

Check Against Delivery



**Statement by
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Palestinian territories occupied by Israel since 1967**

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There are both similarities and differences between apartheid South Africa and the situation in the Palestine Occupied Territory (OPT). But one similarity is clear. Israel's conduct in the OPT poses the same kind of challenge to the credibility of international human rights that apartheid did in the 1970's and 1980's. There are gross, egregious and systematic violations of human rights and international humanitarian law in the OPT, committed not by undisciplined and uncontrolled militias but by one of the most disciplined and sophisticated armies in the modern world, directed by a stable and disciplined government.

In this statement I will deal only with two issues: first, the consequences of the Wall Israel is presently constructing in Palestinian Territory and, secondly, the assaults on Gaza.

In July 2004 the International Court of Justice held that the Wall is illegal and directed Israel to dismantle it. Israel has, however, made no move to dismantle or to stop building the Wall. On the contrary, it is proceeding with its construction of the Wall. Unfortunately, Israel's assaults on Gaza have drawn attention away from Israel's refusal to comply with the Advisory Opinion of the International Court of Justice.

The Wall has serious consequences.

First, it consolidates and encourages illegal Israeli settlements by including most settlements in the "closed zone" - the area between the Wall and the Green Line that constitutes the boundary between Palestine and Israel. Settlements are growing rapidly. The settler population has increased by 5.3 per cent in the past year compared with a population growth of 1.4 per cent in Israel itself. In August the Israeli Government granted 2,167 permits to Israeli settlers to build apartments in Palestine. Inevitably this approval of settlements has given rise to increased settler violence against Palestinians. Violence for which the State of Israel is responsible.

Secondly, the Wall has resulted in the seizure of Palestinian land. The regions of Tulkarem and Qalqiliya have already seen the confiscation of the best agricultural land of Palestine and its water resources. Now Israel is seizing East Jerusalem by constructing a Wall around Greater Jerusalem to enclose settlements and Palestinian parts of East Jerusalem. Some 60,000 Palestinians, living in the outer suburbs of Jerusalem, on the West Bank side of the Wall, will be denied access to schools, hospitals and employment. Families will be divided by the wall.

Thirdly, the Wall greatly impedes freedom of movement. Palestinians who live on the West Bank side of the Wall are denied access to their lands on the other side of the Wall, that is, in the "closed zone", without permits. Permits are frequently withheld, especially in respect of young men who should farm the land but are seen to be security threats. Moreover, gates granting access to the closed zone are arbitrarily administered and are frequently unopened at scheduled times. This permit system may be likened to the "pass laws" of apartheid, but unlike the apartheid system – which was administered in a brutal but uniform manner – the Wall regime is characterised by its arbitrariness and lack of consistency.

The Wall is not designed to achieve security only. This could be done by building the Wall along the Green Line or within Israeli territory. Rather, it appears to

be designed to seize land for the present settlers and future settlers - that is for the State of Israel. It also appears to be designed to cause an exodus of Palestinians from the areas adjacent to the Wall. With no access to their lands, and their lives made miserable by the Israeli military presence they have already started to migrate into what remains of Palestine.

Now to Gaza.

In the past year Israel has engaged in a scorched earth policy in Gaza. Rafah, Beit Hanoun and Jabaliya have all experienced the might of the Israeli army. In May, 298 buildings, housing 710 families, were destroyed and over 50 people killed in Rafah. In the past four years 16,000 persons have been rendered homeless in Gaza , that is, ten per cent of the population of the city, as a result of IDF violence. In October 130 people were killed, over 400 injured and about 90 houses destroyed by the IDF in Jabaliya. Large parts of Rafah, Jabaliyah and Beit Hanoun and other areas of Gaza, have been destroyed in a wanton and purposeless manner. Bulldozers have savagely dug up roads, including electricity, sewage and waterlines in a brutal display of power. The force used has been disproportionate and excessive and there has been a total lack of concern for the people affected. Most of those killed and injured have been civilians. Young children have been shot at their school desks. One, Imam Al-Hams, was brutally executed as she walked innocently to school.

Gaza is a prison, and all its inhabitants are prisoners of Israel. When - if - Israel withdraws its settlements from Gaza, it will remain subject to the control of Israel. It is important, therefore, that the international community serve notice on Israel that it will remain subject to the obligations contained in the Fourth Geneva Convention in respect of Gaza.

Israel has genuine and legitimate security concerns. However Israel has taken advantage of the paranoia of non-state terrorism in certain countries to embark on a reign of state-terrorism in the occupied Palestinian Territory. In the process the whole Charter-system, premised on the prohibition on the use of force, self-determination, human rights and respect for the rule of law has been brought into contempt.