

HUMAN RIGHTS VIOLATIONS IN THE OCCUPIED PALESTINIAN TERRITORIES

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Israeli occupying forces continue to subject the Palestinians to numerous measures which violate fundamental human rights. The impact of these violations on the daily lives of over 3 million Palestinians has reached a humanitarian crisis and the rapidly deteriorating human rights situation points towards deliberate and consistent policies by Israel. Although Israel continues to cite security and anti terrorism as justification, the scale and indiscriminate application are out of all proportion to any perceived or proven threat.

RACIST MARRIAGE LAW

This law, rushed through Israeli parliament on 31st July 2003, prevents Palestinians who marry Israelis from living in Israel. Israeli Arabs who hold Israeli citizenship have to move to occupied territories or live apart from their Palestinian spouse. Any children of the marriage are also denied Israeli residency and have to move into the occupied territories from the age of 12. An Israeli Knesset member said "This law comes to address a security issue". Human rights organisation have condemned this law. Amnesty International said "A law permitting such blatant racial discrimination on the grounds of ethnicity clearly violates international human rights law and treaties which Israel pledged to uphold".

EXTRA JUDICIAL KILLINGS AND ASSASINATIONS

"At 1 o'clock a group of children were standing on a street corner reading a tatty children's comic. 150 yards away stood two Israeli border police jeeps. Suddenly they opened fire, one 9 year old boy (Mayad Hamda) was shot in the head and died" Extract from Affidavit No. 1561/2004

"At 6:30 pm, Samia Najar, a 49 year old mother of three, was sitting in her chair at home knitting when a sniper bullet came in through the window and hit her in the head, she died instantly" Extract from Affidavit No. 871/2002

Since September 2001, **27,600** Palestinians have been **wounded**. Both in tactics and level of force, Israeli troupes display a consistent disregard for the fundamental principle of necessity and proportionality and show no distinction between civilians and combatants. The use of excessive, often lethal, force against unarmed Palestinian civilians is a daily occurrence. Between Sept 2001 and the time of compiling this document there have been a **total of 3172 killings** of which:

- * **714** are children under 17
- * **160** are under 12 years of age
- * **689** are women
- * **171** are civilians over 60 years of age.

Israeli authorities have also stepped up their policy of targeting Palestinian politicians, trade unionists and human rights activists without any right to trial or due process. Extra judicial assassinations using planted explosives and missiles fired from tanks and F-16 fighter jets account for **319 targeted assassinations** since Sep 2001

MOVEMENT RESTRICTIONS AND PROLONGED CURFEWS

“Hana Abd Elhadi, a receptionist, lived in a tiny 2nd floor flat with her husband and two small children. When her 28 year old husband fell ill during the extended curfew on Nablus in the summer of 2002, no doctor or ambulance was able to come to him and a few weeks later he died at home. Under the strict curfew, no undertaker or anyone else was able to come for his body which remained in the flat. Three days later, in despair and worried about the children, Hana wrapped her husband’s body in a sheet, opened the window and threw him out of it.” Report B11 Nablus 208

One of the most pernicious measures against the Palestinian population is a system of restriction of the freedom of movement. Extended curfews which can last for two months, closures which place cities or towns under siege, and 98 roadblocks and 58 checkpoints prevent people from travelling to work, school, hospital or even to the shops for supplies. Between June 2002 and June 2004 Palestinian cities have had up to 5828 hours of curfew each. In the name of security, medical personnel and ambulances carrying the sick are frequently held at checkpoints for hours, a large number of women have been forced to give birth in the street before a crowd of soldiers and tanks who refused to open a checkpoint, and school children are frequently delayed for hours and then turned back home when the soldiers ‘decide’ not to open the road after all. Under international humanitarian law security measures “should not affect the fundamental rights of the persons concerned”.

ANNEXATION WALL AND LAND CONFISCATION

The ‘barrier wall’ is justified by Israel as a security measure to safeguard Israelis from suicide bombers. The fact that this wall does not follow the official borders proves that the primary reason for its construction is the annexation of large amounts of Palestinian land. Farmers arrive in the morning to find tanks and bulldozers on their land and soldiers shooing them away. Homes have been taken and annexed for the purpose of this wall, water resources are now on ‘the wrong side of the wall’ causing drought in many Palestinian areas. The International Court of Justice in July 2004 reiterated that the construction of the wall in the occupied Palestinian territories is in breach of Israel’s human rights treaty obligations.

PROPERTY DESTRUCTION AND HOME DEMOLITIONS

Since the beginning of the *Intifada* 5115 homes, schools and clinics have been demolished or ‘confiscated’ by military orders. Tanks and bulldozers arrive usually in the middle of the night and begin demolishing houses giving families a few minutes to escape with a few belongings. The reasons give can vary from “a relative of the family is accused - though not convicted - of terrorism” to simply “military order”.

In Gaza, a 23 year old human rights activist from USA, Rachel Corrie, was killed protesting against a house demolition when an Israeli bulldozer drove over her repeatedly.

MASS ARREST, ARBITRARY DETENTION AND TORTURE

“I was arrested at a checkpoint for being ‘lippy’. I was beaten with a screw driver then dragged out of the bus and kicked by five or six soldiers before being dragged to prison. Two months later on April 14, 2004, I was taken to court where I stated my name before the judge passed his sentence “so far we have no evidence against you, therefore we will place you in administrative detention for three months to give the prosecutor a chance to find out if there is any evidence” Extract from Affidavit in 2004

Since the outbreak of the *Intifada*, there has been an alarming rise in arbitrary arrests, entire neighbourhoods are ‘cleaned’ of all young men with no evidence or access to legal representation. During two Israeli incursions in February and June 2002, as many as 8500 Palestinians were arrested. Children as young as 7 are arrested, intimidated, beaten and detained for weeks or months. The manner and scale of arrests and detention is completely inconsistent with any security justifications but point to a policy of collective punishment and intimidation against the Palestinian civilian population.

Severe beatings, regular humiliation, withdrawal of sanitary provisions and bullying occur on a daily basis often resulting in adverse health conditions and/or permanent disabilities or disfigurement.

ILLEGAL DEPORTATION AND CIVILIAN TRANSFER

A more worrying policy is the increasing incidence of illegal forced deportation and transfer of individuals (since the *Intifada*, Israel has transferred 46 Palestinians from the West Bank to Gaza and deported 18 to Europe following the siege at the Nativity Church in Bethlehem). Human rights organisations are very concerned that Palestinians are displaced under duress causing severe trauma and often leaving dependents and families without their breadwinner. Charitable donations to such families are forbidden and referred to by Israeli authority as supporting terrorists. Under article 49 of the Geneva Convention, the policy of forced transfer of civilians remains prohibited under international law “regardless of their motives”

SETTLEMENTS AND SETTLER VIOLENCE

Although the transfer by an occupying power of its own civilian population into occupied territory is prohibited under international law and amounts to a war crime, to date nearly 400,000 Israeli settlers live in more than 150 illegal colonies throughout the Palestinian occupied territories. These settlers are heavily and ostentatiously armed and are able to attack and vandalise at will. Insults, rape, beatings, house or car burning, stoning and shooting are commonplace. Acts of violence including use of lethal force against Palestinians often take place under the watch of Israeli military forces who take no action to check the settlers or protect the Palestinians.