21 Ilan Papé, *Ethnic cleansing of Palestine*, Paris, Fayard 2008

22 Answering Ari Shavit from Haaretz: «You say Ben Gurion expelled too little Arabs?» B. Morris said « if the end of the story is bad for the Jewish, the reason will be that Ben Gurion didn't finish the population transfer in 1948. Because he left in the West Bank, in Gaza and even in Israel an important and uncontrollable demographic reserve». Haaretz, 9 January 2004.

23 La Cimade, interview with Dr. Thabet Abu Rass 24 Feb. 2014.

24 Naqba : « disaster » in Arabic, refers to the massive forced exodus of about 750 000 Palestinians during the war 1947-1949 leading to the creation of the State of Israel in 1948.



Source OCHA, December 2012.

02

Civil society resistance

After more than 50 years of tragedy in this region, similar to no other, two peoples are confronted in different ways with the existential question of their future. Daily humiliated by the occupation the Palestinian people lost faith in its leaders' capacity to meet their fundamental aspirations, as military and diplomatic attempts to solve the conflict have failed. For the Israelis the occupation has a high political, economical and social cost, as well as moral consequences. The military stranglehold on the government and society monopolizes a huge part of the national budget in favour of a minority of citizens. The ethno-nationalist ideology poisons the democratic culture of the country and spreads fear, contempt and rejection of the "other", thus legitimating force.

However, within civil societies on both sides citizens mobilize to write another story. Societies take their responsibilities in order to defend fundamental rights violated by the occupation forces and promote a just and durable peace. In this ocean of injustice, there are only today "small islands" of resistance. But these small Israeli and Palestinian islands are visible signs that some forces can bring hope to the future



Bil'in, demonstration in front of the annexation wall.

2.1. B'TSELEM: FIGHTING FOR HUMAN RIGHTS IN OPT

The Israeli association B'tselem (meaning in Hebrew « image of », or human dignity) has been one of the biggest human rights organisations in Israel since its creation in 1989. It has the same goal as the Palestinian Al Haq, which is human rights defence in occupied Palestine. B'tselem considers its responsibility as civil society actor is to address its own government and public opinion first, with two goals:

Advocate for the political change in OPT and ensure that the State complies with its obligations as regard international and human rights law

Inform and educate the Israeli public opinion and political leaders so that on one can say: « I did not know ».

B'Tselem is known for its very accurate investigation work, as well as public information and advocacy towards Israeli and international authorities. It has recently been attacked by the government and the military who know that they are under constant watchfulness. While documenting and denouncing daily violations of Palestinian human rights the association also tends to demonstrate

the systemic violation of Palestinian rights under the occupation and settlement system.

Its 2013 report « Acting the landlord » shows the deepest and most serious long term violation in OPT: the massive development of settlements and the blockage of all economical and social development for Palestinians living under the constant threat of seeing their homes and goods destructed.

Their right to live on their land is violated, but the Palestinians are also victim of much discrimina-

The association tends to demonstrate the systemic violation of Palestinian rights under the occupation and settlement system.



B'Tselem, Israeli information centre for human rights in Occupied Territories

tion: the most striking example is access to water, which is unlimited in the settlements but strictly limited for Palestinians. The Palestinians inhabitants in OPT are under military administration in most of the West Bank. They are subject to military justice, whereas the settlers are under civil justice. If a conflict happens between a Palestinian and a settler (even under 18) for a similar fact the Palestinian will go to a military court and the settler to civil court, with different results as the number of Palestinians held in detention shows.

Defending human rights in a 47 years-old occupation system is a very difficult task for B'Tselem. Still the association continues relentlessly with some success, especially by informing a new public through the social network.

For Jessica Montell, executive director of B'Tselem, "as long as the occupation lasts the Palestinians will not be able to be in full possession of their rights" for her the "erosion of the Israeli democracy is inevitable with the prolongation of occupation". As the

situation worsens some people deny and other show tiredness, which may give human rights violations less visibility; B'Tselem is more than ever convinced that its role as relentless vigilant about the military and government practices is vital.

2.2. AL-HAQ: FIGHTING WITH INTERNATIONAL LAW

Created in 1979 by Palestinian jurists, Al-Haq is one of the biggest Arab human rights organizations and the biggest in Palestine. Since the beginning it uses international law to denounce violations of Palestinian human rights and promote the effective application of these rights. Base in Ramallah, West Bank, Al-Haq documents and denounces individual and collective violations in the OPT and Gaza, whether perpetrated by Israelis or Palestinians. It also works within the Palestinian society so that the Palestinian Authority commits to these laws. Al-Haq has denounced very often the abuses of the Palestinian security forces, bad treatments in their prisons, lack of legal support and repression against demonstrations and freedom of speech. It is very significant to note that the Palestinian Al-Haq and the Israeli B'Tselem both received in 1989 and 2009 international recognition for their human rights actions in OPT¹.

With a consultative status at the Social and Economic Council of the United Nations, Al-Haq uses all national and international human rights and humanitarian right mechanisms to prevent Israel from violating rights in OPT. The association is a member of various networks (International Federation for Human Rights, Euro-Mediterranean network for human rights, International Commission for Jurist...).

Its denunciations are based on research and information collected on the field, and its reports are used as advocacy tools towards the United Nations, the European Union and other States. Its last report² is about the "institutionalized impunity" of Israeli violent settlers and Israel not complying with its obligations.

In line with its fight for the application of international law Al-Haq has saluted the Palestinian Liberation Organisation's access to various international treaties in April 2014. These treaties can have a positive impact on Palestinian human rights but the association thinks they will have no effect as long as their application is not effective by all stakeholders.

Al-Haq also denounces the Israeli and American pressure to bargain over the access to international treaties. According to its Director Shawan Jabarin³: «the refusal or postponement of the signature of international conventions and treaties deprive the Palestinian of having a stronger position in case of violation committed by Israel. International Law must be equal and universal in its application and cannot be subject to political interference».

This battle for international law and defence the Palestinians could gain a new dimension if the USA and the EU were taking action and compelling Israel to comply with its international commitment. As Israel showed absolutely no respect for this law for the past 40 years, declarations will not be enough and other pressure tools are necessary.

2.3. EWASH: COORDINATING EFFORTS FOR ACCESS TO WATER

Ewash (Emergency group for water sanitation and hygiene) is a coordination mechanism launched in 2002 to respond to the emergency situation created by the Israeli attacks in the West Bank and Gaza Strip. The steering committee is composed of five members; Ewash brings together nearly 30 organisations working in the Occupied Palestinian Territories: local and international societies, United Nations agencies, research institutes and academics, the Palestinian Authority for Water, the Water Department of the West Bank, and the municipal public service for water in Gaza. This coordination allows avoiding duplication, and intends to reach the best possible results, particularly by reinforcing the capabilities and preparedness of its members in case of emergency.

Ewash facilitates the collect and circulation of information between the various actors, which feeds a newsletters and situation reports. Awareness and advocacy campaigns are carried out to mobilise on the problem of access to water: a mobilisation kit is available online; petitions can be signed towards political decision-makers, particularly European, so that they can apply pressure on the Israeli government.

The campaign « Thirsting for Justice » carried out until 2012 has highlighted precise violations of the rights of Palestinians to access water in Gaza and Nabi Saleh in the West Bank, as well as Israel's obligations in the matter of international law.

Al-Haq has denounced the abuses of the Palestinian security forces, bad treatments in their prisons, lack of legal support and repression.

2.4. PCATI: BEARING WITNESS TO TORTURE

Repressive Israeli policies go hand in hand with an extensive recourse to torture, even if the state does all it can to hide this and preserve its democratic image. The Public Committee Against Torture in Israel (PCATI) has been working on this issue since 1990. PCATI advocates for all persons - Israelis, Palestinians, immigrant workers, and other foreigners in Israel and the Occupied Palestinian Territories in order to protect them from torture and ill treatment by the Israeli authorities. These authorities include the Israel Police, the General Security Service, the Israel Prison Service and the Israel Defence Forces. At the time of the committee's launch, during the first intifada, 85% of inmates were tortured. Today the committee's director speaks of "a continued use of torture and ill treatment by the Israeli Security Agency (ISA)". The majority of cases of torture occur during interrogations, a "black hole" as far as human rights are concerned. In 1999, following a request made by PCATI and other human rights organizations, the High Court of Justice outlawed some methods of torture which had been used up until then. Although this does represent an important improvement, the ruling nonetheless left the door open to authorized methods of torture: in 15% of complaints made by the PCATI since 2003 a purported "necessary" recourse to torture could be invoked when an agent has to prevent an imminent act, or when a time bomb is suspected. Even proven cases of torture do not lead to an investigation, despite the clauses of international law which in such circumstances would normally compel an investigation (Article 12 of the Conven-

1 Carter-Menil Price in 1989 and Geuzenpenning Price (Holland) in 2009.

2 Al-Haq, *Institutionalised Impunity*, 2013.

3 Press release, 10 April 2014, www.alhaq.org

tion Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Israel has not signed the additional protocol to this convention). Therefore, the protection of ISA agents against judicial proceedings is, in reality, total.

Accountability Still Denied

The PCATI denounces the Israeli judicial system's encouragement of impunity. Complaints made against ISA employees are submitted to the Public Prosecutor and not the Police Investigation Department (PID) as is the case with police violence. The Public Prosecutor then delegates his authority to the office of the Assistant Public Prosecutor, who does not have the authority to deal with the complaints, and so sends them on to an enquiry led by the Inspector of Interrogees' complaints, who is himself an

Almost 800 complaints of torture and ill treatment have been submitted, not even one has led to a criminal investigation, and the majority of cases are closed.

agent of the ISA! Therefore any independent inquiry is impossible. And so, although since 2001 almost 800 complaints of torture and ill treatment have been submitted, not even one has led to a criminal investigation, and the majority of cases are closed, as described by the PCATI in its January 2012 report *Accountability Still Denied*.

The authorities refuse to recognize many torture cases, and given that interrogations are not filmed there are very few irrefutable proofs of violence, and victims' testimonies are worth little in the face of ISA agents' contradictory statements. Furthermore, given that civil society organizations are absent from detention centres, victims can only make complaints after their release. If there is insufficient evidence then the authorities consider that there are no grounds for an inquiry. The United Nations Committee Against Torture and the Human Rights Committee have both

openly criticised Israel for the de-facto impunity afforded to ISA agents. The PCATI supports victims thanks to medical and psychological examinations which enable victims' testimonies to be corroborated. This method paid off in the case of tortured immigrants in the Sinai, who had been imprisoned because they did not have sufficient documentation, and whom the police had refused to recognise as torture victims.

Associations like PCATI and Addameer which work on this question are confronted with a challenging task. In June 2003 the PCATI made an important gain after a very long campaign when the post of Inspector of Interrogee's Complaints was transferred to Justice Ministry, a civil authority. Nevertheless, for the PCATI "these changes have not resulted in any visible, substantive steps towards increased accountability" and "there is a risk that cosmetic amendments to the current system merely result in strengthened, increasingly sophisticated safeguards for perpetrators. In this black hole of Israel's democracy organizations' struggle for justice is absolutely crucial.

2.5. POPULAR COMMITTEES

Daily life in the West Bank is subject to the occupier's rules: freedom of movement, speech and assembly, planning permission, access to land on the other side of the wall, access to natural resources and essential goods and services, the right to live in Jerusalem, and so on. The reduction in the number of attacks in Israel along with successive rounds of negotiation have served to reinforce this situation. The violence is now less intense and less direct than it was a few years ago, but the normalisation of the occupation is no less dreadful. The youngest have never known anything else; they are unaware that a life without checkpoints, detours and tear gas exists. They grow up knowing of Israelis only the uniform of military personnel serving in the occupied territories. Beneath its pacified façade the West Bank is a very volatile place.

For several years now, in their lands torn apart by the occupation, Palestinians have been developing alternative strategies of resistance; this in a context where nothing can stop the wall, neither the condemnations of the International Court of Justice, nor those of Israeli High Court, and where the United Nations is powerless to impose the law. Popular resistance committees are formed around charismatic leaders who

are veterans of the first intifada. Accustomed to the struggle against the occupier, they contrive original, tenacious and often effective means of resistance.

The implementation of a twofold strategy in Bil'in

Bil'in resistance's committee is the most widely known of popular committees. Created just after the construction of the wall in 2005, it uses a twofold strategy: first considering all possible judicial courses of action, and secondly protesting peacefully against the wall. The first has proved useful: with the help of an Israeli lawyer the committee achieved a revision of the wall's route, thus recovering part of their lands. Yet 25% of these lands are still on the Israeli side of the wall, and the committee continues its actions. Every week for the last 9 years the inhabitants demonstrate, accompanied by Israeli and international activists. They are sometimes few in numbers, but they are always present. The committees have fostered solidarity between each other, and they act collectively on symbolically important dates. On 21st February 2014 two events were to be celebrated: the 9th anniversary of the start of protests in Bil'in, and the 20th anniversary of Hebron massacre. On that day activists gathered together for a large protest in Hebron, while about thirty Palestinians and foreigners stayed to protest at Bil'in to show that the mobilization there continues.

On the ground the media coverage of the resistance has led to a heightened level of violence from the army. The imprisonment of Abdallah Abu Rahma in December 2009 came after weeks of persecution targeted at his family and his home. Checkpoints had been put up around the village to prevent him fleeing. Following confessions extorted by force from an incarcerated minor several charges were put against Abu Rahma, including incitement to violence. In the name of the inhabitants of Bil'in he had received the Carl Von Ossietzky medal from the International League of Human Rights, but instead of honouring the right to freedom of expression and peaceful protest for which he had been rewarded, the Israeli army accused him of "attempting to influence public opinion". In doing so they were notably targeting the organization of Friday protests, and the distribution of Palestinian flags. After eight months of highly politicized legal proceedings during which Abu Rahma was kept imprisoned, he was sentenced to 12 mon-

ths of prison, which was later extended to 18 months following an appeal from the military prosecutor. He was released on the 14th March 2011.

Denounce and Pressurize

Committee members carry out their work on a voluntary basis, and their leaders are very wary of the risk of manipulation. This is why they refuse any payment for their work, and why all donations received are used to finance their campaigns and protests. Media coverage, which offers a certain degree of protection whilst provoking Israeli anger, needs constant feeding in order to keep it going. And yet, over the years the campaign has been running out of steam. It is difficult to find new campaign ideas week after week, to face the risk of arrest and violence at protests, and to continue the struggle whilst colonies are still being

In their lands torn apart by the occupation, Palestinians have been developing alternative strategies of resistance.

built and thus rendering the annexation of the land upon which they are built irreversible. Behind the energy of the men and women who give their lives to the cause, shows the extreme fatigue of a generation of fighters for peace, exasperated and pushed to their limits by the lack of positive prospects.

This is not just about young people who throw stones at soldiers at the end of protests. It is a question of the weight of injustice that only Palestinians are forced to bear, and which stirs resentment and bitterness in even the strongest among them. The international community's lack of resolution is considered with palpable incomprehension by Palestinians, who entrust international activists with a clear task of condemning Israeli actions, putting pressure on European governments, and doing all they can to prevent the injustice scandal Palestine now is from becoming uncontrollable. The rights of Palestinians should be at the top of the agenda at negotiations, but this is far from the case, and the



The heads of the Al-Nabi Saleh and Bil'in resistance committees

Palestinian authority meant to represent its people has neither the will nor the strength to change this. Linked to the European Union by its economic dependence upon Europe, and weakened by the corruption in its institutions, the Palestinian authority has an untenable position in negotiations which are thoroughly imbalanced. Whilst it respects its commitments and controls the population in zone A to prevent infringements, it does not receive anything in exchange, and fails to put the respect of the Palestinian fundamental rights on the negotiations agenda. All that is left for committees is to keep alive, through their example, a spark of courage and resistance in the heart of the Palestinian population.

2.6 IN THE JORDAN VALLEY

The future of Bedouins and small farmers in the Jordan valley looks rather bleak when one considers the absence of rights, army violence, the increase in attacks from settlers⁴ who act with complete impunity, the annexation project⁵ and the passivity of the Palestinian

authority. For all that, they show a remarkable resilience, demonstrated in their ability to continue taking care of their lands and herds in this most challenging of circumstances, and in their willingness to stay in place and non-violently resist the ultra-modern oppressive Israeli machine. In this difficult context hope rests upon the ability of organisations to support the valley's inhabitants as closely as possible on the ground.

The Palestinian Farmers Union (PFU), which had succumbed to international financial backers in the context of the Oslo process, reconstructed itself as a developmental NGO, and then gave up these activities in order to win back its independence. It has once again become a genuine union concerned with defending small farmers' rights. It is opposed to the Palestinian authorities' neoliberal vision, and urges it to implement a boycott of Israeli agricultural products in the West Bank, the importation of which greatly contributes to the destruction of the Jordan valley's landscapes. The new General Union of Workers Associations in the Food Industries and Agriculture (GUWAFIA) is winning fame for his work here.



Water tank in Jordan Valley

With his pugnacious style he has successfully contributed to recent campaigns in the industrial settlements in the north of the West Bank, and he should be able to help train and organise the valley's workers.

Unlike larger Palestinian developmental NGOs, the Union of Agricultural Work Committees (UAWC) has managed to stay close to the interests of Palestinian farmers. The UAWC refuses conditional donations in order to keep the power to make decisions concerning

its own projects. With its political vision, the UAWC is currently the only peasant farmer association in the Arab world which is a member of La Via Campesina. Within this movement it develops partnerships with peasant farmer associations in Thailand; thousands of Thai farm workers are employed in Israel and the settlements. In the Jordan valley, despite the difficult context, it installs shared reservoirs and water networks for irrigation. These reservoirs are also used to promote fish-farming, which both diversifies the diets of local populations and means that irrigation water can be fertilized⁶. As an active member of the Boycott Disinvestment Sanctions (BDS) movement the UAWC played a part in the development of the

The demographic objective to keep the Palestinian population below 30%, an objective which has preoccupied Israel, has not been attained.

4 "Price Tag" Escalation Timeline: Jan 1, 2011-present, Peace Now, 15/01/2014. "The Price to pay": a campaign of random acts of violence carried out by young extremist settlers. The policy aims to systematically make the Palestinian people pay for their actions when campaigning against colonisation.

5 «Jordan Valley fence would finalize the West Bank's complete enclosure», Haggai Matar, +972, 04/11/2013.

6 Ouessale El Assimi, *Palestinian and migrant agricultural workers in Israel and the settlements. A History of Exploitation*. UAWC Confédération Paysanne, February 2014

"Farming Injustice" campaign, which targeted Israeli agribusiness companies such as Mehadrin and Hadiklaim, which actively participate in the colonisation and destruction of Palestinian agriculture.

2.7 AT JERUSALEM

Living under the constant threat of the judaization policy, which entails populating the territory with Jewish settlements, the Arabic residents of East-Jerusalem are not giving up. Despite the fact that since 1967 Israel has declared its intention to reduce the Palestinian presence in Jerusalem, and despite the violence of the policies which result from this intention, the demographic objective to keep the Palestinian population below 30%, an objective which has preoccupied Israel, has not been attained. Whereas in 1967 Palestinians made up 27% of Jerusalem's population, they now account for 33% of it.

To exist is to resist

The Israeli failure explains the intensification of the violence currently being perpetrated by Israel and directed towards the city's residents⁷. The resistance is not only passive: Palestinian civil society has come together to campaign daily by the side of East Jerusalem's residents. The Coalition for Jerusalem⁸ brings together 42 NGOs and Palestinian figures based in Eastern Jerusalem. The coalition's aim is to rally against the Israeli government's confiscation of buildings and land in East Jerusalem. It does so through actions on the ground, and reports and conferences aimed at the Palestinian authorities and the international community. It also provides victims of Israeli policies (such as expulsions and house demolitions) material and legal support, as does the Israeli Committee Against House Demolitions, which is very active in this area.

2.8. THE CHRISTIANS OF PALESTINE

Christians have lived in Palestinian lands since the foundation of the first communities in Jerusalem, being an important influence on the area throughout the 2000 years of their presence. Despite their small number today (approximately 50,000 in the West Bank and 160,000 in Israel), the Christian community is very active in social services and education, benefiting from churches' and the international ecumenical movement's support. After the start of the second intifada in 2000, the heads of Jerusalem's churches launched an appeal urging

Christians worldwide to do more to establish a fair and sustainable peace in the region, also compelling Christians to stand by them in their call for an end to the occupation. In response to this appeal the World Council of Churches launched, in 2002, its Ecumenical Accompaniment Program in Palestine and Israel (EAPPI), which entails sending people to work on the ground for three month periods. During this time these people work to assist and accompany local communities and Palestinian and Israeli associations which work to defend human rights in Jerusalem and in the occupied territories.

Since then, almost 1400 volunteers from various confessional, social and cultural backgrounds, and from Europe, Northern America, Africa and Asia, have taken part in this program, with its three-fold objective:

- To offer protection, through volunteers' presence, to communities which are particularly threatened by the system of occupation; these might be isolated villages situated near the wall, or communities which are tormented by violent settlers.



Nora Carmi, General Secretary of the Sabeel Ecumenical Centre

- To survey and document, at national and international levels, observed violations, and denounce the impunity with which perpetrators carry out these violations, whether the perpetrators are military people or settlers, at checkpoint inspections, forced evictions or house demolitions.
- To enable volunteers to give explicit reports of their first hand experiences upon return to their countries of origin. In telling others of the daily impact of occupation, volunteers can plead for a more determined engagement from states, churches and civil society to put an end to the occupation and advance on the road to peace.

The Kairos Appeal and the Sabeel Movement

The reason for this commitment is made clear in the document *Kairos Palestine, A Moment of Truth*, made public in December 2009 in Bethlehem. Here, the words of Palestinian Christians, both theologians and lay-people, echo the first Kairos document put together by South-African Christians during the apartheid era. Kairos is Greek for "Moment of Truth". The document is "a word of faith, hope and love from the heart of Palestinian suffering", which appeals to the conscience and responsibility of Christians, Jews and Muslims; Palestinian and Israeli politicians, and the international community to put an end to the occupation and discrimination before it is too late. "Today we have reached a dead end in the tragedy of the Palestinian people. The decision-makers content themselves with managing the crisis rather than committing themselves to the serious task of finding a way to resolve it." The document calls for resistance not "with death but rather through respect of life", and recognises that, amongst other things, the call for "an economic and commercial boycott of everything produced by the occupation" is consistent with "the logic of peaceful resistance". Jerusalem's Sabeel Ecumenical Liberation Theology Centre⁹, supported by the Friends of Sabeel international network, also works in this same spirit. It brings a theological perspective, and refutes certain fundamentalist Christian interpretations of the Bible which legitimise policies which are unjust with regards to the Palestinian people.

2.9 THE PALESTINIANS AFTER 1948

The Israeli state does not have defined borders¹⁰. Nor does it have a constitution which states the rights and responsibilities of its citizens. The places and rights of, on one hand, its Jewish citizens, and on the other, its

non-Jewish citizens, are written in a complex legal corpus founded upon inequality¹¹. This inequality is manifest in both direct and indirect ways: directly in areas such as real-estate ownership, and indirectly in areas such as access to work, funds, or social benefits accorded upon completion of military service. These benefits are, in effect, refused to the minority Arab Israeli citizens, who are "exempt" from military service¹².

It is in this context of institutionalised discrimination that the Adalah (Justice) association has been campaigning for the rights of the Arab Palestinian citizens of Israel since 1996. This population is 1,200,000 strong, and represents 20% of the total Israeli population.

Adalah works in the legal domain, providing Palestinian Arab citizens with legal advice and defence, launching appeals to international forums and institutions, and hosting information campaigns focussing on violations of the Arab minority in Israel's rights. The quality of its analyses and reports is internationally recognised. In 2005 the association obtained the status of special consultant for the UN Economic and Social Council.

The issue of equality of rights is at the heart of Adalah's activities, and since 2003 the association has been heading a fight against an Israeli citizenship and entry law. This law denies Palestinians living in the occupied territories but married to Palestinian-Israeli citizens the right to live in Israel and gain citizenship on the basis of family ties. This especially discriminatory law forbids all Palestinians the right to live as a family, and it does so on the sole basis of their national identity. Adalah was also very active in the campaign against the Prawer-Begin plan, which aimed to expel Israeli Bedouins from the Negev. Although this plan has been suspended,

7 According to the United Nations in 2013 the destruction of residences increased by 50% compared to the previous year. http://www.ochaopt.org/documents/ocha_opt_annual_review_2014.pdf

8 <http://www.coalitionforjerusalem.org>

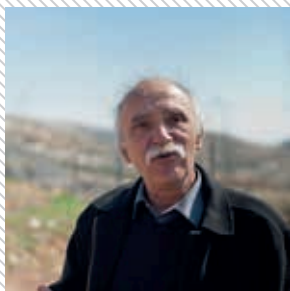
9 www.sabeel.org

10 According to Michel Warschawski, the perpetual indetermination of Israel's borders is a deliberate choice made to create, by fait accompli, the project of a greater Israel stretching from the sea to Jordan

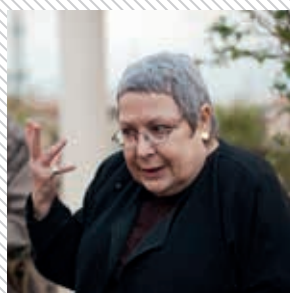
11 <http://adalah.org>

12 This systematically discriminatory characteristic of Israeli laws is the target of repeated comments from the Committee on the Elimination of Racial Discrimination (CERD). See the most recent CERD report of 28 February 2012 (CERD//SD.2148)

MICHEL WARSCHAWSKI, IDITH ZERTAL...



Michel Warschawski



Idith Zertal

Two exceptionally intense encounters framed our journey from the Mediterranean to the Jordan

We were sitting in the garden of the house of Abraham on the Mount of Olives. With Jerusalem, between the trees in the background, seemingly close enough to touch. *My name is Michel Warschawski, my friends call me Mikado...* Simply, straightforwardly he tells us about his life, his work as a journalist, his struggles and the two great loves of his life: his wife and this town. Afterwards we left to explore the land together; Michel became our guide to the reality of life in East Jerusalem and the surrounding area. Even after so many years, the same indignation takes hold of him on the road passing along the 'Wall', close to Ofer prison and in front of the sinister Qalandiya checkpoint. The same sense of indignation later overwhelmed and unbalanced him at the base of the Migron colony.

The tone is different with Idith Zertal. She comes to visit us on the roof terrace of the Jaffa Hostel close to Tel Aviv. She constructs and articulates carefully considered sentences, punctuated by heavy silences expressing the emotions her words cannot convey and her face will not show. Precise in thought with her lucid analyses that made no concessions, she asked herself, repeatedly, painfully - : *"What have we become? What have we become ?"* and then stops, as if the responses, which she knows better than anyone, were too painful to be said aloud, even though the many pages of her history texts are written in the black ink of a hand that has never trembled. Michel Warschawski tells us openly of his intense bonds to Jerusalem, and hides none of his indifference to the big soulless modern town of Tel Aviv that he claims to neither know nor wish to know. Originally from Strasbourg he arrived a long time ago and resolves to never leave again. He has a deeply-rooted attachment to the place.

Idith Zertal, told us very little about her life. She did, however, clearly imply the extent to which it is difficult for her to live with both the conscience of the history of these places and the uncertainties which plague these people's futures. Recognised by her peers as a historian of the highest quality, she has nevertheless had to cope with ostracism from her own country's academic circles, and leave to work in a Swiss university. But she has returned, and now continues to work, research and write.

Michel Warschawski, Idith Zertal: Two exceptional figures, two powerful voices, two very different lives and sensitivities. Yet both tell the same story of injustice and bitterness while neither ceases to believe that another future exists ; they both told us to never stop seeking for it and implored us to keep standing side by side with them.

the injunctions to destroy the Bedouin villages have not been revoked, and the association is more than ever committed to the non-violent fight against the transfer of Negev's Bedouin populations.

Adalah is particularly active in its campaign against the most recent attempt by the Israeli government to create a divide among Palestinian Arabs based on their religious identities. On 24 February 2014 the Knesset approved a law which introduces a distinction between Arab and Christian citizens, granting more rights to Christians. The law's backer, Yariv Levin of the Likud party, does not hide the law's objective: "We have a lot in common with the Christians. They are our natural allies, a counterweight to the Muslims who want to destroy the state from the inside... I am careful not to call them Arabs, because they are not Arabs."¹³

2.10. ZOCHROT: THE FIGHT FOR MEMORY

As we have already seen, an important tactic of Israel's occupation involves creating irreversible situations; put in other words, the occupation is presented as a fait accompli. In some places, such as the Jordan Valley, the occupation has wiped out all traces of Palestinian life: even palm tree plantations which stood on the sites of demolished Palestinian villages have been cut down, and thus even memories are eradicated.

This policy of erasing memories is not new, and when the question of Israel's creation is raised the issue of memories and history is of utmost importance. The Zochrot association was established in 2002, and it is made up of Israeli Jews and Israeli Palestinians. The association raises public awareness, and calls the Israeli government to account with regards to the highly sensitive subject of the Nakba and Palestinian refugees' right to return. According to Eitan Bronstein, the director of Zochrot, the majority of Israelis believe that the word "Nakba" means "independence" in Arabic. The term, which in reality means "catastrophe", refers to the destruction of Palestinian villages and the expulsion of their residents after the declaration of Israel's independence. The refusal of Israel to recognise the Nakba is based on the idea of a theorist of Zionism, Israel Zangwill, who said "a land without people for a people without a land."¹⁴ Ever since the creation of the Israeli state Israel has always denied the Nakba, and it is not taught in Israeli

schools today. In June 2007, the Committee for the Elimination of Racial Discrimination came to the conclusion that the denial of the right to return was discriminatory and constituted a violation of Palestinians' human rights. After being re-drafted several times, a law concerning the Nakba was adopted on the 23 March 2011. Called the "Nakba law" (in reality it is an amendment of a law on budgetary responsi-

The association raises public awareness, and calls the Israeli government to account with regards to the highly sensitive subject of the Nakba and Palestinian refugees' right to return.

bility), it means that grants given to institutions believed to have funded "the organisation of a day of mourning" can be reduced by an amount equivalent to three times the cost of the activity. Although the text does of course avoid using the term nakba, the law is clearly aimed at Arab Israelis, who are denied the right to commemorate their own history on the day of the declaration of Israel's independence.

Zochrot is attempting to record all destroyed Palestinian dwellings, which is a truly immense task. In carrying out this research it has marked on a map 678 localities destroyed by the Israeli army in 1948. For example Jaffa, which once counted 70,000 Palestinian residents, compared to just 3,000 today. The town has not been completely destroyed or demolished, but it has ceased to exist as a Palestinian place. The map also features Jewish places destroyed by the Arab army.

As well as its cartographic work, Zochrot organises tours and installs informative boards on the sites of destruction. Art too can sometimes liberate words never before voiced: during an art exhibition Zochrot's members learnt that many Holocaust survivors refused to live in houses that had been given

¹³ "Knesset passes bill distinguishing between Muslim and Christian Arab", Haaretz, 25 Feb. 2014

¹⁴ Ilan Pappé, *1948 war in Palestine*, La Fabrique éditions, 2000, pp. 16.



Gisha.

to them by the government after learning that the houses they were offered had recently been seized from Palestinians. This memory is also disappearing, which makes the association's work even more urgent. Zochrot also acts in the face of current burning issues, notably in the case of the Negev Bedouins, whose houses are threatened with destruction.

2.11. GISHA: FREEDOM OF MOVEMENT FOR GAZA'S PALESTINIANS

Israel's almost exclusive control of the Gaza strip implies, according to international law, that it fulfils its responsibilities with regards to the exercise of the fundamental rights of the people who live there. Freedom of movement is one of these fundamental rights violated by Israel, the denial of which brings about the violation of other human rights such as the right to life, the right to health, to education, to food, and the right to live as a family. Since the establishment of the blockade in 2005, Israel has forbidden all access by sea or air to the Gaza strip. For individuals access by land is only possible via the Erez border crossing in the north, whereas goods can only enter via the

Kerem Shalom crossing. The only border crossing which is not controlled by the Israeli army is at the southern border with Egypt, at Rafah.

The Palestinians of Gaza are only allowed to go out in "cases of exceptional humanitarian emergency", such as medical emergencies or the death of an immediate parent. Palestinians from the West Bank or Jerusalem are not allowed to enter. This strategy of total isolation divides thousands of families, and more widely it exacerbates the fragmentation of the Palestinian people. After any security-related incident the Israeli army

Both the USA and European institutions and States use double-talk; they issue a variety of general statements, but concretely guarantee general impunity to Israel



Courgettes produced by a Palestinian co-operative in the Jordan valley facing many difficulties when it tries to export its production.

can decide to completely close off the border crossings for days or weeks, with all of the consequences that this entails in terms of provision of basic foodstuffs and access to essential medication. The Israeli association Gisha, whose name is Hebrew for both "access" and "approach", was created in 2005 to practically defend freedom of movement for Gaza's residents, and to raise public awareness of the violations of human rights which result from the denial of the right to freedom of movement.

It gives legal assistance to Palestinians who apply for permission to go out from the Israeli authorities, and its lawyers speak in front of the courts and bureaucratic military institutions which grant travel permits. Because the army does not authorise its Jewish members to enter Gaza, the association works with Palestinians who live there. Since its creation Gisha has worked on over 900 cases. The cruelty of these measures of collective retaliation, officially for Israel's security, sometimes leads to absurd situations. Such was the case when 47 child musicians from a school in Gaza were invited to play in an orchestra of children in the West Bank. The Israeli

military initially refused to grant the children from Gaza the right to go out, and Gisha had to fight legally, politically and via the media in order to finally obtain a permit. However, this permit was only granted to about thirty of the children, and so in the end they all refused the trip.

The association's activists recognise that there is a lot of work to do in terms of Israeli public opinion, which is ignorant of what happens in Gaza, apart from images of violence and fanaticism, and which, even more so for the West Bank territories, prefers to look away and not seek out the reality which lies behind the prejudices and the official standpoint.

2.12. BDS (BOYCOTT, DISINVESTMENT, PENALTIES): THE LAW MUST BE RESPECTED

The BDS appeal initiated by the Palestinian civil society is deeply rooted in the long partnership between the South-African and Palestinian peoples aiming at promoting peace, justice and emancipation. In December 1997, President Nelson Mandela declared: « *our freedom remains incomplete*

without the freedom of Palestinians ». The first appeal for the boycott of Israel was initiated in South-Africa by Ronnie Kasrils and Max Ozinsky, two prominent figures in the fight against Israeli apartheid. They were backed by Archbishop Desmond Tutu who, after a tour of Palestine, published a tribute in the US publication The Nation under the title « Against Israeli Apartheid », drawing a parallel between the current situation of Palestinians and the oppressive racially-based regime South-Africa had just overthrown.

On July 9, 2005, one year precisely after the International Court of Justice had officially stated that the wall of separation was illegal and had to be pulled down¹⁵, the BDS appeal signed by 170 organizations of Palestinian civil society was released.

To promote the boycott, disinvestment and penalties, to ask all the movements, institutions and associations of international solidarity to join the campaign.

A twofold analysis

The appeal is rooted in a twofold analysis agreed upon by most Palestinians.

- The process initiated following the Oslo agreements is a total failure from the point of view of the implementations of rights. The « peace negotiations » did not put an end to the occupation and colonization. On the opposite, they enabled – and still do – the Israelis to speed up colonization while ensuring their safety by sparing them the need to provide for the basic needs of nearly 4 million Palestinians and devolving part of the security policies to a local authority deprived of any other prerogative.
- Both the USA and European institutions and States use double-talk on their values (respect of international law – democracy – secular policies – human rights), they issue a variety of general statements, but concretely guarantee general

impunity to Israel in the implementation of its racial colonial policy with Palestinians as a whole.

The signatories invite civil societies and committed citizens of the whole world to *“impose extensive boycott and to implement investment withdrawals against Israel similar to those adopted against South-Africa in apartheid times. We appeal to you to put pressure on your respective countries and ask them to enforce embargos and sanctions against Israel. We also invite good-willing Israelis to back this appeal for the sake of justice and real peace.”*

Three objectives

« These non-violent sanctions should be maintained until Israel accepts to endorse the inalienable right of Palestinians to self-determination and fully respects the basic principles of international law, thus:

- *Ending its occupation and the colonization of all Arab land and pulling down the wall.*
- *Admitting the basic right to absolute equality for Arab-Palestinian citizens living in Israel¹⁶.*
- *Respecting, protecting and promoting the right of Palestinian refugees to recover their houses and estates as mentioned in resolution 194 of the UN.*

The negotiations have reached a deadlock, the Israeli side endlessly introducing new conditions and refusing to discuss major issues (frontiers, status of Jerusalem, the situation of refugees) – therefore the appeal does not tackle the question of the future. Most signatories support the two-State solution, while a minority fights for the creation of a single democratic non-religious State. But the BDS appeal does not settle this question – it focuses on the respect of the basic rights of all Palestinians. This implies putting an end to Israeli occupation of Palestinian and other Arab territories dating from 1967, abolishing the Israeli system of legalized and institutionalized discriminations against its own Palestinian citizens, and recognizing the rights of Palestinian refugees – as ratified by the UN – to recover their original homes. A noticeable aspect of the appeal is that it federates and gathers all the components of the Palestinian people – refugees, Palestinian citizens living in Israel and Palestinian in occupied territories.

On July 12th and 13th 2005, a few days after the launching of the BDS campaign, the Conference of Civil Society for Peace in the Middle-East was

held in Paris in UNESCO premises. The Conference adopted the BDS appeal after a unanimous vote and its final resolution announced a blueprint for a general campaign of boycott, disinvestments and penalties to force Israel to put an end to the occupation, comply with international law and respect all the resolutions of the UN.

Empowerment

The BDS campaign obtained very limited visibility in the first three years, but it has enjoyed sizeable empowerment since 2008, when the final declaration of the Bil'in conference asked those involved in the solidarity movement to *“promote the boycott, disinvestment and penalties, to ask all the movements, institutions and associations of international solidarity to campaign for both a boycott involving the withdrawal of investments from Israel and the enforcement of economic penalties, especially the Agreement commercial association between the EU and Israel¹⁷”*.

The appeal gained the support of many personalities and artists throughout the world, including academic circles¹⁸. In 2009 the Ecumenical Council of Churches (ECC) declared it necessary *“to set up an international boycott of the goods produced in illegal settlements in occupied territories”*. ECC backs up and diffuses information about the Kairos appeal launched in 2009 by Palestinian Christians – the text directly refers to the BDS campaign as a very useful non-violent means to put an end to the occupation.

In Anglo-Saxon countries, Churches and Universities¹⁹ keep a close look at the operations of their pension funds and massively withdraw their investments from those international companies that contribute to Israeli occupation policies.

Trade-unions are particularly involved. IWW (Industrial Workers of the World, USA), STUC (Congress of Scottish Unions), TUC (British Unions), UNISON (first union of the civil service), COSATU (main federation in South-Africa), ICTU (Irish unions), CUT (main union in Brazil) and many unions like Sud Solidaires in France subscribe to BDS. Most of these organizations have severed all their links with Histadrut, the Israeli union.

Civil societies worldwide are involved in this action. In France, the victory of the Coalition against

The peace camp in Israel has considerably shrunk, to the extent that it hardly exists today, and Israeli policies are increasingly leaning to the far-right...

Agrexco in 2011 boosted the campaign at international level. In the wake of this victory, a major British distributor²⁰ of food products decided to *“stop collaborating with any supplier known to buy its products from Israeli colonies”*. Alstom and Veolia companies, criticized for participating in the construction of Jerusalem subway and for their services supplied in the colonies, were refused access to public tenders²¹ in many countries, in the wake of actions carried out by citizen groups among decision makers.

According to Omar Barghouti, a major Palestinian promoter of BNC²², thanks to lobbying actions from civil societies, the campaign gained increased importance in 2014. As a matter of fact, since the beginning of the year, a series of decisions taken by institutions and major economic agents have considerably boosted BDS. The first was the council of American Studies Association's vote, one of the most prestigious unions of American researchers and teachers, in support of the

15 The International Court of Justice ruled in favour of Palestinians asking for the wall to be pulled down (9th July 2005 : *“Israel must end its violations of international law ; it has to stop immediately the construction work of the wall in the OPT, including inside and around East-Jerusalem, to demolish the work in this area and to immediately abrogate or make inefficient the legal or regulatory acts about it”*.

16 50% of Palestinians are currently refugees outside of Palestine; 12% are Israeli citizens; 38% live in Gaza and the West-Bank including East Jerusalem, among which 42% are internal refugees. In total the refugees represent 69% of the Palestinians.

17 Final statement of Bil'in Conference June 2008 – www.bilin-village.org

18 « Physician Stephan Hawking supports academic boycott of Israel », Le Monde 8th May 2013

19 Churches : US Methodist Church, US Presbyterian Church, US Mennonite Church, United Church of Canada, Church of England ; Universities : Sheffield, Edinburgh, Cambridge, York, Sidney, Toronto, University of Michigan, University of California, Manchester

20 « Co-op boycotts exports from Israel's West Bank settlements », The Guardian 29 April 2012

21 « Veolia, a local BDS target, loses Massachusetts commuter rail contract », Mondoweiss, 9th Jan. 2014

22 Palestinian BDS National Committee



Esti Micenmacher, member of the board of Who profits from the occupation

boycott of Israeli academic institutions²³. Then there was the decision of the Danish bank Danske Bank, to blacklist Hapoalim²⁴, an Israeli bank, or the decision of the Dutch pension fund PGGM to withdraw its investments from five Israeli institutions²⁵. In both cases these decisions were taken on the ground that Israeli institutions disrespect international law in financing colonies. A similar decision was taken by Buenos Aires local council: it cancelled the plan to build a water treatment facility which had been agreed upon last year with Israeli company Mekorot for a global cost of \$ 170 million. Lastly was the motion adopted on March 19th 2014 by the Council of the Royal Institute of Architects asking the International union of architects to "ban the Israeli Association of Architects for its refusal to oppose the building of illegal Israeli settlements²⁶".

Israeli involvement in BDS

Israelis were invited to « support the BDS appeal, for the sake of justice and genuine peace », and both Arab

and Jewish Israeli citizens complied, creating the "Boycott Within"²⁷ movement. According to Michel Warschawski²⁸ "the BDS is an opportunity for Palestinians, but mainly an opportunity for Israelis²⁹". "The BDS campaign was launched by an extensive coalition of Palestinian political and social movements. No Israeli citizen who declares he/she supports the rights of the Palestinian people can turn his/her back on this campaign: after stressing for years that armed struggle was not the right alternative, it would be a farce if these Israeli activists did not back the BDS strategy. On the opposite, all of us must join the "Boycott from Within" campaign so as to bring Israeli support to this campaign. That is the least we can do, that is the least we must do". Here is how Nev Gordon, an Israeli academic, explains his involvement in BDS in the Los Angeles Times: "the peace camp in Israel has considerably shrunk, to the extent that it hardly exists today, and Israeli policies are increasingly leaning to the far-right... Nothing else has worked. Putting massive international pressure on Israel is the only way to make sure that the next generation of Israelis and Palestinians – including my two sons – will not live under an apartheid regime".

A remarkable initiative was initiated by the Coalition of women for peace, one of the Israeli organizations backing BDS: the launching in 2007 of a program of economic investigation: "who profits from the occupation". This program, which has become an independent research center, has set itself the objective to determine which Israeli and multinational companies are benefiting from the occupation³⁰. Part of the information collected on these economic actors is available on a data bank on line – an invaluable tool to understand the economic side of the occupation. Gideon Levy, a columnist for the world-famous newspaper Haaretz, caused real sensation last July when he announced that he backed BDS³¹.

France and Israel are united in the criminalization of BDS

In Israel, demonstrating concretely one's solidarity with Palestinians is a risky venture. Nev Gordon receives death threats at regular intervals. According to historian Idith Zertal³² academic authorities barred his colleague Ilan Pappé³³ from working and he had to emigrate to England. She personally found refuge in Basel University for 10 years. One of the promoters of Boycott

In July 2011, the Knesset passed a law making it possible to sue anybody advocating the boycott of Israel.

Within, mathematician Kobi Snitz, spent 20 days in jail for refusing to pay a fine after opposing the destruction of a house belonging to a Palestinian figure who had organized a demonstration against the wall.

The opinions voiced by Israeli government members or political figures following the decisions of a few European financial institutions (PGGM, Dansk Bank) reveal that the BDS has become a source of concern. Some members of the government now in office speak of a strategic threat. In his last speech before AIPAC in March 2014, B. Netanyahu mentioned the BDS eight times. According to Omar Barghouti, Israel is deeply worried about the growing number of Jewish Americans who openly challenge its policies – especially about the Jews that join or are in charge of BDS campaigns³⁴.

In July 2011, the Knesset passed a law making it possible to sue anybody advocating the boycott of Israel. The plaintiffs will not have to prove that the appeal to boycott caused real harm – the courts will be in a position to order the individuals and organizations to pay damages unrelated to the harm caused. Ze'ev Elkin, who introduced the bill and is closely related to the colonists, says he was inspired by French law. Actually until the law was passed by the Knesset, France was the only country in the world to sue people advocating a boycott of Israel. The suits were based on instructions issued on Feb 12, 2010, by Justice Minister Michèle Alliot-Marie and ordering public prosecutors to sue people campaigning for the boycott of Israeli products. Without producing any evidence, the Minister argues that article 24, §8, of the 1881 law on the Press makes it possible to repress appeals to the boycott of products originating from countries whose policies are criticized. According to many magistrates and lawyers, this text interprets the

law in an extensive manner, and in contradiction with the strict interpretation of penal laws³⁵. Various figures from intellectual or political circles³⁶ have repeatedly complained to the current Justice Minister, Christiane Taubira, but she has not abolished these instructions yet. When questioned by an M.P. In the National Assembly on January 28, 2014, Mrs Taubira admitted that these instructions did not strictly enforce the law but she justified her decision not to cancel it by referring to « current circumstances », without mentioning what these circumstances were.

23 www.theasa.net – Council statement on the boycott of Israeli Academic Institutions, 4th December 2013

24 « Denmark's largest bank blacklists Israel's Hapoalim over settlement construction », Haaretz, 1st Feb. 2014

25 PGGM Statement regarding exclusion of Israeli bank : www.pggm.nl

26 www.architecture.com

27 www.boycottisrael.info

28 President of the Alternative Information Center, 2012 Laureate of the Human Rights Price of French Republic

29 La Cimade, interview with M. Warschawski, 17 Feb. 2014

30 www.whoprofits.org

31 « The Israeli patriot's final refuge : boycott », Haaretz, 14th July 2013

32 La Cimade, interview with Idith Zertal, 24th Feb. 2014

33 Ilan Pappé, « Ethnic cleansing of Palestine », Fayard 2008

34 Omar Barghouti, « Why Israel fears the boycott », New York Times 31 Jan. 2014

35 G. Poissonnier, « Call for boycott of products from settlements Israel not a penal infraction », Gazette du Palais, July 2012

36 I. Ekeland, R. Brauman, G. Poissonnier, 'Stop criminalizing boycott », Le Monde 5th March 2014

03

Israël and the new unwanted foreigners

Israel is the immigration land for Jews from the entire world; but the question of status and stay conditions of non-Jewish / non-Palestinian people is full of meaning in more than one way. The recent arrival of African asylum seekers and the call of millions Asian workers in replacement of Palestinian workers set new essential questions to the State of Israel, affecting its identity and its need of cheap labor. Unfortunately, the replies given until now seem dictated by the ethno-nationalist and colonialist policies conducted for a few years now; the State of Israel respects its national laws for its Jewish citizens only, and does not comply with the international conventions it has signed. The analysis showed up by human rights Israeli NGOs is that the politics conducted towards asylum seekers and foreign workers derogates to the basic rights of foreigners, and infringe to international duties of the State of Israel.



Information signboard at the entrance of Kav Laoved, Tel Aviv.

3.1. FOR THE REFUGEES OF SINAI, ISRAEL IS NOT THE PROMISED LAND

The hardening of containment measures at the southern borders of Europe by the European Union has led migrants and refugees to search for new migration routes. For thousands of people forced to run away from the Horn of Africa, precarious exile in Libya has proved to be more and more dangerous as from the middle of 2000. Israel then appeared to be another choice. Extremely dangerous new routes opened up through Egypt and the Sinai Desert so as to reach the southern border of Israel. Tens of thousands of African refugees, principally from Sudan and Eritrea, risked their lives on paths controlled by criminal groups, hoping to find an asylum in Israel. Unfortunately, coming out of "Sinai Hell" they didn't find the Promised Land in Israel, rather the opposite.

A more and more ethno-nationalist policy

The designation given to them by the authorities gives the tone: "the infiltrated". This name chosen on purpose refers to a 1954 law which at the time aimed at describing other refugees: Palestinians attempting to enter "illegally" and get back to their

home. Its negative connotation reflects a threat for Israel, and leads to rejection by the public opinion.

Arrivals from the Southern border of Sinai increased in a drastic way between 2006 and 2012:

2006	2007	2008	2009	2010	2011	2012
2 752	5 124	8 857	5 259	14 715	17 298	10 440

Source: Israel Minister of the Interior.

According to statistics from Minister of the Interior, 53 636 people requested asylum at the end of 2013 - so called "infiltrated" in Israel- 92% of them from Eritrea and Sudan.

At the beginning the army arrested refugees at the border, shut them in jails for weeks or months in the desert (Ketziot and Saharonim), and then set them loose in nature. Most went towards Tel Aviv or Eilat, where they survived without rights - neither to stay, nor to work or to social care. Even worst still, they were unable to submit an asylum request, as Eritreans and Sudanese citizens are considered coming from hostile countries to Israel; this is a

serious contravention to the Geneva Convention on refugees, that Israel was one of the first States to sign. Since the mid 1990s the State of Israel only recognized 200 refugees according to the Geneva Convention, therefore one of the smallest levels of recognition in the world: 0.15%

As soon as 2008, Israel authorities' exerted pressure on Egypt to stop the entrances by Sinai desert. As a result repressive measures were taken by the Egyptian army, causing many deaths. But the flow carried on and reached a peak of more than 17 000 entries in 2011, year of "revolutions" in Egypt and Libya.

A new « against infiltration » law

Passed in January 2012, this new « against infiltration » law pursues aims deterring any new entry on the territory. Anybody entering Israel illegally, including children and vulnerable people, can be detained for at least three years, systematically and without judgment. The law plans also the building of a barrier on the Egyptian frontier. Foreigners' rights defense associations appealed against this scandalous law and obtained a thin victory: an amendment reducing to one year the systematic detention, followed by the transfer to a new detention center until their "voluntary departure". A huge "opened jail", Kholot, has just been built in the midst of nowhere, in Negev desert; it has a 2 500 places capacity. The detainees, men, women and children have to check in three times a day, are fed the minimum, do not receive medical care other than visits from the Israeli association "Physicians for Human Rights". On 14th of January 2014 the HCR expressed its most acute concern regarding these detention conditions and asked Israel, while treating asylum seekers, to respect the International refugees and human rights Law.

A 270 km long and 5 m high barrier

Achieved in December 2012, this barrier has an estimated cost of more than 50 millions of dollars. As a result only 59 persons managed to pass in 2013 and 12 in January 2014. After blocking the entrances, first Minister Benjamin Netanyahu stated that they should pass to a new phase and send away all "the infiltrated" remaining in Israel. Unable to expel them directly back to their country of origin, he aims at driving them desperate by parking them indefinitely in Kholot's camp, so that they leave

by themselves or accept a "voluntary return" to a third country. More than 2 600 exiled persons have been forced to leave in 2013. Unofficial information stated at the beginning of 2014 that an agreement had been signed with Uganda as a country of return, in exchange of aid and arms¹.

More and more threats against African exiled

All asylum seekers who entered before January 2012 have been provided with a "conditional freedom visa" with no right to work, to be renewed every 3 months; it is nothing else but a provisional stay permit awaiting eviction. For the last few months, the possibilities of renewal of these visas have voluntarily been reduced (less possible places and shorter time schedule to obtain them); thus increasing the risks of being arrested for lack of regular visa and sent to Kholot camp. Furthermore, strict measures have been taken against those employing or lodging these exiled people.



This young Eritrean refugee became voluntary translator at Kav Laoved.

As the Israeli authorities and political parties hold xenophobic speeches against "the infiltrated", racism and rejection grows in Israeli society, particularly in poor and overcrowded areas in the southern suburb of Tel Aviv, where most of exiled African survive in extreme poverty.

Demonstrations and solidarity in Israel

At the beginning of 2014, tens of thousands of African refugees (30 000 according to the medias) organized mass demonstrations in Tel Aviv and in front of the Knesset to make their sufferings and the injustice they suffer from heard. They were asking for the revocation of the "anti-infiltration" law, insisting that they were refugees fleeing oppressing governments. With large media coverage, these demonstrations enabled for the first time the Israeli society to see another reality than the official propaganda. However the government declared it would pursue its expelling policy.

A small number of Israeli associations act resolutely in order to welcome and support foreigners, defend their rights and denounce the government's policy. Established in Tel Aviv, they specialize in various fields and cooperate tightly with one another, in order to carry out denunciations and advocate against the government in order to change the law. In January 2014, the Hotline for Migrants, Physicians for Human Rights and Euromed Network² asked the Israeli government to respect the international obligations stated in the Geneva Convention, to abolish the "anti-infiltration" law authorizing imprisonment of asylum seekers, and to proceed to their release and access to fundamental rights.

The Hotline for Migrants concentrates on emergency actions to protect persons in danger, visit to imprisoned refugees and legal defense. They also dedicate themselves to change the perception of migrants, by sensitization campaigns and working with the media. ASSAF (Aid Organization for Refugees) tries to meet the social and psychological needs of refugees, and is more and more devoted to supporting the most vulnerable ones who went through the "Sinai Hell" : drug dealers abduct men and women, lock them up in wretched places and torture them until their families pay ransoms which may reach 30 000 dollars³. One evaluates at 7 000 the number of persons having been tortured in

As the Israeli authorities and political parties hold xenophobic speeches against "the infiltrated", racism and rejection grows in Israeli society

these conditions. Physicians for Human Rights opened a department for refugees and migrants which offers medical care to those who are deprived and denounces the scandalous health and hygiene situations in the camps; they particularly insist on detained children. ARDC (African Refugee Development Center) was created in 2004 by African refugees and Israeli citizens to support and bring legal assistance to refugees and take part in advocacy campaigns towards a political change.

The struggle of these Israeli organizations, relatively unknown from other networks pursuing the same goals of migrants, asylum seekers and refugees' rights defense in the Mediterranean area, deserves to be better supported at international level; in so much as their actions also address the European Union, asking it to remind the State of Israel its commitment towards asylum seekers and exiled people. They indicate their most worrying concerns as for the new law and the practice of mass detention without judgment.

3.2. FOREIGN WORKERS: OVER EXPLOITED AND DISCRIMINATED AGAINST

When the State of Israel took the decision to close off the Occupied Palestinian Territories in the 1990s' and to besiege Gaza, thus drastically reducing the number of work permits to Palestinians, it had to resort to a cheap foreign manpower to execute unqualified works. Between 1989 and 1996 the number of work permits for Palestinians were divided by ten, whereas the number of contracts granted to

¹ Haaretz, 19th February 2014.

² Press release - 14th January 2014

³ Human Rights Watch report, *I wanted to lie down and die, Trafficking and torture of Eritreans in Egypt and Sudan*, Feb. 2014

workers from Asia was multiplied by thirty. Since the second intifada in 2000, it is practically impossible for Palestinians from the OPT to obtain work permits in Israel (only 35 000 today vs. 200 to 400 000 before). Supported by the State, employers have been recruiting manpower directly in Asia: Palestinians have thus been replaced by workers from Thailand, Sri-Lanka or Nepal in agriculture and construction work as well as caring jobs.

According to the Minister of Interior, in 2013 nearly 70 000 foreign workers (non-Palestinian) were in legal situation and an average of 15 000 were in illegal situation – they stayed after their contract

Asian workers are recruited by agencies and pay a high price to come and work in Israel (up to 10 000 dollars).

expired. To those, one must add 93 000 foreigners who came in the country with tourist visas and stayed illegally, but of whom nobody talks. They arrive mostly from Russia or ex-URSS countries, they are undeclared casual workers, without any reaction from the authorities as opposed to what happens for Africans or Asians. Asian workers are recruited by agencies and pay a high price to come and work in Israel⁴ (up to 10 000 dollars). They are tied up to their employers by limited-duration work permits, with no possibility to claim for anything, by fear of being expelled and have no means to pay their debts back. They have no way to have their family to join them.

The case of agricultural workers is striking: many Thais are employed in industrial farms in Israel and the OPT especially in Jordan valley. The organization Kav Laoved, defending the rights of « disadvantaged » workers whom are not defended by official unions, denounces the illegal and unacceptable work conditions and salaries of these migrants. It also denounces the authorities

which, due to the powerful farmers' lobby in the Knesset, do not implement Israeli labor law and seem to accommodate with over exploitation and discrimination against these foreign workers, as well as Palestinian workers in the OPT. In the fields of construction and caring, Kav Laoved also notes violations of rights concerning wages, working conditions, social benefits and discriminations that government tacitly assents to by not imposing the implementation of labor law to all workers whatever their nationality or status.

The State of Israel respects democratic rules only for its own citizens. Let's presume that the health of a democratic country can be measured by the way foreign people are treated. In Israel, lack of asylum and migrant's policies respectful of international law and discriminations against asylum seekers and foreign workers are signs of serious deficiencies.

4 Jacob Udell, Jerusalem Post, 5th February 2014.

CONCLUSION

As the Israeli historian Idith Zertal observes, it is now more than four decades that Israel has been prey to the "poison of occupation". Since 1967 and the turbulent creation of the first settlements (Goush Etzion and Hebron) in contempt of international law which forbids an occupying state from transferring members of its population to the territory it occupies, Israel has been a colonising state. As Zertal writes: *"The vast majority of the seven million Israelis have never known another reality. The indefinite prolongation of the military occupation and the continual development of the Jewish settlements have caused the downfall of governments and have led the Israeli democracy and its political culture to the edge of the abyss. They have transformed the Israeli society down to its foundations, affected its economy, its army, its history, its language, its morality, and its international status. Because of the settlements, this State born out of the catastrophe of the destruction of the Jews of Europe, this State which owes its existence to the legitimacy it drew from those events, is today broken from inside and provokes controversy, each time more bitter than the last, in each corner of the world."*

Indeed, the ideological settlers have taken an increasingly disproportionate place in Israel, ensuring the triumph of myths and millenarian, religious, and national aspirations in the highest rungs of the State of Israel (government, parliament, army, justice system, education), and menacing the aspirations of a state defined as a political, juridical, and civic entity, founded and recognised internationally in 1948.

In light of the enormous current dangers and challenges, and the failure of attempts to date to respond to them, the short-term future seems more somber than ever. History has arrived at

a "decisive moment" which could give rise to a catastrophe of unimaginable consequences or a burst of courage and lucidity capable of opening real pathways towards the construction of a just and durable peace.

This courage and lucidity is today to be found in civil society, which is aware of the seriousness of the stakes. These are the actors who resist peacefully, who denounce injustices and propose new forms of mobilisation to put an end to them, who open the way. On the Palestinian side, despite the division provoked by the Gaza blockade, the BDS call has united the spectrum of civil society actors. With courage, some Israelis, certainly in the minority, support this frame of non-violent action, which puts the respect of the fundamental rights of Palestinians as its central objective.

In a highly fragmented context, these Palestinian and Israeli organisations call for active solidarity. They need their voice to be heard and their combat supported outside of Israel and Palestine. Physically separated by the barriers of occupation, these organisations, which fight for the same objective of the respect of international law and human rights, have very few opportunities to work together. However enhanced mutual understanding, exchange and reciprocal support could be a fundamental vehicle for peace.

Beyond their work in their own countries, these organisations ask actors for peace and justice in democratic societies around the world to take action lobbying the political and economic powers who hold a large responsibility in this conflict and the dramas it engenders. We must listen to these calls and commit to responding to them in order to reinforce the role of these actors for peace in their own society and to put pressure on international political actors.

Recommendations

In light of the worsening situation on the ground and the standstill in the asymmetrical negotiations held to date, the international community, governments and civil society must act urgently to end the deadly logic for both Palestinians and Israelis and propose new conditions to lead to peace, respecting the dignity and the legitimate rights of all.

In the short term, firm commitments and concrete actions by the French government, the European Union (EU) and European civil society, can contribute to moving forward in this direction.

For this reason La Cimade asks:

- The French government** to urgently use all of its weight to incite Israel to respect international law, to support the process of resolution of the conflict in a way that grants justice to both Palestinians and Israelis, and in particular to:
- Publicly condemn the Israeli government's policy of colonization and, as High Contracting Party to the Geneva Convention (IV), fulfill its obligation under Article 1 to "undertake to respect and to ensure respect for the present Convention in all circumstances."
 - Recall the State of Israel its obligations in regard to the Geneva Convention on refugees.
 - Take measures to ensure that France's economic relations with the State of Israel are in accordance with the aforementioned obligation, and with its stance in favor of international resolutions; in particular for an end to the policy of occupation by refusing all forms of economic cooperation, public or private, contributing directly or indirectly to further colonization.
 - Apply the consequences of the "Brita" ruling of the EU Court of Justice from February 25th 2010, which indicates that products from the settlements exported by Israel to Europe do not carry acceptable documents certifying their origin, and thus cannot be sold in the European Union.
 - Recognize the legitimacy of the non-violent international action undertaken by civil society under the BDS (boycott, divestment, sanctions) campaign and put a stop to all legal action against BDS activists in France.
 - Denounce the ethnic-nationalist policy currently imposed by the Israeli government as a major obstacle to any peace process.
 - Support efforts aimed at intra-Palestinian reconciliation and further democratic processes to strengthen the unity of the Palestinian people and the international legitimacy of its political leaders.
 - Increase its support to civil society organizations, in Palestine and in Israel, that are working for the respect and promotion of fundamental rights.

The European Union to make its policy of cooperation with the State of Israel firmly conditional on its respect of the Conventions and rules of international law, and to take a clear stand as a political actor in the search for a fair and peaceful solution to the conflict, and in particular to:

- Suspend all economic aid or cooperation agreements between the EU and the State of Israel contributing directly or indirectly to the maintenance or development of settlements in the occupied territories and in Jerusalem.
- Denounce the ethnic-nationalist policy of the current Israeli government and its unacceptable consequences according to the law and to the founding values of the EU.
- Support and assist projects for the unification of Palestinian representatives and the holding of democratic elections for all Palestinians, in the West Bank, Jerusalem and Gaza.
- Increase its support to civil society organizations on the ground working for the defense of fundamental rights and providing assistance to the populations most affected by the occupation system in the West Bank or by the siege on Gaza.
- Apply pressure to the State of Israel to respect its international obligations regarding the hosting of refugees and the treatment of migrant workers.

The French and European civil society organizations who support the respect of international law in Israel-Palestine, and the defense of human rights, to support practically and politically civil society actors in Palestine and Israel who exercise non-violent resistance to the occupation system and who work to defend and promote the fundamental rights of populations, and in particular to:

- Support Palestinian civil society's call for BDS (Boycott, Divestment and Sanctions) aimed at obtaining respect of Palestinians' fundamental rights.
- Demonstrate its commitment to supporting actors on the ground by increasing meetings with them in Palestine and in Israel, and by bearing witness to the reality of the suffering and humiliation undergone by the occupied Palestinian people and the dangers of continuing to pursue current policies.
- Enable associations from both Israeli and Palestinian civil society to end their isolation, to meet and gain access to more networks of international solidarity for the defense of human rights.
- Support campaigns advocating for ending the occupation and colonization by putting pressure on States and companies who contribute directly or indirectly to allowing the State of Israel to apply in total impunity its policy which obstructs any possibility of peace.
- Support Israeli organizations working for the defense of the rights of migrants and asylum seekers.

For its part, La Cimade, within the framework of its work for the construction of peace, is committed to supporting civil societies and in particular to strengthening the ties between civil societies of the two countries.

LIST OF THE ORGANIZATIONS MET DURING THE MISSION :

Addameer

Prisoners support and human rights association – Ramallah

Adalah

The Legal Center for Arab Minority Rights in Israel – Beer Sheva

AIC

Alternative Information Center - Jerusalem

ASSAF

Aid Organization for Refugees and Asylum Seekers – Tel Aviv

Al Haq

Defending human rights in Palestine – Ramallah

Association d'échanges culturels Hébron-France

(Hebron – France cultural exchange association) – Hébron

Popular struggle coordination Committees in Bil'in and Al-Nabi Saleh

BNC

Palestinian BDS National Committee – Ramallah

B'Tselem

The Israeli Information Center for Human Rights in the Occupied Territories – Tel Aviv

French Consulate

Jerusalem

European Union Delegation

Jerusalem

EAPPI

Ecumenical Accompaniment Programme in Palestine and Israel – Jerusalem

Ewash

The Emergency Water, Sanitation and Hygiene group – Jerusalem

Gisha

Legal center for freedom of movement – Tel Aviv

Hotline for migrants and refugees

Tel Aviv

Kairos

Christian Palestinians' word to the world – Jerusalem

Kav Laoved

Worker's Hotline

OCHA

United Nations Office for the Coordination of Humanitarian Affairs

PCATI

Public Committee against torture in Israel - Jerusalem

UAWC

Union of Agricultural Work Committees – Jericho

Who profits the Israeli occupation industry?

Tel Aviv

Zochrot

Raising the Nakba to the awareness of the broad Jewish public – Tel Aviv

La Cimade

To assist migrants and defend their rights

Every year, La Cimade receives and advises tens of thousands of migrants, refugees and asylum seekers in its reception centres. It also provides housing to two hundred refugees and asylum seekers its two shelters located in Béziers and Massy.

To act for detained foreign nationals

La Cimade works in more than 10 Administrative Retention Centres and provides legal support to foreigners, assisting them in accessing their rights. La Cimade also works in about a hundred prisons.

To build International Solidarity

La Cimade implements projects for the defence of migrants and refugees' rights together with partner associations in Southern countries. It also promotes the construction of peace especially in Israel-Palestine.

To bear witness, inform and mobilize

La Cimade leads advocacy actions towards decision makers; it informs and raises awareness on migrations among the public opinion towards Migrant Scène festival and Causes Communes magazine. La Cimade makes propositions for a change in the migratory policies.

2014 – some figures

- 100 000 persons receiving advices, support or housing
- 131 reception centres and French language programmes
- 2 000 volunteers in 83 local groups
- 14 partner associations in 7 countries (Algeria, Mali, Morocco, Mauritania, Niger, Senegal, Tunisia)



All these actions are possible thanks to our donors; they guarantee the independence of our association and its freedom of speech.

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