



Settlements

BACKGROUND

- + In the war of 1967, Israel occupied East Jerusalem, the West Bank, the Gaza Strip, the Golan Heights and the Sinai Peninsula. It almost immediately began creating settlements, although the pace increased in the 1970s. Settlements in Gaza were dismantled in 2005 as part of Israel's disengagement from the Gaza Strip. But the ones in the West Bank continue to grow despite being illegal under international law.
- + Apart from the official settlements that are planned and built by the Israeli government, there are about 100 settlement outposts.¹ These are different to settlements, as they are not officially recognized by the Israeli state. Nonetheless, they enjoy military protection and at times government departments "covertly help them" by providing electricity and/or water.²
- + B'tselem has recorded that as of 2013, there are about 125 government sanctioned Israeli settlements in the West Bank (excluding east Jerusalem).³
- + Settler population has almost tripled since the signing of the Oslo accords in 1993,⁴ it reached approximately 550,000 by 2013.⁵
- + Some settlers believe that the Occupied Palestinian Territory is a religious right for the Jewish people⁶ and that it should be incorporated into "greater Israel," often referring to it in the biblical name of Judea and Samaria. It is important to note that not all adhere to these religious convictions. Some Israelis move to settlements due to financial benefits promoted by the government.
- + Settlements make up over 60% of area C, the area of the West Bank which remains under Israeli control.

PALESTINE
REFRAMED





CURRENT ISSUES

Settler violence

- + Israel as the occupying power is legally obliged under international law to protect Palestinians under its occupation and their property from settler violence and ensure accountability for the latter.⁷
- + Instead, Settlers are protected by Israeli authorities and are rarely held accountable for violence perpetrated against Palestinian civilians. Within the West Bank, as a result of this settlement outgrowth, there now exists a “dual system of law”.⁸ Israeli civil law applies to settlers living in the Palestinian West Bank, whilst military law applies to Palestinians living in the same territory. This became so when in 1967 the defense minister passed the emergency regulations 5727-1967 which stated that if Israelis in the occupied territories commit a crime they are to face civil trial as opposed to military law.
- + In 2014, the OCHA has reported that incidents involving settler violence resulting in Palestinian casualties and number of injured Palestinians has increased. However the number of incidents leading to Palestinian property damage has decreased.⁹ It was reported that in 2014 there were 105 incidents related to settler violence leading to Palestinian casualties.¹⁰
- + A datasheet created by the human rights organization Yesh Din has found that only 7.4% of complaints filed by Palestinians with the Israeli Police result in a decision to indict Israeli civilians. About 91.5% of all concluded investigations were closed without indictment being served. 1.1% of all concluded investigations were lost by the police and never investigated.¹¹
- + Settler violence has increased over recent years due the growth in population, the diversification of religious and

ideological strands among it and the sense of betrayal felt by settlers after the withdrawal from Gaza in 2005. In many cases, the IDF must now assert control over groups that no longer respect the state or traditional settler leadership.¹²

- + A key act carried out by settlers is the burning of olive trees and other fruit trees on Palestinian agricultural land. Since 2005, 260 cases of damage to trees owned by Palestinians have led to investigation. Only in 6 of the cases were indictments served.
- + The destruction and damage to such trees can have a severe effect on Palestinian families. The UN estimated that about 100,000 households rely on agriculture as a source of income. A damaged 50-year-old olive tree needs 5 years to bear fruit again and 20 years to produce a high enough level of production.¹³
- + The UHCHR has argued that it is known that during the olive harvest, attacks on agriculture increases.¹⁴

Freedom of Movement

- + Access to land in areas close to settlements is restricted to Israelis only. Palestinian farmers require prior coordination to access their land. From 1997 to 2013, the area used for settler agriculture in the West Bank grew by 35%. The total area cultivated by Israeli settlers in the West Bank is 1.5 times greater than the total area of settlements and outposts, and most of the land is located outside official settlement boundaries. This means that Palestinian farmers are further restricted of moving around. This is due to the fact that there are restricted areas and buffer zones around settlements and settlement roads.¹⁵
- + In March 2015, 60.92km of road in the West Bank was restricted to Israeli use only, and so on such roads Palestinians are only allowed to access on foot.¹⁶





- + Restrictions of farmer access to land facilitates the dispossession of Palestinians. Under the Ottoman Land Code which continues at times to be used by the Israeli authorities, possession reverts to the state if cultivation of unregistered land is interrupted for 10 years.¹⁷

Denial of access to education:

- + In area C, the PA is responsible for provision of services such as education. However, protection issues, restrictive permits process, and restrictions of movement have hampered the PA and the humanitarian community attempting to provide education services.¹⁸
- + Children in the West Bank face threatening situations as they travel to and from school daily. Many face harassment when passing settlements. Others face physical harm when crossing military zones. According to UNICEF, 21 cases of denial of access to education were reported in September 2011. This included 8 cases perpetrated by Israeli settlers.
- + The lack of access to safe education leads at times to displacement of families. This is because families in some instances choose to move so that children are closer to school.
- + It is estimated that in the West Bank there are currently about 500 physical obstacles that restrict freedom of movement in place. Over 2,500 children from at least 35 communities of the OCHA study has found that children have to cross by at least one checkpoint to get to school.
- + The most frequently reported types of settler violence include settlers throwing stones and children being shoved.
- + School dropout is a serious consequence of such intimidation; the numbers are particularly high among girls when they have to travel outside their immediate community.¹⁹

- + The UHCHR has documented that “fear of settler-related violence has been reported as one of the reasons why girls are prevented from accessing school”. In Urif, a Palestinian village, settlers often attack schools, which is usually accompanied by military intervention in the form of tear gas, rubber coated bullets to disperse Palestinians.²⁰

Barrier to peace

- + The demographic changes in the West Bank that have taken place since the creation of settlements has made the realization of an independent viable Palestinian state impossible.²¹
- + Settlements are illegal under international law as evidenced in section 3 of the Fourth Geneva Convention²² as well as resolution 446 which claims that “the policies and practices of Israel in establishing settlements in Palestine 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.”
- + It is important to point out that the environment of fear created by repeated settler violence, denial of freedom of movement and other implications of settlement building has a serious impact of hindering peace. The UN has recorded the impact that this has had on the mental health of Palestinians; these include strong feelings of frustration, constant fear, and eating disorders, sleep disturbances and depression.²³ This clearly leads to aggressive behavior, academic deterioration and poor school performance.
- + IDF officers have acknowledged that settler violence increases tension and is a driver behind Palestinian violence.²⁴



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