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Geopolitical Status in Qalqiliya Governorate



Applied Research Institute-
Jerusalem (ARIJ)

Prepared by
The Settlements Monitoring and GIS Units

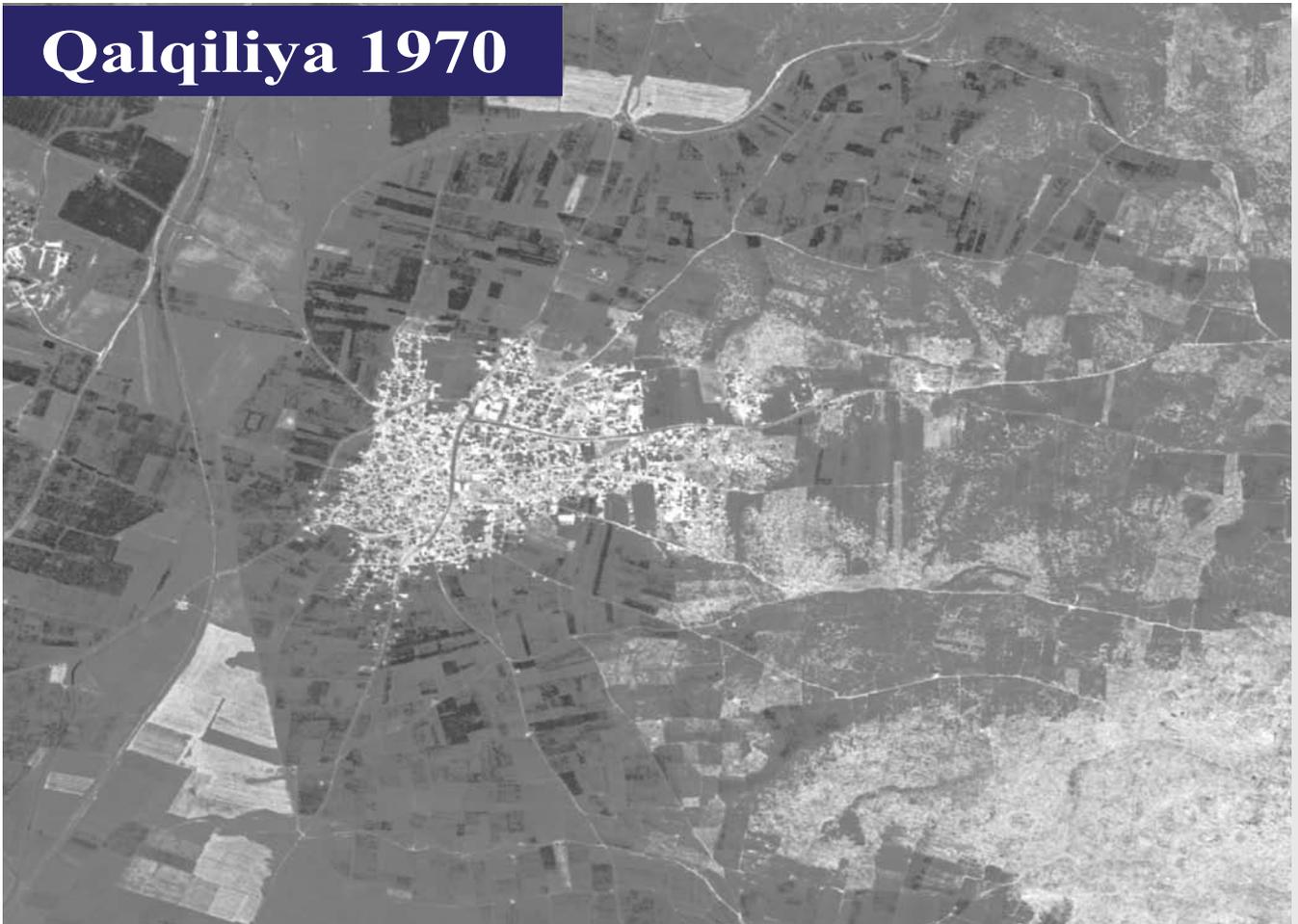
Qalqiliya, 1970, 1997 & 2005

Following the Israeli Attack on Palestinian residential Territory in the 1948 war, in which Israel has exceeded its parameters as designated in the United Nations Security Council resolution 181, an agreement was signed later on, in 1949 to end the state of war between Israel and Arab countries nearby, of which, Jordan is a part of and hence it was known as the “1949 Armistice Agreement”, to which the 1949 Armistice Line, better known as the “Green Line” identify the marking line between areas under Israeli occupation and areas under Jordanian administration. The agreement states explicitly that the 1949 Armistice Line does not establish de jure (by law) recognized international boundaries. When the city of Qalqiliya came under the Israeli occupation in 1967, the Israeli Army issued a military order to wipe out Qalqiliya city and started a campaign to destroy it due to its proximity to Israeli controlled territory and thus, the Israeli Army destroyed more than 40% of the residential houses in 9 days. With the signing of the 1995 Oslo Accord between the Palestinian Liberation Organization (PLO) and Israeli, the West Bank territory came under “A”, “B” & “C” classification, to which, Qalqiliya city came under the Palestinian National Authority jurisdiction. In 2003, the Israeli Army started its so-called security fence, better known as the Segregation Wall in the occupied Palestinian territory and accordingly, encircled Qalqiliya city from all side, restricting its Palestinian residents’ movement in and out of the city, threatening its overall sustainability.

The following maps 1.2 & 3 shows Qalqiliya city in the years 1970, 1997 & 2005.

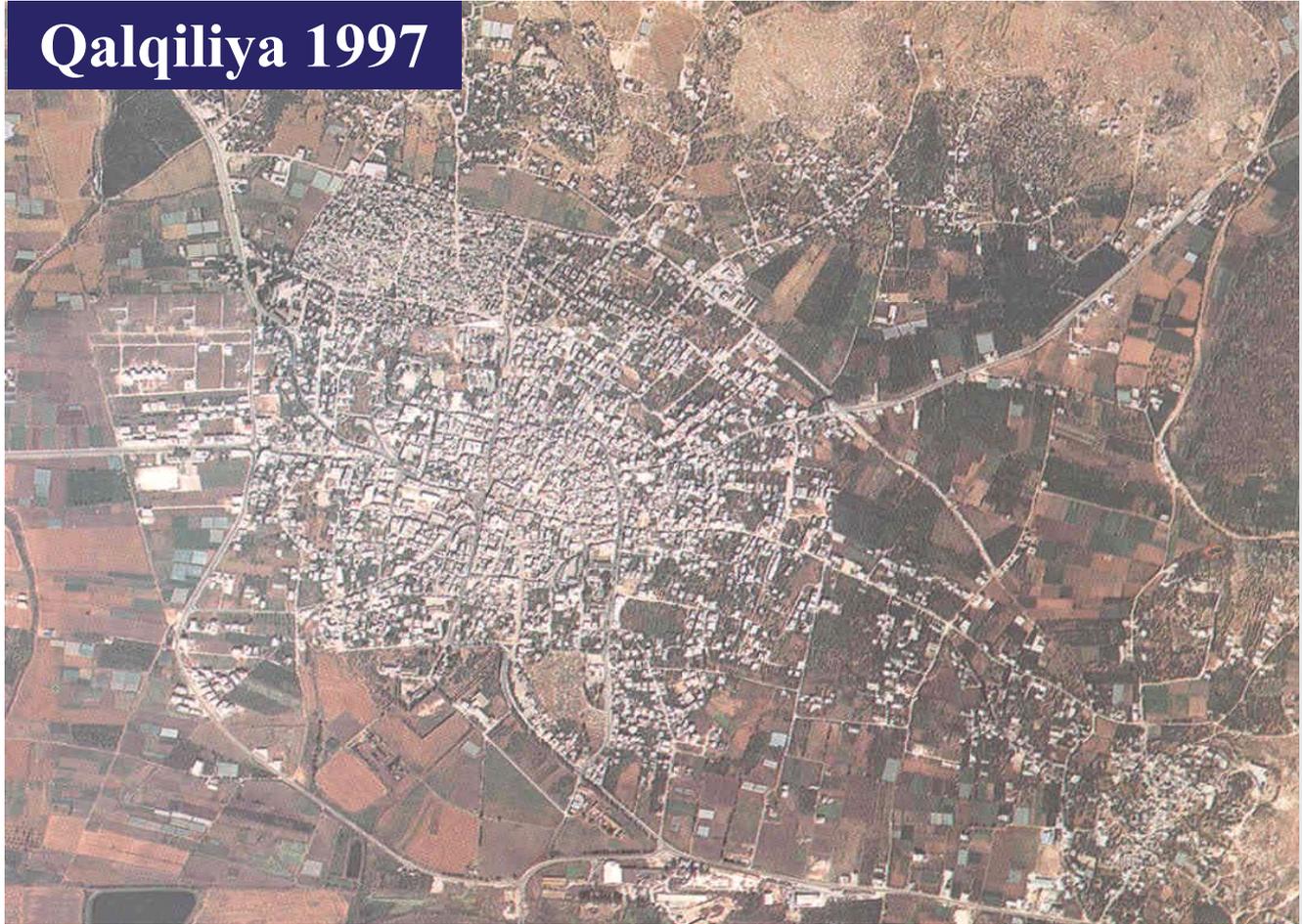
Map 1

Qalqiliya 1970



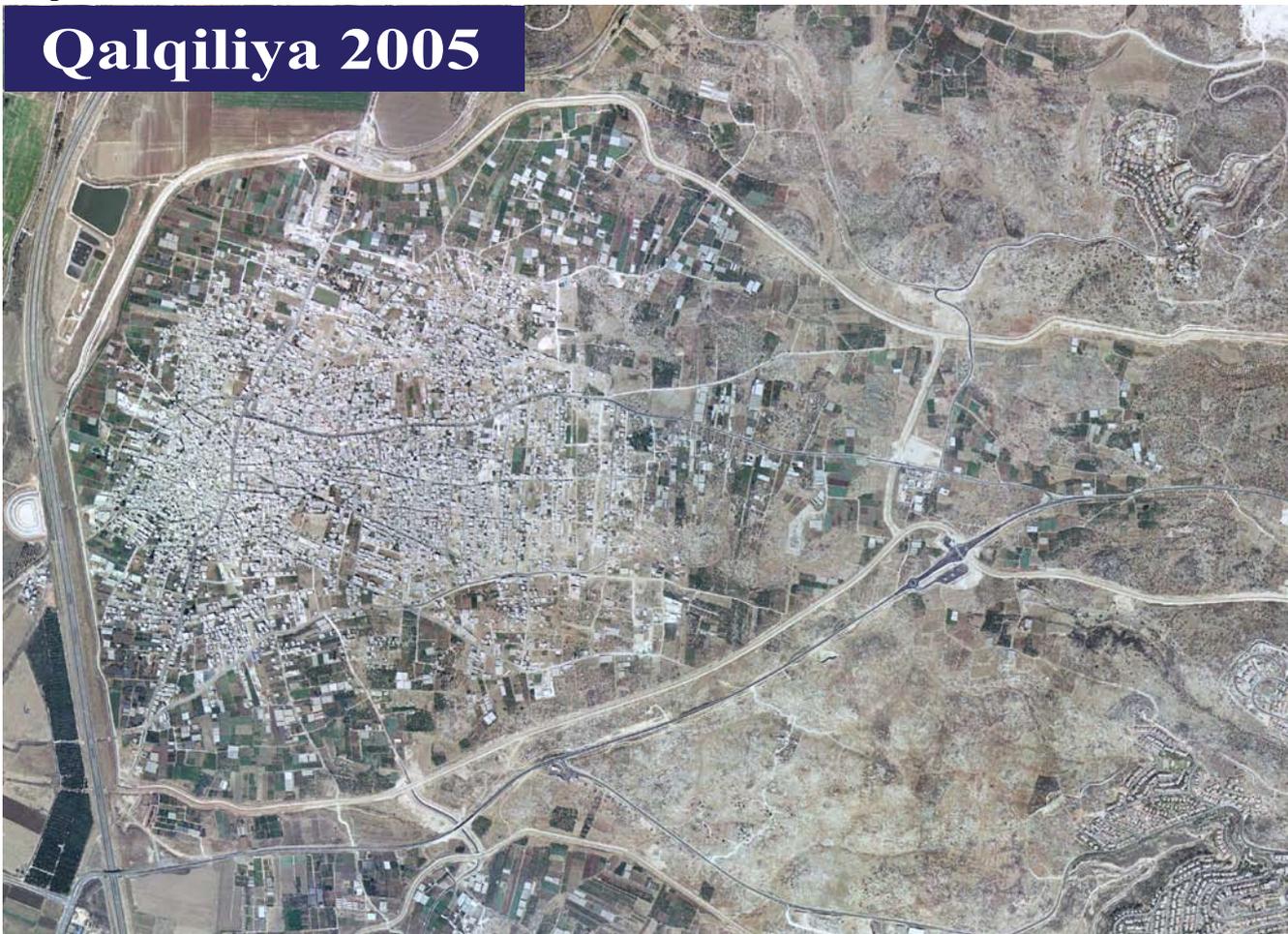
Source: ARIJ Database

Map 2



Source: ARIJ Database

Map 3



Source: ARIJ Database

The Israeli Segregation Plan in the Occupied Palestinian Territory

An Overview

In June 2002, the Israeli government launched its policy of unilateral segregation between Israel and the Palestinian territory by establishing a Segregation Zone along the western terrains of the occupied West Bank territory. The Israeli Segregation Zone covers substantial sizeable and significant land areas, rich with natural resources (water aquifers) as it runs along and through the western part of the West Bank from north to south grabbing the most fertile agricultural lands, isolating Palestinian communities in enclaves, undermining the territorial contiguity between the Palestinian villages and cities, controlling the natural resources and encapsulating most of the Israeli settlements. At this time, an explanation of the term "Segregation Wall" should be made obvious as it reflects two shapes of structures used by the Israeli Army to complete their territorial separation mission in the occupied Palestinian territory, it is either concrete partitions of 8-12 meters in height or in the other case, multi line fences are used. In both cases the term Segregation Wall applies. Based on the characteristic nature of the area where the Segregation Wall runs, the type of the structure is determined as to say in areas where the Segregation Wall cuts through vast agriculture lands, the Segregation Wall is a fence, which is more devastating to the land as it takes an area of 40-100 meters in width to complete; where double layered fences, reinforced with barbed wires, trenches, military roads and footprint detection tracks as well as 4-5 meters high electrified metal fence supplied with security surveillance cameras. In the other case, in areas with sizeable population and/or in-close perimeter with the Green Line, the Segregation Wall consists of 8-12 meters high concrete partitions appendage with military watch-towers lined-up 250 meters apart.



In parallel, Israel has de facto created an Eastern Segregation Zone along the eastern terrains of the occupied West Bank Territory, **However**, the Segregation Wall system did not apply their due to the physical characteristics of the area, instead a system of controlled access checkpoints were established along the Jordan Valley and the shores of the Dead Sea. This zone has a total area of 1664 Km², representing 29.4% of the West Bank and includes 43 Israeli settlements and 42 Palestinian localities.

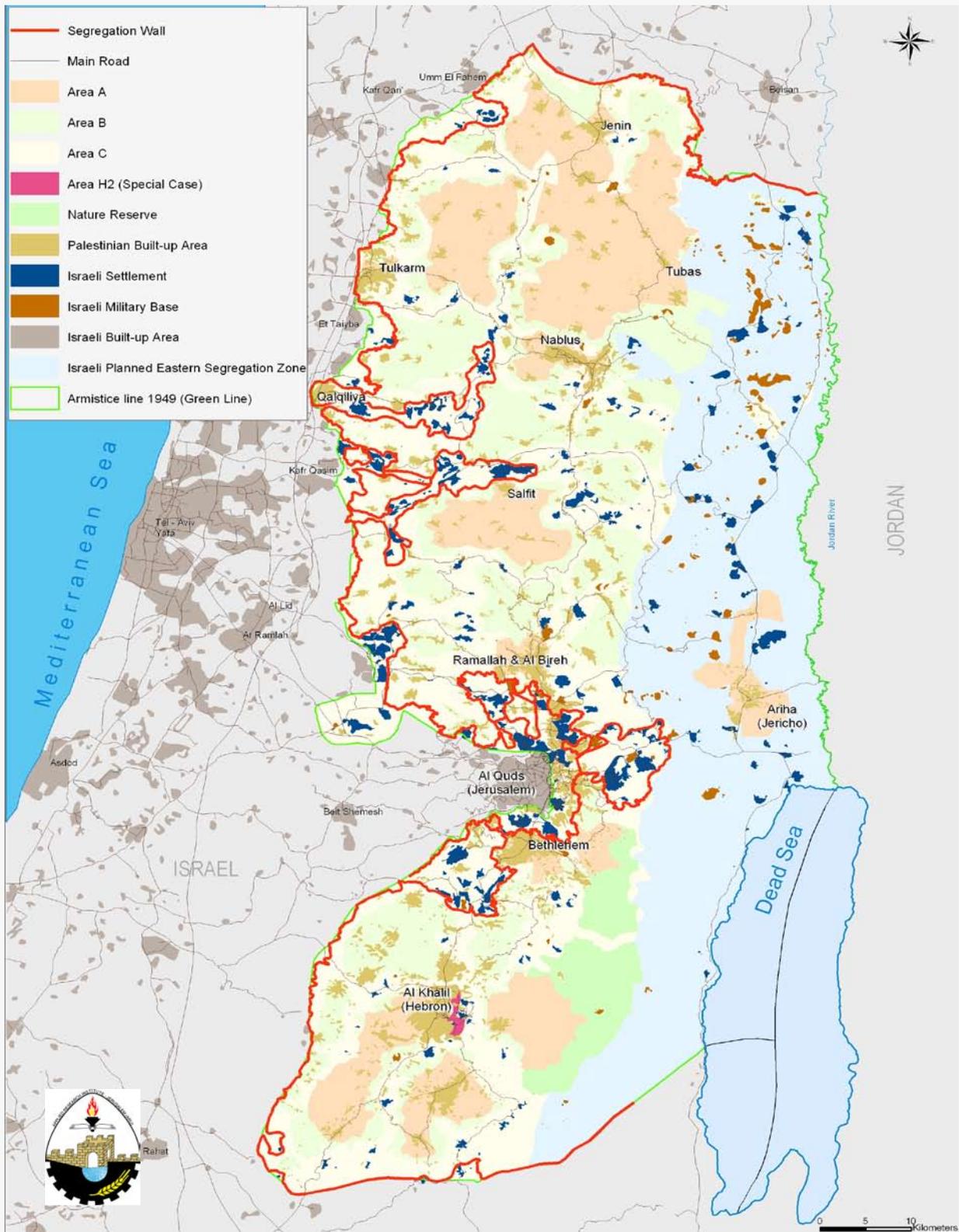
In September 2004, the Israeli Occupation Army issued military orders creating a buffer zone averaging 150-200 meters in width on the Palestinian side of the Segregation Zone where new Palestinian constructions are prohibited. As a result, an additional 252 km² of the West Bank (4.4 %) will become inaccessible to Palestinians. On February 20, 2005, the Israeli government published a revised route of the Western Segregation plan, where the Wall ran for 683 km in the West Bank. Only 138 km (20.2% of the total length) ran on the Green Line (the 1949 Armistice Line). When completed, 576 km² of Palestinian land (10% of the total West Bank area) was set for isolation from the rest of the West Bank territory. It also enclosed 98 Israeli settlements accommodating 83% of the Israeli settlers' population in the West Bank and 55 Palestinian localities. On April 30, 2006, the Israeli government released yet another revised route of the Western Segregation plan, where the Wall will run for 703 km along the western Segregation Wall km in the West Bank. (see table 1/ see map 5) The new revised route will run the Segregation Wall on 128 km (18.2 % of the total length) of the Green Line (the 1949 Armistice Line). When complete, the Segregation Wall will isolate behind it 555 km² of Palestinian land (approximately 9.8% of the total West Bank area). It will continue to enclose 103 Israeli settlements accommodating 408,000 (85%) of the Israeli settlers' population in the West Bank; however, it increases the number of isolated Palestinian localities behind the Segregation Wall to 59.

Table 1: Status of the Western Segregation Wall as of April 2006.

Status of Western Segregation Zone (Km)		Percentage of the total Wall length
Existing sections	307	43.7%
Planned sections	299	42.5%
Under Construction	97	13.8%
Total length	703	100%

Source: ARIJ database 2006

Map 5 shows the overall status of the Israeli Segregation Wall in the Occupied Palestinian Territory



Source: ARIJ database 2006

Palestinian Resources Isolated by the Segregation Plan

Agricultural Areas

- Up to 189,001 dunums (189.1 km²) of agricultural land areas are isolated within the Western Segregation Zone in addition to 863,879 dunums (863.9 km²) within the Eastern Segregation Zone, which constitute 37.4% of the total agricultural areas of the West Bank.

Forests

- Up to 128,404 dunums (128.4 km²) of forest areas and areas with shrubs are included in the Western Segregation Zone and 110,274 dunums (110.3 km²) in the Eastern Segregation Zone, which constitute 37.7% of the total forest area and area with shrubs in the West Bank.

Water

- The Eastern Segregation Zone lies over the Eastern (Jordan Valley) water aquifer with a safe yield of 172 MCM / year.
- The Western Segregation Zone lies over the northwestern and western aquifers with a combined safe yield of 507 MCM / year.
- The combined number of water wells utilized by the Palestinian population in the Segregation Zones is 134 with a combined average annual pumping rate of approximately 44.1 MCM.
- The combined number of water springs isolated by the western Segregation Zones is 62 with a combined average annual discharge of approximately 31 MCM.
- Up to 221 dunums (0.221 km²) of inland water, areas are isolated in the Western Segregation Zone and 685 dunums (0.685 km²) in the Eastern Segregation Zone, which constitute 99% of the total inland water area in the West Bank.

Qalqiliya Governorate

Qalqiliya Governorate lies at the northwestern terrains of the West Bank. It has an area of 174.445 Km² (174445 dunums) and home to 97,472 Palestinian inhabitants (PCBS, 2006). It is also the smallest of Palestinian governorates and lies almost on the 1949 Armistice line (the Green Line), which is why it ranks among the most suffered and largely devastated of governorates by Israeli activities; land confiscation, building settlements, bypass roads, military bases, all kinds of checkpoints and now the Israeli Segregation Wall.



When the Israeli Army seized the West Bank and the Gaza Strip back in 1967 (the Six-Day War) Israel was keen to destroy Qalqiliya to the ground and expel its residents and thus, the Israeli Army destroyed 850 Palestinian houses out 2000 that existed in the town at that time. The Israeli operation was largely criticized by the members of the security council, that compelled Israel to seize its operation and let the residents return to their town, which Israel reluctantly agreed to do and thus the Palestinians went back to live in tents instead of their demolished residents until the time they rebuild their houses over the following two years.

Israeli Occupation Practices in Qalqiliya Governorate

With the Israeli occupation of Qalqilyia governorate in 1967, Israel imposed all kinds of building restrictions on the surrounding lands of Qalqilyia town and on the surrounding localities. Over the past 4 decades of Israeli occupation of Qalqilyia Governorate, 13 illegal Israeli settlements were established on confiscated and seized Palestinian lands. The total hold of these settlements stand today at 27,930 Israeli settlers; on an area of 11888 dunums (11.888 Km²) almost 7% of the governorate area, (ARIJ database, 2005), see table 2. Moreover, during the period between 1996 and 2005, the Israeli settlers managed to set up 4 Israeli outposts on the outskirts of the Israeli settlements, to expand the master plans of existing settlements or to turn these locations to new settlements sites of their own, see table 3.

Over the years, the consecutive Israeli governments have also worked to link the established settlements with each other and consequently with Israel by creating a network of bypass roads throughout the West Bank territory that stretches in length to 795 Km: Qalqilyia's share of which is 28.946 Km in and around the governorate. An additional 25.722 Km of bypass roads also anticipated pending the Israeli government approval in order to go into execution phase in and around Qalqilyia governorate to fit the alteration to the new road status founded by the Segregation Wall.



Table 2: Israeli Settlements in Qalqilyia Governorate.

	Israeli Settlement	Date of Establishment	Area-2005 (Dunums)	Population 2004
1	Shaare Tikva	1982	1063	3685
2	Kedumim	1975	986	3010
3	Oranit	1983	1289	5458
4	Karne Shomron	1978	1024	6170
5	Zufin	1990	840	1040
6	Zamarot	1985	310	0
7	Jit	0	275	0
8	Kedumim Zefon	1982	318	0
9	Immanuel	1981	1045	2585
10	Alfei Menashe	1981	2905	5433
11	Giv'at HaMerkaziz	0	543	0
12	Neve Oramin	1991	538	0
13	Ma'ale Shamron	1980	752	549
	Total		11888	27930

Source: ARIJ & Foundation for Middle East Peace 2004

Table 3: Israeli Outposts in Qalqiliya Governorate

	Closest Mother Settlement	No. of structures	Outpost Name	Status
1	Karnei Shomron	3	Ramot Gilad	Outpost
2	Moshe Zar	4	Havat Gilad	Inside Mother Settlement
3	Kedumim	20	Har Hemed	Outpost
4	Maale Shamron	1	West Maale Shamron	Outpost
	Total	28		

Source: ARIJ Database 2006

During the years of the second (Al-Aqsa) Intifada, the Israeli authorities stepped up their belligerent and aggressive occupation related activities in the Occupied Palestinian Territory, destroying Palestinian agriculture, confiscating lands, demolishing Palestinian houses, expanding settlements, erecting outposts, expanding bypass roads, imposing severe restrictions on Palestinians' freedom of movement and now the construction of the Segregation Wall (map 6 shows Qalqiliya's Geopolitical status) .

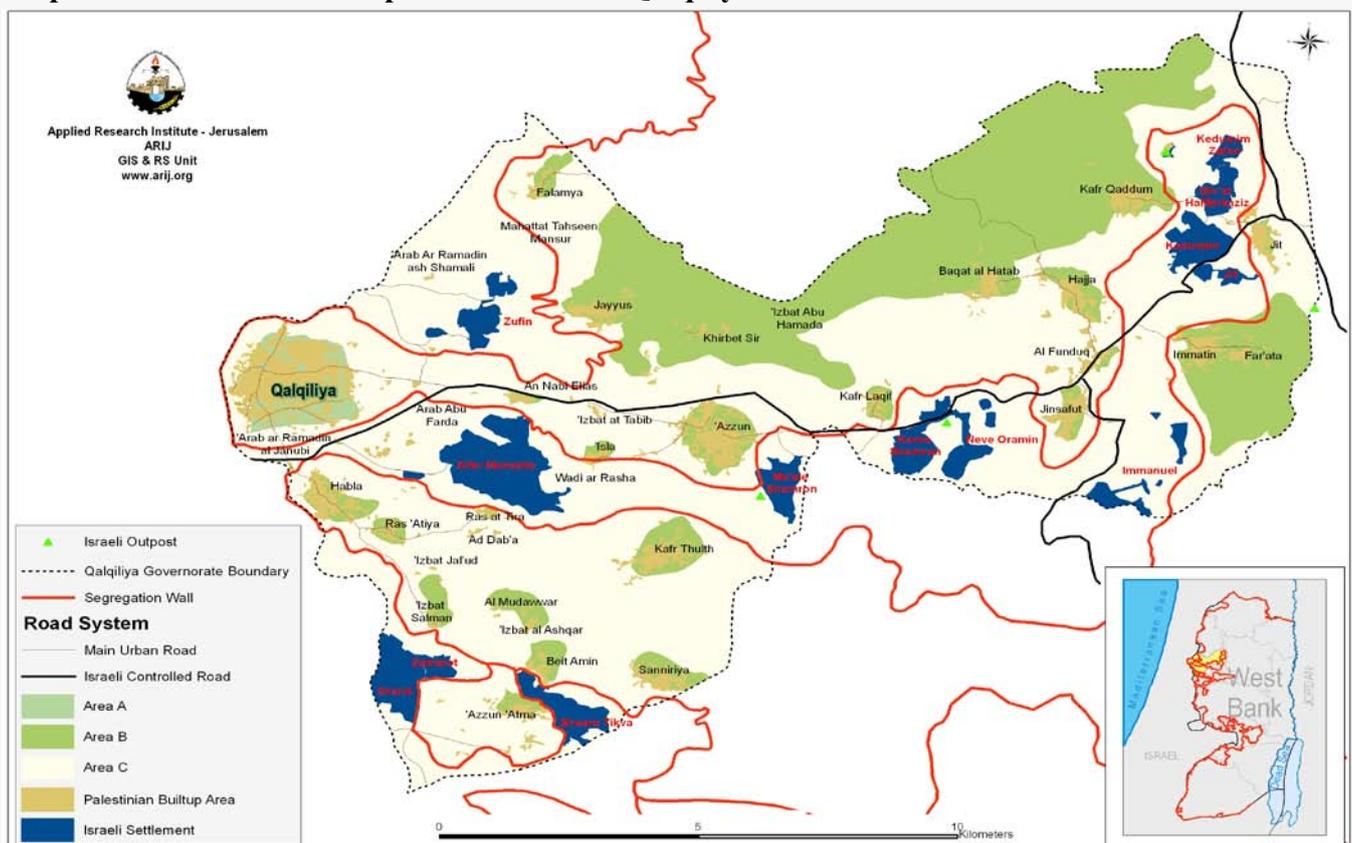
Table 4 indicates some of the Israeli violations in Qalqiliya Governorate between the years 2000-2006.

Table 4: Israeli violations in Qalqiliya Governorate during the years 2000-2006

Year	Land Confiscated/ in Dunums	Uprooted/ Isolated/ damaged Trees	Houses Demolished
2000	0	1690	0
2001	200	17204	0
2002	7750	26261	7
2003	4471	28022	16
2004	1060	5019	16
2005	890	8315	1
2006	565	0	17
Total	14936	86511	57

Source: ARIJ Database 2006

Map 6 below shows the Geopolitical status of Qalqiliya's Governorate



Source: ARIJ Database 2006

Methodical Israeli Targeting of Qalqiliya Governorate

Israel's plan to contain Qalqiliya governorate started to shape in the mid of 1970's, that is when Israel started to sanction the establishment of the settlements on lands confiscated from Qalqiliya's residents, which later on became an onset to implement a scheme/s with the intent to isolate Qalqiliya in parallel to inflicting social and economic pressures by compromising the livelihood available to the residents. The following outline the Israeli methodical attack on Qalqiliya governorate.

The Settlements' Plan

When Israel occupied the West Bank and the Gaza Strip back in 1967, it adopted a task with an aim to undermined the 1949 Armistice Line (the Green Line), a marking set by the United Nation security Council to identify territory occupied by Israel in the 1967 war. Israel started doing so by imposing realities on the ground that are best accomplished by establishing Israeli settlements along the Armistice line, which in Qalqiliya's case swamped the Palestinian governorate with settlements.

In 1990, the Israeli minister of housing at that time Ariel Sharon came up with the "Seven Stars plan", which evolved around a scheme to establish seven large settlements blocs along the Armistice Line (the Green Line) to redefine and make a shift of the Green Line eastward to extend Israel's (to be set) political boundary into the West Bank, and to negotiate borders of possible future Palestinian state under the new imposed Israeli realities. Today, these settlements blocs, which are part of Sharon's Seven Stars plan straddle the Green Line as they constitute the dilemma of the peace process and an immense obstacle to resolve the Palestinian – Israeli conflict, of which along the Western West Bank border, in the north; Ariel settlements bloc, which include settlements in Qalqiliya, the Modi'in Illit settlements bloc, settlements bloc of East Jerusalem and Ma'ale Adumim Settlements bloc in the central part of the West Bank and the Gush Etzion settlements bloc south of the West Bank and Qiryat Arba'

bloc (400+ Israeli settlers), which set as a continuous source of tension with the Palestinians of Hebron city south of the West Bank (pop. 166,000+).

Inflicting Social and Economic pressure

When the second Palestinian Intifada broke out in September 2000, the Israeli Army started to adopt measures aiming at restricting Palestinians' movement in and out of Qalqiliya and to their agricultural lands, all of which under security pretext. The Israeli measures adopted has implicitly contributed to weaken the social ties between families and relatives, but more than that it caused a serious threat to the livelihood of Qalqiliya's residents who are facing all kinds of obstacles accessing their workplaces or agricultural lands because of Israeli restrictions on movement and the established checkpoints in and around the governorate.

Prior to the Segregation Wall, agricultural productions represented some 22% of Qalqiliya's economy, as much of the produced was exported to West Bank and neighboring countries markets. With the Segregation Wall, residents increased their dependency on agriculture as a source for their livelihood, especially that some 8000 workers from Qalqiliya city and an additional 15000 workers from the entire district has lost the employment inside Israel because of the Segregation Wall and the closures.

The Segregation Wall, the closures, the confiscation of land and the restrictions on movement and mobility for employment purposes and/or marketing of agriculture products has caused unemployment in Qalqiliya to soar to unprecedented levels of 67%. The deteriorating purchase power of Qalqiliya's residents has caused to shut down one-third of the business in the city, forcing more families (some 45%) to rely on agriculture as a substitute source of income; despite all existing obstacles to make it work. More than that, local sources from the governorate revealed that some 4000-5000 heads of family holds has moved outside of Qalqiliya city and district and nearly 3000 have sought employment in neighboring countries for livelihood.

...And now the Israeli Segregation Wall

Qalqiliya and the Segregation Wall Plan

The Segregation Wall in Qalqiliya Governorate stretches along 93.477 kilometers (13.3% of total Western Segregation Wall length in the West Bank Territory) piercing through 5 Palestinian villages (‘Azzun ‘Atma, ‘Arab Ar Ramadin ash Shamali, Mahattat Tahseen Mansur, ‘Arab Abu Farda and Wadi Ar Rasha) and isolates much of their agricultural lands behind it, which in time will no longer become accessible to the residents who have been using Israeli issued permits to access their agricultural land so far. On the other hand, the Israeli Segregation Wall in Qalqiliya governorate was routed to encompass all of the 13 Israeli settlements behind it as well as the outposts and between the agricultural lands, the settlements areas and other areas of land isolated, some 62251 dunums (36%) of Qalqiliya’s lands are lost. The following table 5/ map 7 shows the status of the Israeli Segregation Wall in Qalqiliya Governorate.

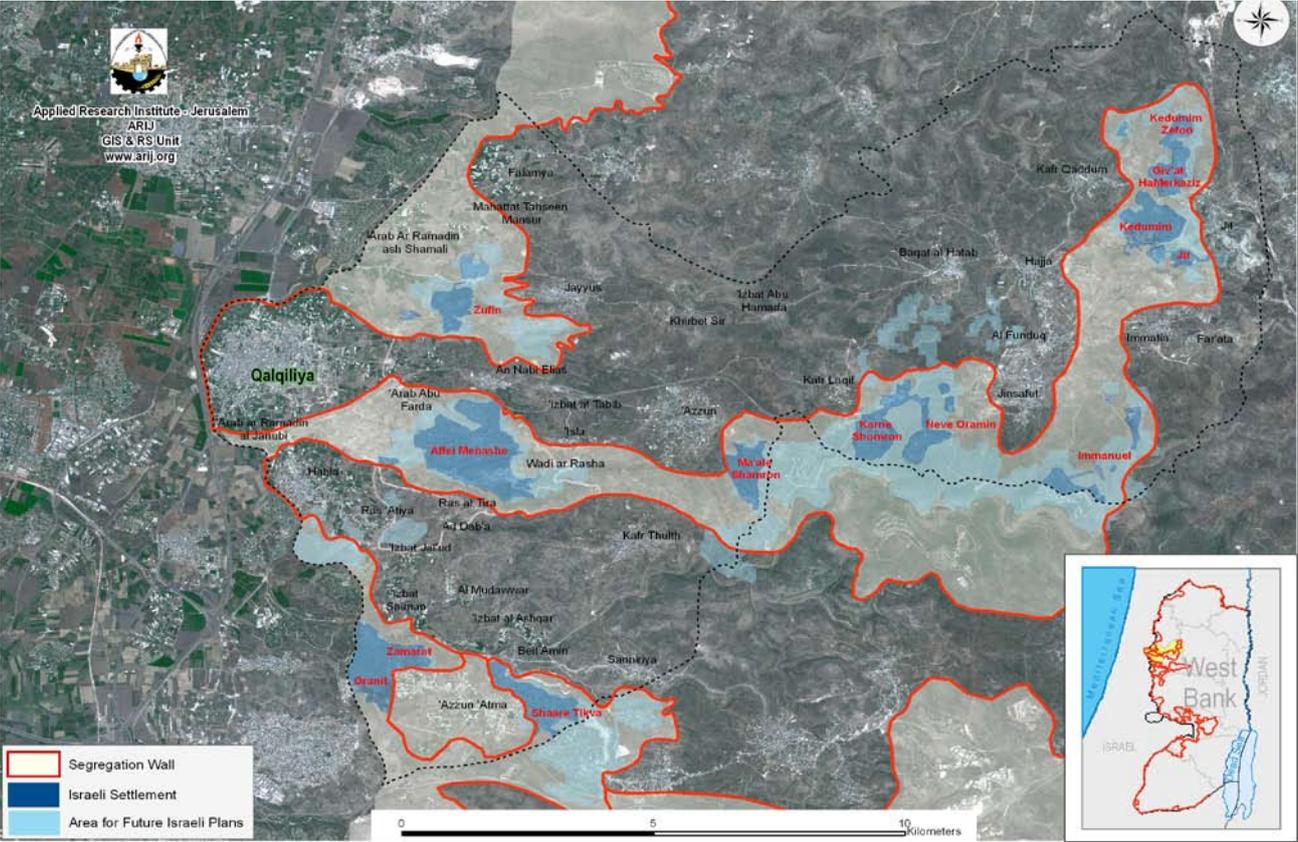


Table 5: status of Israeli Segregation Wall in Qalqiliya Governorate

Status of the Segregation Wall in Qalqiliya Governorate (Km)	
Existing sections	44.105 Km
Planned sections	49.372 Km
Total length	93.477 Km
Of which runs on Qalqiliya’s lands	86.917 Km (93 %)
Of which runs on the Green Line	6.56 Km
Range of depth inside the West Bank from the Green Line	0- 4.63 Km

Source: ARIJ Database 2006

Map 7 shows the construction status of the Israeli Segregation Wall in Qalqiliya Governorate



Source: ARIJ Database 2006

In addition to isolating 62251 dunums (62.251 Km²) of Palestinians' lands in Qalqiliya governorate, the Segregation Wall will ghettoize 15 Palestinian communities with a population of 87755 Palestinian residents. The Palestinian residents of these communities will be entrapped in enclaves inside the Segregation Wall with restrictions on their accesses and movement to their own residential areas and agricultural lands. The residents of these isolated and disrupted residential areas will have a harsh time when it comes to their movement to areas segregated by the Wall in case they want to reach their homes or lands; thereby jeopardize their livelihood and other vital social, health and educational services as well. The following table 6 shows the landuse/ landcover of area isolated behind the Segregation Wall in Qalqiliya Governorate.

Table 6: shows landuse / landcover of isolated areas in Qalqiliya Governorate.

Landuse/ landcover of area isolated behind the Segregation Wall in Qalqiliya Governorate	
Land Type	Area in Dunums
Agricultural Lands	32147
Forests	4233
Open Space	7607
Palestinian Built-up Areas	557
Israeli Controlled Areas	10974
Others	6733
Total	62251

Source: ARIJ Database 2006

Entrance to the isolated agricultural lands is restricted only to those who are able to prove landownership authenticated by the Israeli civil administration; this means that only the owners who have their names listed in the ownership title deed (usually the eldest of the families) will receive permits. Furthermore, issuance of permits by the Israeli civil administration will be on seasonal basis; hence, the owners will find a hard time to manage their cultivated lands on their own especially that the permits do not include additional labor and/ or equipments.



Major Impacts of the Segregation Wall Plan in Qalqiliya Governorate

The construction of the Segregation Wall has negative impacts on the, political, economical, social as well as environmental aspects of Palestinians' lives. Following is a summary of these major impacts.

Political Impacts

- The Israeli Segregation Wall will redraw the political boundary of Qalqiliya's governorate.
- The Segregation Wall will redefine the demographic balance of the governorate with more than 36% of its area cut-off toward Israel.
- The Segregation Wall is creating new demographic facts that will lead to forced internal migration among Palestinians who will lose their livelihoods.
- The Plan will sever the organic ties between Qalqiliya and other Palestinian Governorates.

Economic Impacts

- The Segregation Plan has caused severe damages to the Palestinian agricultural sector and to the Palestinian farmers as a result of land confiscation and the constraints imposed on mobility and marketing.
- Israel maintains control over Palestinian trade and tourism.
- Unemployment as well as poverty levels increased to unprecedented levels.
- Increase in land prices and shortage of investment opportunities.

Social Impacts

- Thousands of Palestinian citizens will have a hard time accessing the main urban centers where health, educational and social services are located.
- Harsh measures are imposed on Palestinians' mobility and movement; as transportation from or to the segregated areas is difficult.
- The Segregation Wall is cutting-off social relations between Palestinian citizens living on either sides of the Wall.
- Increase urbanization pressure and population density, which stood at 559 people per 1 Km² before the Segregation Wall and after which became 869 people per 1 Km².
- The Segregation Wall will place many Palestinian towns and villages (15 villages and 1 town) in geographically disconnected and segregated enclaves and/ or ghettos, as movement from and to these communities will be subject to Israeli restriction.

Environmental Impacts

- Decline in the areas designated for landfills and wastewater treatment sites.
- Diminish areas designated as natural reservations, forests, pastures, open spaces and recreation areas.
- Loss of grazing areas and increase in desertification.
- Distort wildlife cycle and cuts-off different kinds of animals from their natural habitat particularly during migration seasons.
- The Segregation Plan is altering the Palestinian natural landscape.
- Many archeological and historical sites related to Palestinian cultural heritage will be segregated behind the wall.
- Loss of open space which poses a threat to the sustainability of the urban and rural areas as well as a threat to more losses of the natural resources and biodiversity.
- Isolate water resources; some 18 wells behind the Segregation Wall, with a total annual extraction capacity of 1.9 million cubic meters, which will no longer be under Qalqiliya's control.

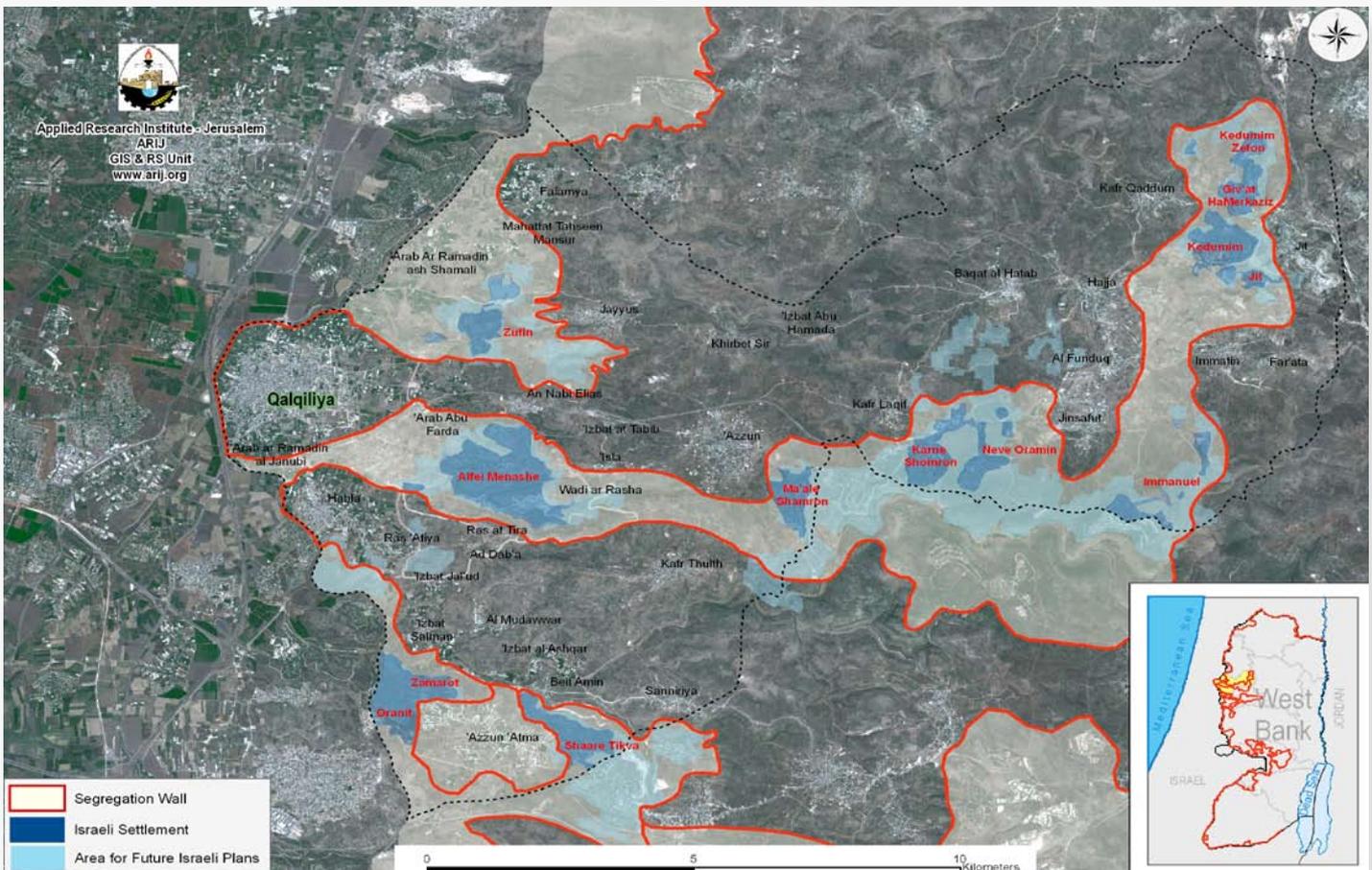
The Geopolitical Status of Qalqiliya Governorate

Trapped and Isolated

Qalqiliya is the first of the Palestinian governorates to be targeted by the Segregation Wall and probably the most to suffer its sequences. It is the only governorate to have its main center (Qalqiliya city, pop.44.709) entrapped within an enclave where the Israeli Army holds the upper hand to decide who is to leave or enter the enclave. More than that, the city and the governorate is almost completely isolated from the rest of the West Bank districts as movement on the bypass roads is restricted by Israeli controlled checkpoints and many localities are inaccessible to residents without Israeli issued permits. Once completed, the Segregation Wall will encompass as to say confiscate vast areas of lands including thousands of dunums of agricultural lands, which were razed under the pretext to provide security for the 13 Israeli settlements in the governorate, which are encompassed by the Segregation Wall. (see map 8). Furthermore, the Israeli settlements in Qalqiliya governorate are linked with Israel through the Israeli established bypass road system, of which the Israeli bypass roads numbers 55, 444, 446 and 474.



Map 8 below shows the Israeli settlements in Qalqiliya Governorate.



The Israeli Various Obstructions (checkpoints) in Qalqiliya Governorate

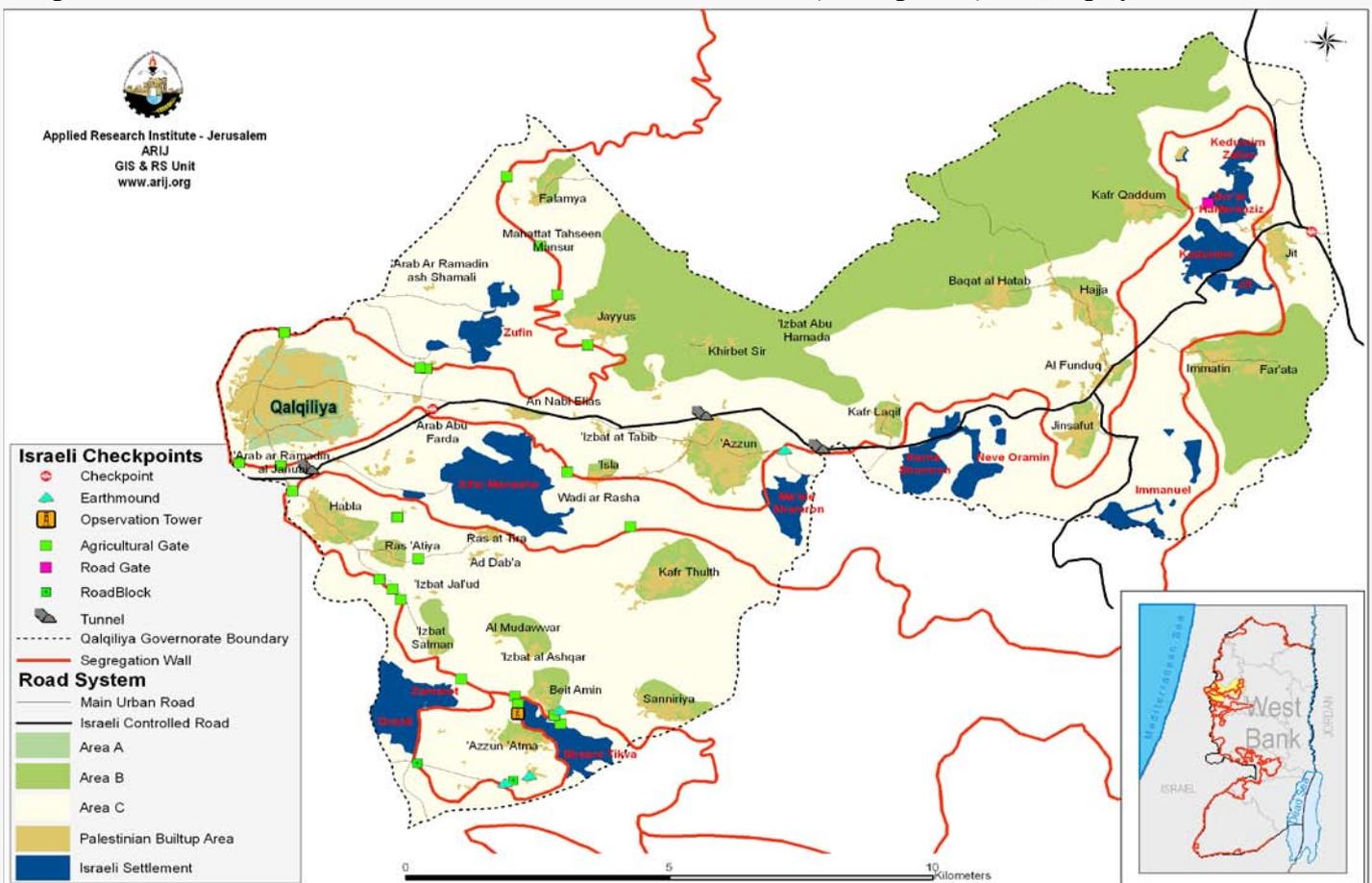
Residents of Qalqiliya governorate has more than one impediment in their life other than the Segregation Wall to restrict their movement, as the Israeli checkpoints placed tactfully in core locations to separate and restrict the Palestinian residents' movement toward each other and to other areas in the West Bank, also affect their lives. The Israeli checkpoints varies in their form but still are called the same; cubical cement roadblocks, earth mounds, manned checkpoints and agricultural gates, tunnels, secondary roads iron gates, all of which comes along with the Segregation Wall (see map 9). The following table lists the number and various types of obstructions established by the Israeli Army to restrict and confine the movement of 97472 Palestinian residents of Qalqilyia.

Table 7: shows different kinds of Isreali obstructions in Qalqiliya Governorate.

Type of Obstructions	Number
Earth mound	8
Road Gate	3
Checkpoints	2
Road Block	2
Tunnel	3
Agricultural gate	24
Observation Tower	2
Total	44

Source: ARIJ Database 2006

Map 9 shows the distribution of various Israeli obstructions (checkpoints) in Qalqiliya Governorate



Source: ARIJ Database 2006

The Tunnel in Habla village

Habla is a Palestinian village located to the south of Qalqiliya city and one of the first localities where the Israeli Segregation Wall started to shape back in 2003. The Segregation Wall enclosed the village in a canton and separated it from the rest of the West Bank. However, due to Israeli change of tactics, the Israeli Army decided to make of Habla village a controlled exit site for Qalqiliya's city residents in order to access the central and southern West Bank districts. Accordingly, on August 31, 2004, the Israeli Army inaugurated "Habla tunnel" on 150 dunums of lands owned by the residents of Habla, to link Qalqiliya city to Habla village. Several iron gates on the secondary roads and agricultural gates to access the agricultural lands were also established,

all of which operated by Israeli soldiers to control Palestinians' movement.

Why dig a tunnel? Surly, when the Israeli Army decided to construct Habla tunnel it did not consider the Palestinians' interest, as facts on the ground shows that the Israelis had to make available an exit passage to residents of Qalqiliya city and that Habla village presented the best available option to build the tunnel. Other than that, the tunnel is constructed under an Israeli bypass road number 55 used by the Israeli settlers of the northern settlements cluster of Ariel settlements bloc to access inside Israel. Below is a picture of Habla's tunnel linking Qalqiliya's residents to the West Bank territory and running above it the Israeli bypass road number 55.



Israeli settlements' Master Plan in Qalqiliya Governorate

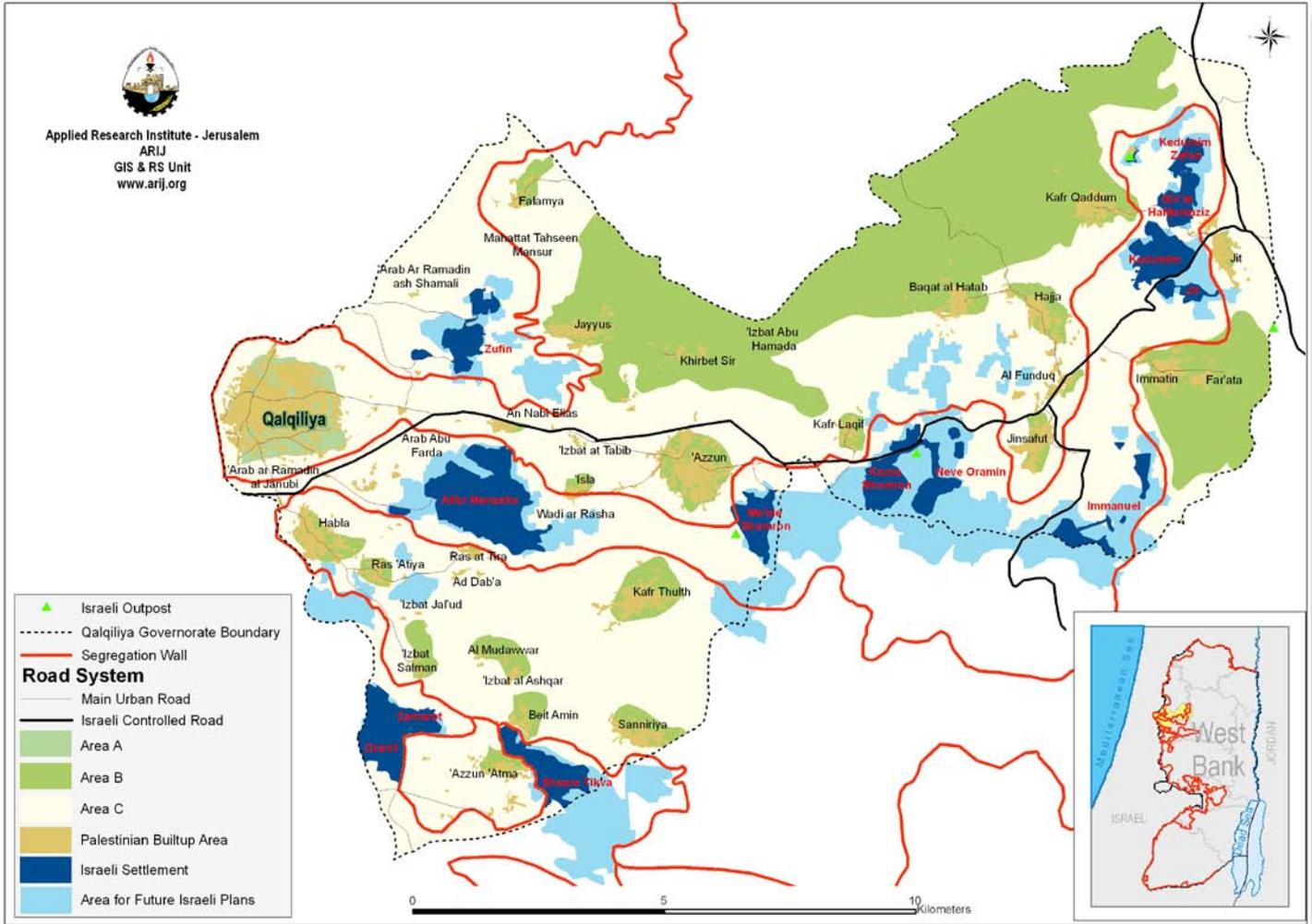
Today, the Israeli settlements in Qalqiliya governorate occupy an area of 11888 dunums of lands. However, and according to the settlements' master plans, the actual land area set for the existing settlements with future expansion sites is calculated at 33215 Dnums; a 64% (21327 Dnums) additional land areas to the current standings of the settlements' area. It should be pointed out, that the additional land areas of the master plans are included within the isolated land area of Qalqiliya governorate behind the Segregation Wall. The following table 8/ map 10 shows the areas of Israeli settlement, including the master plans in Qalqiliya governorate.

Table 8: Master plans areas of Israeli settlements

Settlement Name	Area / Dunum
Kedumim Zefon	1720
Giv'at HaMerkaziz	
Kedumim	1921
Jit	
Immanuel	15627
Neve Oramin	
Karne Shomron	
Ma'ale Shamron	
Zamarot	1241
Oranit	
Shaare Tikva	4111
Alfei Menashe	4578
Zufin	2493
New settlement	1524
Total	33215

Source: ARIJ Database 2006

Map 10 shows the Israeli settlements in Qalqiliya Governorate, including master plans areas



Source: ARIJ Database 2006

The International Legal Status of the Israeli Segregation Wall

The Israeli Segregation Wall violates virtually every existing humanitarian code, human rights and civilized laws; including the right to Self-Determination, the right to freedom of movement, the right to work, the right to medical treatment, the right to education, the right to an adequate standard of living and access to holy places. In July 2004, the international Court of Justice (ICJ) denounced in its landmark decision the Israeli Segregation Wall and all activities related to the Israeli occupation from 1967 (settlements, bypass roads, houses demolishing, uprooting trees, land confiscation, etc and now the Segregation Wall, which disrupts the territorial unity and contiguity) by upholding the Palestinian people’s right to self-determination, which is denied by the Israeli occupation, and marked all practices of the Israeli State in the occupied Palestinian territory invalid. The Court based its decision on international laws, including the Fourth Geneva Convention, the Hague Regulations, various human rights treaties and the United Nations Security Council resolutions, 242, 338 and others.

Recalling relevant United Nations resolutions affirming that actions taken by Israel, the occupying Power, to change the status and demographic composition of Occupied East Jerusalem have no legal validity and are null and void, Noting the agreements reached between the Government of Israel and the Palestine Liberation Organization in the context of the Middle East peace process,

ICJ ruling on the Segregation Wall of July 9, 2004

Self-defense' or 'state of necessity' can not be used as justification for violating the rights of the Palestinian people under international law and therefore Israel must cease construction of the Segregation and compensate those landowners for the damages and all other states must refrain from supporting Israel in building the Segregation Wall under any circumstances. Moreover, the construction of the Segregation Wall is an explicit violation of all peace agreements signed between the Israelis and Palestinians and a breach to Oslo Interim Agreement which states that:

“Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations” (Article XXXI, clause 7).

Conclusion

Despite international denunciation, Israel is proceeding with its unilateral plans to build the Segregation Wall, isolating and confiscating large tracts of Palestinian lands in Qalqiliya as in the rest of the West Bank governorates. If this continues, the Palestinian communities in Qalqiliya Governorate will become surrounded by a complex of Walls, settlements and roads that will eliminate any future possibility for the Palestinian communities to expand and thus jeopardize sustainable development.

The Applied Research Institute-Jerusalem (ARIJ) emphasizes the imperativeness that Israel complies with the international legitimacy, laws and resolutions of the United Nations security Council; stresses the necessity to hold Israel accountable for its acts in the Occupied Palestinian Territory; calls for Israel's long time apathy of the international community's will to end and thus Israel be made to conform with the United Nation's resolutions.

Settlement construction and expansion in light of the United Nations Security Council resolutions (UNSC), international laws, human rights and international covenants Israel's colonization activities in the Occupied Palestinian Territory (OPT) violates numerous United Nations Security Council and General Assembly Resolutions, primarily resolution 242 (1967): UNSCR Resolution 242 of 1967, which calls for *'the withdrawal of all Israeli armed forces from territories occupied'* in the 1967 war. The resolution effectively outlaws Israel's 40 years occupation of the West Bank (including East Jerusalem) and the Gaza Strip.

The principles of Resolution 242 are reiterated again in UNSCR 446 (1979) which '[d]etermines 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', also in UNSCR 452 (1979) which calls upon *'the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem,'*

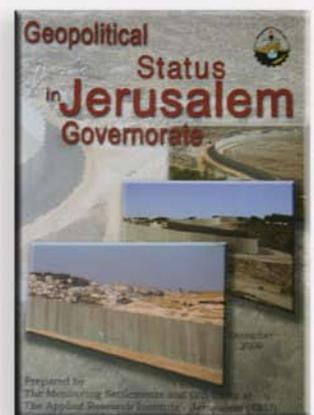
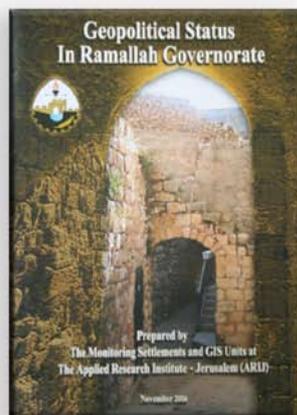
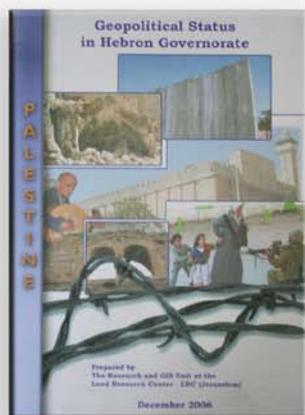
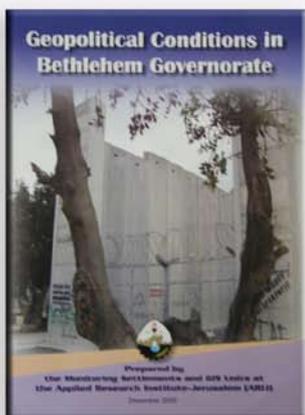
The Applied Research Institute - Jerusalem (ARIJ)

Founded in 1990, the Applied Research Institute - Jerusalem (ARIJ) is a non-profit organization dedicated to promoting sustainable development in the Occupied Palestinian Territory and the self-reliance of the Palestinian people through greater control over their natural resources.

ARIJ plays an active role in the local community to advocate greater co-operation among local institutions, international and non-governmental organizations. In its capacity as a national research institute, it frequently provides current data and research necessary to the formulation of position papers and policy strategies on such issues as land and water resources. Moreover, through its work with donor institutions and regional and international experts, ARIJ promotes an environment conducive to the introduction of new initiatives and ideas and thus serves as a facilitator in the co-ordination of multilateral activities.

One of the project's ARIJ is engaged in implementing is **'Monitoring the Israeli activities in the Occupied Palestinian Territory and assessing their impacts on the viability of a future Palestinian statehood'**. This project is supported by the European Commission and implemented in cooperation with ARIJ's partner, the Land Research Centre (LRC) in Hebron, part of the Arab Study Society. The project aims at monitoring the Israeli physical activities in the Occupied Palestinian Territory (OPT) and clarifying their impacts on issues of final status negotiations in relation to territorial viability, land related issues, borders and the contiguity of the future Palestinian State. The project engage in collecting primary and secondary data; synthesizing and analyzing this data; and disseminating reliable information on Israeli activities, the physical changes they induce on the Palestinian landscape and the impacts of these activities on the future Palestinian State. This is accomplished through conducting fieldwork at affected areas, interviewing local officials and inhabitation to get first hand information and analyzing satellite images, aerial photos and maps. The outputs are case-studies, monthly, quarterly and annual reports and presentations to interested local, regional, and international groups about the geopolitical status in the West Bank and Gaza including: the Israeli settlements, outposts, bypass roads, the Segregation Wall, land razing, land expropriation, trees uprooting, movement barriers and house demolitions.

Previously issued Factsheets





For more information please visit the following websites:

<http://www.arij.org> - <http://www.lrcj.org>

<http://www.poica.org>



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