



# AUSTRALIANS FOR PALESTINE

Providing a Voice

BRIEFING PAPER No. 17

6 April 2007

Prepared by SK/AFP

## Israel's Apartheid Wall forces internal displacement

### Introduction

For almost 60 years, the Palestinians have suffered forced displacement as a result of Israel's intention to create a purely Jewish state in all of historic Palestine, despite the indigenous Palestinian population living there. This forced displacement has occurred through Israel's home demolitions, land confiscations and military operations, with the Apartheid Wall (begun in June 2002) the most monstrous decision taken by Israeli leaders to force the issue under the pretext of security. The latest revised route of the Wall (30 April 2006) is 703 km long and most of that route is being built inside the 1949 Armistice Line or "Green Line" of the occupied Palestinian West Bank. This Wall and the Jewish settlements it encompasses has *de facto* annexed 46% of the West Bank to Israel – already substantially diminished land that was intended for a future Palestinian state. The land between the Wall and the "Green Line" is called the "seam zone" and Palestinians must have a permit to continue living there and to enable them to return after they cross into the West Bank through the Israeli military-operated gates. Some 65,000 Palestinians will be affected when the Wall is completed, and those who have not had their Israeli IDs renewed, will become permanently trapped in this "seam zone", unable to enter Israel proper and afraid to go to the West Bank in case they will be prevented from returning to their homes. In East Jerusalem, massive population movements have begun taking place because the Wall is isolating them from the West Bank as well as dividing the neighbourhoods in which they live. Without permanent residency status, Palestinians are being compelled to move and spouses who do hold an Israeli ID will have to decide whether they stay or move with their families and lose their jobs and residency rights. Such forced transfer is likely to have irreversible consequences. It will either make the two-State solution physically impossible to implement because it affects the Palestinians' fundamental right to return, restitution, and self-determination with Jerusalem as the capital of Palestine, or any future "state" will end up being a conglomerate of much smaller fragmented cantons for ever at the mercy of Israel's outside control and with no real sovereignty.

### Effects of wall around East Jerusalem

The proposed route of the Wall around Israeli-annexed Jerusalem is 75km long (only 5 km runs along the "Green Line") and already some 29 km has been built with another 34 km under construction. It stops Palestinians from claiming that Jerusalem is their 'centre of life' which under a 1995 Israeli regulation they must prove in order to retain their residency status, and be eligible for family reunification and child registration. This has led to:

- around 17% of Palestinians having to change their place of residence
- almost 90% of households being cut off from health services in the centre of Jerusalem
- over 20% of households being split since construction began in 2002 causing serious disruptions to family life
- some 64% of Palestinians who are considering changing their place of residence

### The concept of internal displacement

The non-binding *UN Guiding Principles on Internal Displacement* define internally displaced persons (IDPs) as those who have fled their homes and to varying degrees are vulnerable, but "who have not crossed an internationally recognised border". The principles describe the rights that should be enjoyed by IDPs in a displacement situation, but do not grant special rights and have no legal status. Both in Israel and the Occupied Palestinian Territories, Palestinians have not been registered as IDPs and are generally referred to as "homeless" people if they have been displaced because of house demolitions, evictions and land confiscations. This does not set out their rights or guarantee any rights under international human rights and humanitarian law, nor does it identify their particular vulnerability. Only those who are identified as having been displaced during the 1948 war or are their descendants receive assistance as UNRWA-registered refugees. Therefore, there is, according to the BADIL pilot study, a need "for the UN and other humanitarian agencies to officially recognise internal displacement as a matter of concern."

### Why displacement should be an issue for concern

It would guarantee that the UN Register of damages and losses caused by the Wall "includes not only data on material damages but also on displacement."

It would call attention to the fragmentation of Palestinian society as a result of Israeli restrictive policies, in particular the devastating human impact of the Wall.

### Israel's breaches and obligations

Israel is in breach of the International Court of Justice Advisory Opinion against the Wall and UNGA Resolutions ES-10/13 of 21 October 2003 and A/RES/ES-10/15 of 2 August 2004 which call upon Israel to reverse the construction of the Wall.

### Australian action

- **CALL ON ISRAEL TO STOP IMMEDIATELY THE FORCED DISPLACEMENT OF PALESTINIANS BY DISMANTLING THE ILLEGAL APARTHEID WALL AND ENDING THE OCCUPATION**
- **DEMAND THAT ISRAEL STOP REVOKING PERMANENT RESIDENCY IDs OF PALESTINIANS PREVENTED FROM MAINTAINING JERUSALEM AS THEIR "CENTRE OF LIFE" THROUGH ISRAEL'S ILLEGAL WALL AND OTHER RESTRICTIVE PRACTICES**

### References:

BADIL - "Displaced by the Wall" – A pilot study on Forced Displacement caused by the Construction of the West Bank Wall and its Associated Regime in the Occupied Palestinian Territories, Bethlehem and Geneva, September 2006.

Refugee Studies Centre – Forced Migration Review, "Palestinian displacement: a case apart?" - Issue 26, August 2006.