

Barrier to a just peace:

# Israel's colonial settlement policy



**In 1947** the UN partitioned Palestine, giving over half the land to one third of the population — mostly recent Jewish immigrants — and allotting the rest to the indigenous, Palestinian population.

**In 1948**, when the British withdrew, the Zionist forces took 78% of Palestine, driving out most of the inhabitants and razing to the ground about 500 Palestinian villages.

**In 1967** Israel occupied the rest of Palestine and set about colonising the West Bank, Gaza, East Jerusalem and the Golan Heights. Many settlements are built on prime agricultural land.



*The illegal settlement of Har Homa, under construction*

**T**he Israeli government claims that the status of the West Bank, East Jerusalem, the Gaza Strip and the Syrian Golan Heights is 'disputed'. But this view flies in the face of international law (see box below). In fact, no state recognises Israel's right to continue to hold these Occupied Territories. Even Israel's own Supreme Court, in 2002, recognised that

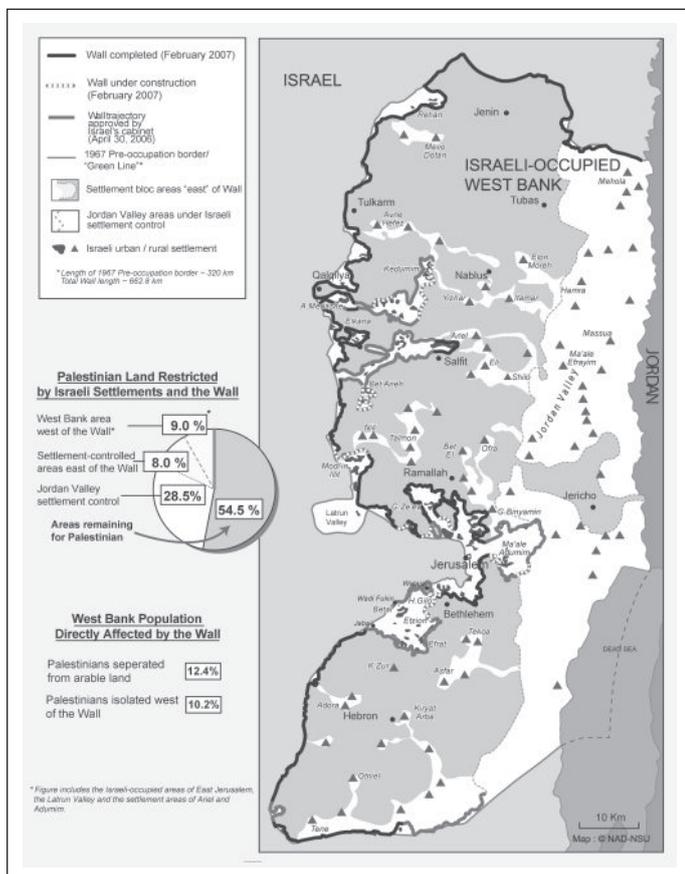
the West Bank and Gaza are "subject to a belligerent occupation by the State of Israel."

The rights of a people living under occupation are guaranteed under Article 49 of the Fourth Geneva Convention (to which Israel is a signatory), which states **"the occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies."** To do so is a war crime, indictable under the International Criminal Court.

However, since 1967, successive Israeli governments have pursued a policy of building and expanding colonies (or 'settlements') in the Occupied Territories. Land is grabbed, driving out the Palestinian population, and huge numbers of soldiers and resources are employed to guard the newly-created hostile colonies. The largest are Ariel (18,000 inhabitants) and Maale Adumim (35,000 inhabitants).

The settlements policy constitutes an attempt to alter the final status of the land on which they stand. By implanting thousands of Israelis deep in occupied land, Israel hopes to expand its borders by annexing these settlement areas, including the Jordan Valley.

UN Security Council resolutions have ruled Israel's settlements to be illegal and an obstruction to a peaceful resolution to the conflict in the Middle East. Yet at the beginning of 2010 there were about 120 settlements, and dozens of unofficial 'outposts', with a population of about 300,000 in the West Bank and nearly 200,000 in and around East Jerusalem. About half the West Bank is now under the jurisdiction of settlements, either as built-up areas or future land reserves for settlement expansion.<sup>1</sup>



*Israel's wall and settlements (colonies), February 2007*

## The settlers and their impact

Some Israelis have moved to settlements because housing is cheaper and there are other inducements, e.g. in the form of lower taxes. Other settlers are ideologically motivated, believing it is their religious duty to occupy all of what they consider to be 'Greater Israel'.

The settlements, their infrastructure, and the military presence needed to secure them all have a hugely negative impact on the lives of nearby Palestinians. Israel can declare an area to be 'state land', or closed for 'security purposes'. Also, buildings that have been left empty by refugees can be taken. In all, there are 38 statutes in force enabling Israel to expropriate land. For Palestinians, challenging this process through the courts is a frustrating and frequently futile process.

Settlements are strategically located to control access to resources. They cover 80 per cent of renewable water sources in the West Bank. Each Israeli settler is allocated 1450 cubic metres of water per year; Palestinians are allowed just 83 cubic metres per year.<sup>2</sup> The building of the settlements and their accompanying infrastructure means a reduction in land available for the expansion of farms, villages and towns for Palestinians, who are forced into ever-shrinking and overcrowded enclaves. The confiscation of agricultural land, the closing of stone quarries and destruction of houses have impoverished many Palestinians.

The whole process of establishing the colonies is a violent one, which does not end once the settlement is built. The settlers themselves act largely with impunity in disrupting normal Palestinian life. Road blocks are set up, cars burned, windows smashed and crops destroyed: settler violence is clearly intended to force Palestinians to leave, so that the colonisers can take further control over their lands (see 'Hebron' box).

## Apartheid roads

In addition, major 'by-pass roads' have been constructed to connect the settlements to each other, and back to Israel. Palestinians are not allowed to use these roads. For every 100km of by-pass road, Israel confiscates around 2,500 acres of Palestinian land, destroying whatever homes or farms happen to be in their way.

The roads often separate farmers from their lands and markets, damaging the economic life of the territories. John Dugard, UN Special Rapporteur, reported that 'a system of road apartheid has been introduced which keeps the highways for the exclusive use of settlers and relegates Palestinians to second-class roads, obstructed by checkpoints and roadblocks'.<sup>3</sup>

## But Israel left Gaza...

One and a half million Palestinians live in the Gaza Strip, one of the most densely populated areas on earth. Much has been made of the

## International law and rulings include:

*On Israel as an occupying power:*

- **1967 – UN Security Council resolution 242:** called for Israel to withdraw completely from territories it had occupied.
- **2004 – UN Security Council and General Assembly statement:** "...The status of the Palestinian Territory occupied since 1967, including East Jerusalem, remains one of military occupation."

*On the settlements:*

- **The Hague Regulations:** prohibit an occupying power from undertaking permanent changes in the occupied area, unless these are due to military need in the narrow sense of the term, or unless they are undertaken for the benefit of the local population.

- **1979 – UN Security Council resolution 446:** "Determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East."

- **1980 – UN Security Council resolution 465:** "Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East." The resolution called for Israel to "dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem."

- **2004 – International Court of Justice:** "The Court concludes that the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law."

removal of the settlements in 2005. However, while 8,500 settlers were removed from Gaza, over 15,000 new settlers were moved into the West Bank during the same period. Similarly, whilst 19 square miles of land were given up in Gaza, a further 23 square miles from the West Bank was taken.

Far from the Gaza 'disengagement' marking a change in Israel's settlement policy, Israel has continued its expansion, colonisation and annexation of Palestinian land. Gaza itself remains under Israeli occupation, in that Israel controls access to the Strip by land, sea and air, and has subjected the inhabitants to a severe blockade for more than four years. Its regular incursions, to kill 'militants' and destroy the civilian infrastructure, culminated in the onslaught of 2008–2009, when 1400 Palestinians were killed. Reconstruction has been blocked by Israel's refusal to allow in building materials.

## East Jerusalem and the Apartheid Wall

In 2002, Israel began to build its eight metre high 'security barrier'. When finished it will be 650km long.

Construction has not followed the Green Line between Israel and the Occupied Palestinian Territories. Instead, it reaches deep into Palestinian lands annexing the settlements and destroying Palestinian farms, resources, and communities as it goes. In 2004, the International Court of Justice declared the Wall illegal, and that Israel must dismantle it, but construction has continued.

Like the by-pass roads, the Wall cuts Palestinian farmers off from their land and markets, prevents workers from getting to their employment and isolates families from one another. It is resulting in a huge number of checkpoints and the building of more by-pass roads.

East Jerusalem, illegally occupied by Israel since 1967, has traditionally been the centre of political, religious, cultural and commercial life for the West Bank. In 1980, Israel passed the Jerusalem Law, which declared a united Jerusalem to be Israel's capital, though it did not declare its borders. This measure was not recognised by any country, but it is clear that Israel is attempting to annex the whole of Jerusalem.

The chain of huge settlements around Jerusalem is being expanded rapidly and the Apartheid Wall has cut the city off from the rest of the West Bank, including Bethlehem.

An EU report<sup>4</sup> outlined the settlement process in East Jerusalem:

"Extremist Jewish settler groups, often with foreign funding, use a variety of means to take over Palestinian properties and land. They either prey on Palestinians suffering financial hardship or simply occupy properties by force and rely on the occasional tardiness and/or connivance of the Israeli courts. Such groups have told us that they also press the

Israeli authorities to demolish Palestinian homes built without permits... Some of the Jewish settlements lack building permits, but not one has been demolished — in marked contrast to the situation for Palestinians...

"The plan to expand the settlement of Maale Adumim into the so-called "E1" area, east of Jerusalem, threatens to complete the encircling of the city by Jewish settlements, dividing the West Bank into two separate geographical areas."

## Growth of the settlements

**1967:** First Israeli settlement built on the Golan Heights.

**1978:** US President Carter criticises Israel, asking why **9,000** Israelis are now living in the Occupied Territories in 13 colonies.

**1980:** Israel seizes 1,000 acres in East Jerusalem to build a Jewish-only quarter. Two-thirds of the land had been owned by Arabs, who are evicted.

**1982:** Settlers total **21,000**.

**1994:** Settlers total around **200,000**. Israel continues to expand its settlement programme while it engages in the Oslo peace process.

**2000:** Settlers total around **390,000**.

**2005:** **8,500** settlers withdrawn from Gaza; **15,000** new settlers in the West Bank during the same period.

**2008:** Despite Israel's commitment during the Annapolis Summit to freeze all settlement activity, construction almost doubles in that year.

**2009:** President Obama calls on Israel to halt all settlement expansion immediately; Israeli PM Binyamin Netanyahu announces his intention to continue. President Obama backs down.

**2010:** Settlers total about **500,000**. Evictions of Palestinian families in East Jerusalem are stepped up.

## Hebron

Hebron is a West Bank town of around 100,000 inhabitants.

In the early 1970s an American Israeli, Rabbi Moshe Levinger, and 70 other radical Israelis moved into a hotel there and refused to leave. The Israeli government supported this illegal act, protected them with the Israeli military, and armed the settlers.

The Qiryat Arba settlement that they established now has a population of about 7,000, and is arguably the most militant of all the settlements. In 1994, Baruch Goldstein, a settler and Israeli Army reserve officer, entered the Tomb of the Patriarchs mosque in Hebron and opened

*cont. overleaf*



Hebron settler attacks a Palestinian woman.

fire with a submachine gun on Muslims at prayer. He killed 29 people, and wounded hundreds more. The attack triggered a response in which a further 26 Palestinians were killed, along with 9 Israelis.

The grave of Goldstein, located inside the Qiryat Arba settlement, has become a venerated site for the extremist settlers.

In Hebron, Palestinians suffer almost daily violence and property damage by the settlers. The security forces do not protect them and almost never enforce the law against settlers.

B'Tselem, an Israeli human rights organisation, have recorded beatings, hurling of stun grenades, and theft by the army against the population.<sup>5</sup>

Of all the West Bank towns, Hebron is also hardest hit by curfews, massively damaging the town's economy and preventing proper healthcare and education.

free land (expropriated from Palestinian farmers), free water for irrigation and cash incentives.

Much of the Israeli agricultural produce in our shops is from this fertile area. Grown illegally on confiscated land, it is often exported as 'produce of Israel' and benefits from the preferential tariffs with the EU. This produce is an especial focus of the growing 'Boycott, Divestment and Sanctions' campaign (see below).

**T**he settlements constitute a major obstacle to a just peace in the Middle East; they prolong the conflict and make the establishment of an independent Palestinian state impossible.



John Dugard, the UN Special Rapporteur on Human Rights in the Palestinian Territories, summarised the impact of the settlements thus:

**“Much of Israeli security apparatus is designed to ensure the protection of the settlers who are there illegally anyway. And so it's the protection of these illegal settlers that gives rise to this security situation in the West Bank and Gaza. So, if you are asking me what the remedy is, in the first place, the settlements should be dismantled.”<sup>7</sup>**

See the PSC website for other related fact sheets: on Jerusalem, Gaza, the Jordan Valley, the Apartheid Wall and the boycott campaign.

**Footnotes**

- 1 B'Tselem, 'Land Grab' Draft Report, 2002.
- 2 'Israeli settlements on occupied Palestinian territories', Palestine Monitor ([www.palestinemonitor.org](http://www.palestinemonitor.org))
- 3 Press release HR/CN/05/18, March 2005 (available on <http://domino.un.org>)
- 4 [www.palestinecampaign.org/campaigns.asp?d=y&id=140](http://www.palestinecampaign.org/campaigns.asp?d=y&id=140) for the full report.
- 5 [www.btselem.org/english/Search/search.asp?txtSearch=hebron](http://www.btselem.org/english/Search/search.asp?txtSearch=hebron)
- 6 [www.un.org/webcast/worldchron/trans920.pdf](http://www.un.org/webcast/worldchron/trans920.pdf)

**The Jordan Valley**

In colonising this area, Israel is seeking to ensure that any future Palestinian 'state' would not have international borders with any other country: it completes the encirclement of Palestinian centres of population.

Israelis are encouraged to settle here with the gift of

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