



THE **RIGHTS**
FORUM

**BRIEFING HOORZITTING
ALGEMEEN OVERLEG
MENSENRECHTENBELEID**

19 MAART 2012

“ Nederland is het land van Hugo de Groot, van de internationale rechtsorde, van de vrije zee en van alles wat met mensenrechten te maken heeft. Den Haag wordt geacht de internationale hoofdstad van het recht te zijn.

MINISTER VAN BUITENLANDSE ZAKEN ROSENTHAL tijdens een algemeen overleg over mensenrechten in het buitenlands beleid (14 juni 2011)

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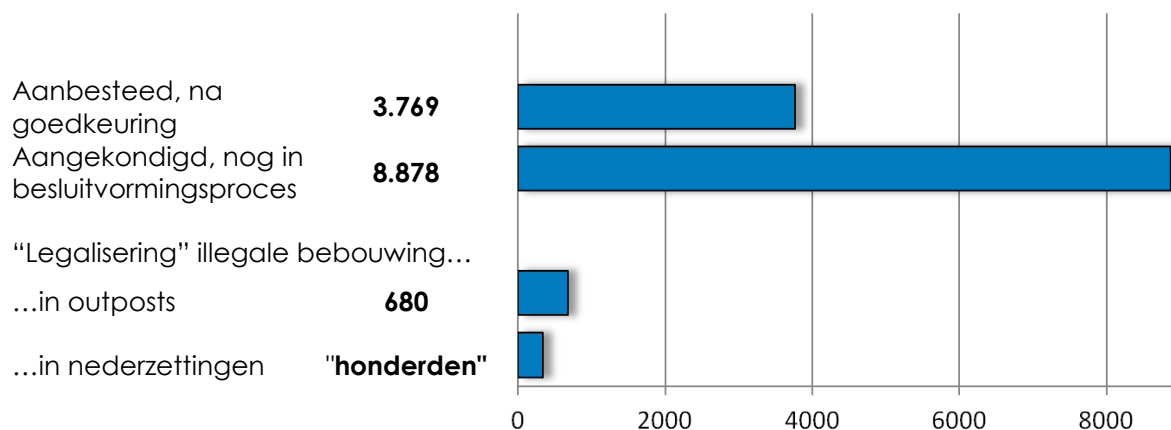
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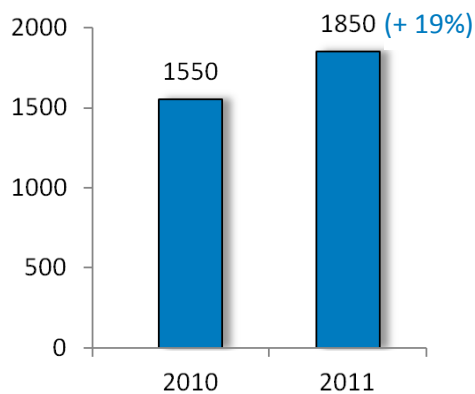
I. NEDERZETTINGENBELEID

Uitbreidingen nederzettingen in 2011

Nieuwe woningen in nederzettingen gepland en/of goedgekeurd in 2011, *maar nog niet gebouwd*, en "legalisering" met terugwerkende kracht van bestaande bebouwing zonder bestemmingsplan:



Bron: openbaar toegankelijke informatie van drie Israëlische bronnen, **Peace Now** (www.peacenow.org.il), **Terrestrial Jerusalem** (<http://www.t-j.org.il/>) en **Haaretz** (www.haaretz.com). Zie voor een gedetailleerd overzicht pag. 25.



Nieuwe woningen in nederzettingen
exclusief Oost-Jeruzalem,
waarvan de bouw is gestart

Bron: Peace, Now **Torpedoing the Two State Solution: Summary of 2011 in the Settlement**, januari 2012, <http://peacenow.org.il/eng/2011Summary>

Relevante feiten

“

Since 1967, Israel has established about **150 settlements** in the West Bank, including East Jerusalem, in addition to some **100 “outposts”** erected by settlers without official authorization. **The settler population is estimated at approximately 500,000.**

While fenced or patrolled areas of settlements cover three percent of the West Bank, **43% of the West Bank is off-limits for Palestinian use** because of its allocation to the settlement's local and regional councils.

Bron: [UN OCHA, *The Humanitarian Impact of Israeli Settlement Policies*, januari 2012
www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf](http://www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf)

“

Israel created in the Occupied Territories a regime of separation and discrimination, with two separate systems of law in the same territory. One system, for the settlers, de facto annexes the settlements to Israel and grants settlers the rights of citizens of a democratic state. The other is a system of military law that systematically deprives Palestinian of their rights and denies them the ability to have any real effect on shaping the policy regarding the land space in which they live and with respect to their rights. These separate systems reinforce a regime in which rights depend on the national identity of the individual.

Under this regime, hundreds of thousands of dunams of land populated by Palestinians have been stolen. This land has been used to establish dozens of settlements and to populate them with hundreds of thousands of Israeli citizens. As a rule, Israel prevents Palestinians from entering these lands and using them. **The existence of the settlements brings with it the violation of many human rights of Palestinians, including the right of property, the right to equality, the right to a suitable standard of living, and the right to freedom of movement.** The extreme change that Israel has made in the map of the West Bank prevents any real possibility to establish an independent, viable Palestinian state in the framework of exercising the right to self-determination.

The settlers, on the other hand, benefit from all rights given to citizens of Israel who live inside the Green Line, and in some instances, even additional rights. The great effort Israel has expended in the settlement enterprise - financially, legally, and bureaucratically - has turned the settlements into civilian enclaves within an area under military rule and has given the settlers a preferred status. **To perpetuate this unlawful situation, Israel has continuously violated the Palestinians' human rights.**

Bron: [B'Tselem, *Land Expropriation and Settlements*
www.btselem.org/settlements](http://www.btselem.org/settlements)

“

While **35% of East Jerusalem's land has been confiscated for the development of Israeli settlements, only 13% of East Jerusalem is zoned for Palestinian construction.**

At least **32% of all Palestinian homes in East Jerusalem lack building permits**, which are difficult to obtain, potentially placing at least 86,500 residents at risk of displacement. Since 1967, the Israeli authorities have demolished some 2,000 houses in East Jerusalem.

Bron: [UN OCHA, *East Jerusalem: Key Humanitarian Concerns*, december 2011
www.ochaopt.org/documents/ocha_opt_Jerusalem_FactSheet_December_2011_english.pdf](http://www.ochaopt.org/documents/ocha_opt_Jerusalem_FactSheet_December_2011_english.pdf)

“ The two-state solution will take place in Jerusalem, or it will not take place at all. During the last decade **settlement construction has eroded significantly into the possibility of implementing the two-state solution in Jerusalem.**

Following a quiet, de facto settlement freeze imposed by PM Netanyahu in March 2010, in November 2010 settlement activities in East Jerusalem resumed and have since exceeded even previously high levels by 50%-200%. **East Jerusalem has not witnessed settlement activities of such a pace and scope since the 1970's.**

Our conservative projections of the potential map of Jerusalem at the end of 2013 provides incontrovertible evidence that **the current settlement surge constitutes a clear and present danger to the very possibility of the two-state solution.** Consequently, achieving a de facto settlement freeze in East Jerusalem is an imperative of the highest order if the two-state solution is to remain even remotely viable.

Bron: Terrestrial Jerusalem, [East Jerusalem Settlements and the Imminent Demise of the Two-State Solution](http://www.t-j.org.il/Portals/26/images/Imminentdemise_MR.pdf), januari 2012
www.t-j.org.il/Portals/26/images/Imminentdemise_MR.pdf

Buitenposten

“ During 2011 the State informed the court of its intention to officially establish 11 new settlements by legalizing illegal outposts which are home to some 2,300 settlers in 680 structures. At the same time the State informed the court of additional **delays of the evacuation of three outposts** on private Palestinian land. In addition, the State announced the promotion of plans to legalize hundreds of units of illegal construction in the settlements.

Bron: Peace Now: [Summary of 2011 in the Settlements](http://peacenow.org.il/eng/2011Summary), januari 2012
<http://peacenow.org.il/eng/2011Summary>

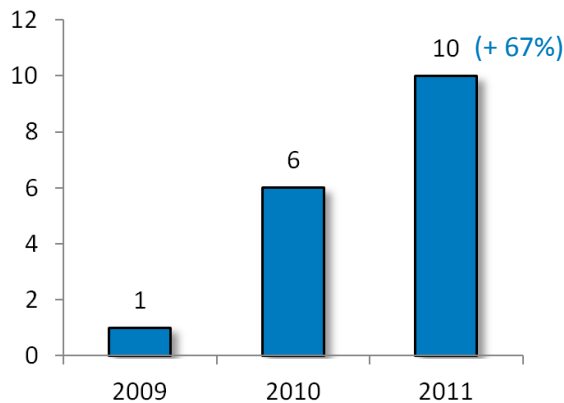
“ “Outpost” is a term for describing how the settlers “pull the wool over our eyes” by establishing settlements despite the fact that, in 1996, the government of Israel pledged not to build any more of them. **In reality, outposts are new settlements.**

Today, there are more than 100 outposts throughout the West Bank. Just like the official settlements at the time, these outposts were **established with the goal of attaining two different objectives**, which, basically, are both sides of the same coin: on the one hand, to create a continuity of Israeli presence by **taking over as much land as possible** and on the other, **creating a barrier between the various Palestinian population centers.** That is to say: forestalling the possibility of creating a Palestinian region that can be self-sufficient.

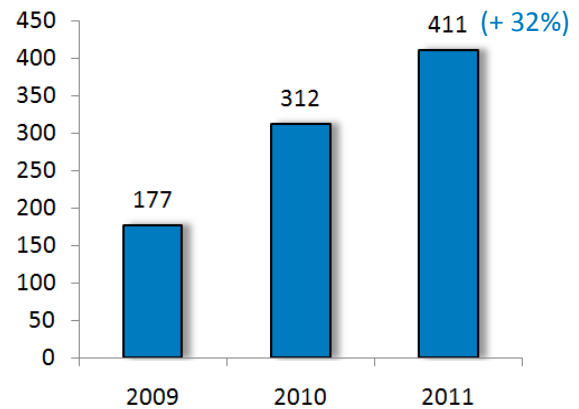
Bron: Peace Now, [What is an Outpost](http://peacenow.org.il/eng/node/286)
<http://peacenow.org.il/eng/node/286>

Zie voor een **gedetailleerd overzicht** van nederzettingenuitbreidingen in 2011 en een weerlegging van de claim van premier Netanyahu dat de nederzettingen “slechts 1,5% van de Westoever beslaan” de bijlage “*Focus 1: Nederzettingenbeleid*” (pag. 25).

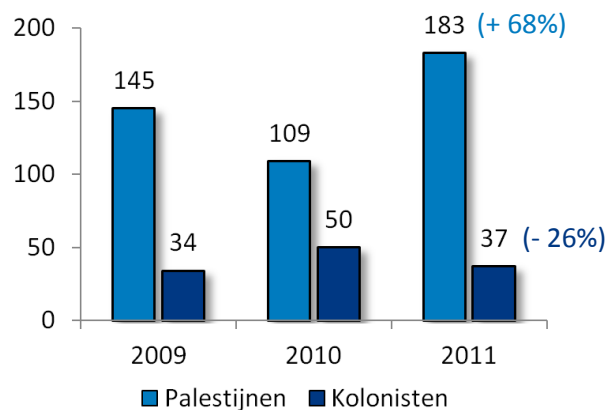
2. KOLONISTENGEWELD



Moskeeën aangevallen en/of in brand gestoken door kolonisten



Incidenten waarbij Palestijnen door kolonisten zijn verwond of hun eigendommen zijn vernield



Palestijnen verwond door kolonisten en kolonisten verwond door Palestijns geweld

Bronnen:

UN OCHA, *Monthly Humanitarian Monitor*, januari 2012

www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2012_02_16_english.pdf

UN OCHA, *Protection of Civilians Weekly Report*

www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2012_01_05_english.pdf

www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2011_12_23_english.pdf

Relevante feiten



Over 90% of Israeli police investigations into incidents of settler violence during the past six years (2005-2010) were closed without indictment (Yesh Din).

Bron: UN OCHA, *The Humanitarian Impact of Israeli Settlement Policies*, januari 2012

www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf

“ The **weekly average of settler attacks** resulting in Palestinian casualties and property damage **has increased by 40% in 2011** compared to 2010, and by over 165% compared to 2009.

During 2011, Israeli **settlers vandalized over 10,000 Palestinian olive trees** throughout the West Bank.

The root cause of the settler violence phenomenon is Israel's decades-long policy of illegally facilitating the settling of its citizens inside occupied Palestinian territory. This activity has resulted in the progressive takeover of Palestinian land, resources and transportation routes and has **created two separate systems of rights and privileges**, favoring Israeli citizens at the expense of the over 2.5 million Palestinian residents of the West Bank. Recent official efforts to retroactively legalize settler takeover of privately owned Palestinian land **actively promotes a culture of impunity that contributes to continued violence.**

The Israeli **authorities repeatedly fail to enforce the rule of law** in response to Israeli settlers' acts of violence against Palestinians. Israeli forces often fail to stop attacks

Bron: [UN OCHA **Israeli Settler Violence in the West Bank**, november 2011](http://www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf)
www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf

“ Since 2005 Yesh Din has been monitoring the Samaria and Judea (SJ, West Bank) district police investigation of 127 separate incidents of vandalization of Palestinians' trees in the Occupied Territories (OT). **Our review of the investigation status of each of the 127 aforementioned incidents shows that only a single investigation has so far led to filing an indictment** against a person suspected of involvement in vandalism against Palestinians' trees.

Bron: [Yesh Din **Police investigation of vandalization of Palestinian trees in the West Bank**, oktober 2011](http://www.yesh-din.org/infoitem.asp?infocatid=163)
www.yesh-din.org/infoitem.asp?infocatid=163

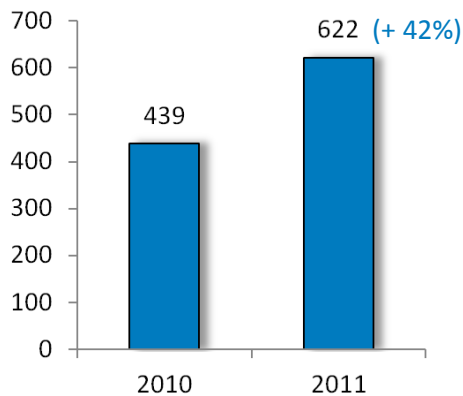
Protest Europese Veiligheidsraadsleden

“ We condemn the disturbing escalation of violence by settlers including the burning of the Nebi Akasha mosque in West Jerusalem and the Burqa mosque in the West Bank. It is clear that these deliberately provocative attacks on places of worship were designed to aggravate tensions. We welcome the condemnation of these attacks by Israeli leaders, and call on the Israeli government to fulfill its commitment to bring the perpetrators to justice and to put an end to impunity. The package of measures announced by Prime Minister Netanyahu in response to settler violence goes in the right direction. We look forward to seeing the results of these measures, and to seeing those behind the violence punished to the full extent of the law.

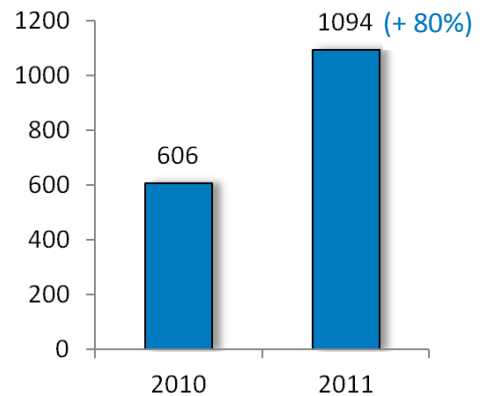
Bron: [Gezamenlijke verklaring van Frankrijk, Duitsland, het Verenigd Koninkrijk en Portugal in de VN-Veiligheidsraad, 20 december 2011](http://ukun.fco.gov.uk/en/news/?view=PressS&id=708021082)
<http://ukun.fco.gov.uk/en/news/?view=PressS&id=708021082>

Zie voor **nadere informatie** citaten uit EU-interne rapporten over kolonistengeweld in de bijlage “Focus 2: Kolonistengeweld” (pag. 29).

3. HUISVERNIELINGEN EN UITZETTINGEN



Aantal bouwwerken vernietigd door Israëlisch leger op Westoever, inclusief Oost-Jeruzalem



Aantal Palestijnen dakloos door huisuitzettingen

Bron: UN OCHA, [Demolitions and Forced Displacements in the West Bank](http://www.ochaopt.org/documents/ocha_opt_demolitions_factSheet_january_2012_english.pdf), januari 2012, www.ochaopt.org/documents/ocha_opt_demolitions_factSheet_january_2012_english.pdf

Relevante feiten

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[in 2011,] Israeli forces destroyed 622 structures owned by Palestinians, a **42% increase compared to 2010**. This included 222 homes, 170 animal shelters, two classrooms and two mosques (one twice).

Over 60 percent of the Palestinian-owned structures demolished in 2011, due to the lack of permit, **were located in areas allocated to settlements**.

Almost 1,100 Palestinians, over half children, were displaced due to home demolitions by Israeli forces in 2011, over **80% more than in 2010**.

4,200 additional people were affected by the demolition of structures related to their livelihoods.

Bron: UN OCHA, [Demolitions and Forced Displacements in the West Bank](http://www.ochaopt.org/documents/ocha_opt_demolitions_factSheet_january_2012_english.pdf), januari 2012, www.ochaopt.org/documents/ocha_opt_demolitions_factSheet_january_2012_english.pdf

4. BEPERKINGEN BEWEGINGSVRIJHEID WESTOEVER

Wegversperringen op Westoever

Versperringen*	2010 maandelijks gemiddelde	2011 maandelijks gemiddelde	2012 op 31 jan
Permanent bemande versperringen	71	63	62
Gedeeltelijk bemande versperringen	21	25	25
Onbemande versperringen	519	432	436
Totaal	611	522	523

* De zogenaamde "flying checkpoints" (401 in januari 2012) zijn in dit overzicht niet meegenomen

Bron: UN OCHA, *Monthly Humanitarian Monitor*, januari 2012

www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2012_02_16_english.pdf



If International human rights law requires Israel to respect the right of residents of the Occupied Territories to move about freely in the occupied territory. This right is recognized in Article 13 of the Universal Declaration of Human Rights, and in Article 12 of the International Covenant on Civil and Political Rights. Furthermore, international humanitarian law requires Israel, in its capacity as the occupier, to ensure the safety and wellbeing of the local residents, and to maintain, to the extent possible, normal living conditions.

Freedom of movement is also important because it is a prerequisite for the exercise of other rights, which are set forth in the International Covenant on Economic, Social and Cultural Rights. Among these are the right to work (Article 6), the right to an adequate standard of living (Article 11), the right to health (Article 12), the right to education (Article 13), and the right to protection of family life (Article 10).

Israel is entitled to protect itself by using various means, including restrictions on Palestinian movement, when **these are absolutely necessary in order to meet military needs**. However, given the breadth and duration of the restrictions it has imposed and the resulting grave harm they have caused to the local population in all aspects of life, Israel's policy of restrictions on movement **flagrantly breaches its legal obligations**.

Furthermore, Israel's policy is blatant **discrimination based on ethno-national origin** since these restrictions apply only to Palestinians. Jewish residents are permitted to move about freely in areas where Palestinian movement is restricted. Thus, **Israel's policy violates the right to equality that is prescribed in all the human rights conventions to which Israel is party**.

Bron: B'Tselem, *Background on the Restriction of Movement*
www.btselem.org/freedom_of_movement

“ If Palestinians gain access to 50,000 dunums (12,500 acres or **3.5% of Area C**) of uncultivated land, this **could generate a billion dollars of revenue per year** (The World Bank).

Bron: UN OCHA, [Humanitarian Fact Sheet Jordan Valley and Dead Sea Area](http://www.ochaopt.org/documents/ocha_opt_jordan_valley_factSheet_february_2012_english.pdf), februari 2012
www.ochaopt.org/documents/ocha_opt_jordan_valley_factSheet_february_2012_english.pdf

Bouw afscheidingsbarrière op Westoever

“ The Barrier's total length is approximately 708 km. **61.8% of the Barrier is complete**; a further **8.2% is under construction** and **30% is planned but not yet constructed**. When completed, approximately **85% of its route will run inside the West Bank**, isolating 9.4% of West Bank territory, including East Jerusalem and No-Man's Land. On 9 July 2004, the International Court of Justice (ICJ) issued an advisory opinion which stated that the sections of the Barrier route which ran inside the West Bank, including East Jerusalem, **violates Israel's obligations under international law**.

Bron: UN OCHA, [Palestinian Communities Affected by the Barrier](http://www.ochaopt.org/documents/ochaopt_atlas_barrier_affecting_palestinians_december2011.pdf), december 2011
www.ochaopt.org/documents/ochaopt_atlas_barrier_affecting_palestinians_december2011.pdf

“ **The location of settlements was the major consideration behind the deviation of the Barrier's route away from the Green Line**; once complete, about 80% of the settler population will live in settlements located on the western ("Israeli") side of the Barrier

Bron: UN OCHA, [The Humanitarian Impact of Israeli Settlement Policies](http://www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf), januari 2012
www.ochaopt.org/documents/ocha_opt_settlements_FactSheet_January_2012_english.pdf

5. ISRAËLISCHE BLOKKADE VAN GAZA

Status Gazastroom: bezet gebied

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Israel has without doubt at all times relevant to the mandate of the Mission exercised effective control over the Gaza Strip. The Mission is of the view that the circumstances of this control establish that the Gaza Strip remains occupied by Israel. The provisions of the Fourth Geneva Convention therefore apply at all relevant times with regard to the obligations of Israel towards the population of the Gaza Strip.

Despite Israel's declared intention to relinquish its position as an occupying Power by evacuating troops and settlers from the Gaza Strip during its 2005 "disengagement", the international community continues to regard it as the occupying Power. Given the specific geopolitical configuration of the Gaza Strip, the powers that Israel exercises from the borders enable it to determine the conditions of life within the Gaza Strip.

Israel controls the border crossings (including to a significant degree the Rafah crossing to Egypt, under the terms of the Agreement on Movement and Access and decides what and who gets in or out of the Gaza Strip. It also controls the territorial sea adjacent to the Gaza Strip and has declared a virtual blockade and limits to the fishing zone, thereby regulating economic activity in that zone. It also keeps complete control of the airspace of the Gaza Strip, inter alia, through continuous surveillance by aircraft and unmanned aviation vehicles (UAVs) or drones. It makes military incursions and from time to time hit targets within the Gaza Strip. No-go areas are declared within the Gaza Strip near the border where Israeli settlements used to be and enforced by the Israeli armed forces. Furthermore, Israel regulates the local monetary market based on the Israeli currency (the new sheqel) and controls taxes and custom duties.

Bron: UN Human Rights Council, *Report of the United Nations Fact-Finding Mission on the Gaza Conflict (Goldstone Report)*, 25 september 2009
www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf

Illegaliteit van de Israëlische blokkade

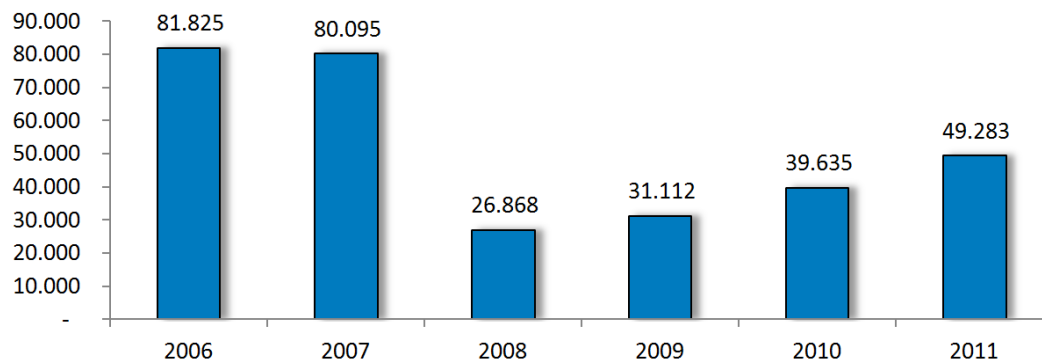
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The Gaza blockade (through the land, air and sea) **is a denial of basic human rights in contravention of international law and amounts to collective punishment.** It severely restricts imports and exports, as well as the movement of people in and out of Gaza, and access to agricultural land and fishing waters. Gazans are unable to provide for their families and the quality of infrastructure and vital services has deteriorated.

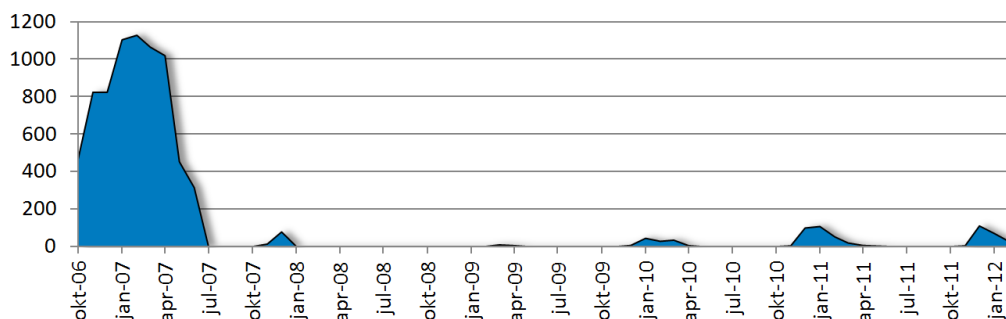
Bron: UN OCHA, *Humanitarian Situation in the Gaza Strip*, oktober 2011
www.ochaopt.org/documents/ocha_opt_Gaza_FactSheet_October_2011_english.pdf

Gevolgen van de blokkade

Import naar Gaza via Israëlische grensovergangen (aantal truckladingen per jaar):



Export vanuit Gaza, via Israëlische grensovergangen (aantal truckladingen per maand):



Bron: UN OCHA, [Gaza Crossings Activities Database](#)

www.ochaopt.org/dbs/Crossings/CommodityReports.aspx?id=1010003

“

Since late 2008, Palestinians have been totally or **partially prevented from accessing land** located up to 1,000-1,500 meters from the Green Line, and sea areas beyond 3 nautical miles from shore. Overall, the land restricted area is estimated at **17 percent total land mass of the Gaza Strip and 35 percent of its agricultural land**. At sea, fishermen are totally prevented from accessing some 85 percent of the maritime areas they are entitled to access according to the Oslo Agreements.

Bron: UN OCHA, [Between the Fence and a Hard Place](#), augustus 2010

www.ochaopt.org/documents/ocha_opt_special_focus_2010_08_19_english.pdf

“

Despite measures taken to ease the blockade in June 2010 the humanitarian situation has **remained extremely fragile**. While **imports have increased**, they are **still at less than 40% of the pre-2007 levels**. Exports remain tightly restricted and are limited to agricultural produce to Europe, and Gazan businesses cannot access their traditional markets in Israel and the West Bank. Access to land and sea remains highly restricted.

38% of Gazans live in poverty, 26% of the Gazan workforce, including 38% of youths, is unemployed, 50-80 million litres of partially treated sewage are dumped in the sea each day, **Over 90% of the water from the Gaza aquifer is undrinkable**. About one-third of the items in the essential drug list are out of stock.

Bron: UN OCHA, [Humanitarian Situation in the Gaza Strip](#), oktober 2011

www.ochaopt.org/documents/ocha_opt_Gaza_FactSheet_October_2011_english.pdf

“ Gaza's economy grew rapidly, but the World Bank said the **growth depended on international assistance**. The economy had not returned to pre-closure levels; daily **wages**, for instance, had **declined 23 percent since 2007**. Israel's **near-total restrictions** on exports from Gaza **hindered economic recovery**.

Bron: [Human Rights Watch, World Report 2012](http://www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories), januari 2012
www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories

“ On 2 January 2012, the Government of Israel has begun to **permanently destroy** buildings at the crossing and attached structures wiping out one of Gaza's main economic gateways. **Karni** crossing used to provide Gaza with commodities and goods and to export Palestinian agricultural and industrial products to the West Bank and Israel.

The destruction of Karni crossing follows **three crossing point closures in the past four years**: Karni closure for container goods and cement as well as the closure of Karni conveyor belt used to transfer wheat, animal feed and aggregate; Sofa closure for bulk construction items, and Nahal Oz closure for fuel.

The destruction of Karni crossing enforces the Israeli blockade on Gaza, which was initially imposed in June 2007 and **eliminates the possibility of returning to pre-blockade trade between Gaza, the West Bank and Israel**.

Bron: [UNWRA, Gaza Weekly Update](http://www.unwra.org/gaza-weekly-update), 18 januari 2012

“ For the first time in five years, Israel allowed a transfer of goods from Gaza to the West Bank. Pallets of fortified date bars left Gaza on March 5, crossing Kerem Shalom en route to the West Bank by the United Nations World Food Programme (WFP). This is the first batch of a total of 140 tons of locally-produced date bars (or 19 truckloads) that will be used in WFP's school feeding distributions in the West Bank.

The permission is the first exception to the blockade on export to Gaza's traditional markets. The ban on transferring goods to **Israel and the West Bank, where 85% of Gaza's outgoing goods were sold prior to 2007**, has contributed to the collapse of Gaza's economy. Approximately 83% of Gaza's factories are idle or operating at 50% or less capacity, because their natural markets are blocked.

This pilot project confirms that allowing goods to be transferred to Israel and the West Bank does not pose security risks. Since the start of the year, Israel has allowed an **average of two truckloads of goods to leave Gaza each day, compared with 86 truckloads per day in the first half of 2007**. Until this week, all export was limited to markets abroad, **where demand is low and transportation costs are high**. Since 2007, all export from Gaza has been **subsidized by European countries**, with the exception of one attempt to export tomatoes to Saudi Arabia that resulted in financial losses for the exporter.

Bron: [UNWRA, Gaza Weekly Update](http://www.unwra.org/gaza-weekly-update), 11 maart 2012

Zie voor meer informatie over de situatie in Gaza de bevindingen en conclusies van de fact-finding missie van The Rights Forum (oktober 2011),
http://www.rightsforum.org/media/doc/Conclusies_The_Rights_Forum_Missie_Gaza_2011.pdf

6. TOEGANG VAN PALESTIJNEN TOT WATER

Op de Westoever



Water consumption **dips to 20 litres/capita/day** in most herding communities in the [Jordan Valley and Dead Sea] area, compared to the **WHO recommendation of 100 l/c/d** and the average **settlement consumption of 300 l/c/d**.

Bron: [UN OCHA, Humanitarian Fact Sheet Jordan Valley and Dead Sea](http://www.ochaopt.org/documents/ocha_opt_jordan_valley_factSheet_february_2012_english.pdf), februari 2012



Israel retains control of all underground and surface water resources in the West Bank. **Palestinians are only allowed to abstract 20 percent of the "estimated potential" of the Mountain aquifer** under the West Bank, **Israel abstracts the balance (80 percent) plus overdraws** its sustainable yield often by more than 50 percent.

Palestinians need Israeli permits to develop their water resources and infrastructure and are severely restricted on what they can do through the **Joint Water Committee (JWC)**. The JWC was established to implement the Oslo Interim Agreement on Water, to oversee management of the shared aquifers and to ensure that the West Bank receives the extra water accorded under Article 40. Whilst both Israelis and Palestinians sit on this committee, **Israel has veto power and final say on decisions**. A number of essential projects for Palestinians have been denied permits or delayed as a result. To make up for part of the supply shortfall, **Palestinians are forced to buy water from Mekorot, the Israeli national water company**, some of which extracted from wells within the West Bank. This has increased Palestinian dependency on Israel. Discrimination in availability of and access to water in the West Bank can be seen in the comparison of access by Palestinians to that of the Israeli settlers (see table below).

Israeli settlers have access to water in amounts often greater than those available to Israelis living within Israel, while Palestinians generally have **well below the WHO recommended 100 litres per person per day**, and many Palestinian villages have access to water in amounts similar to disaster situations. **Sewage from Israeli settlement is often discharged into Palestinian area**, which contaminates the few water resources that are available for Palestinians.

Israeli Settlement	Litres/person/day	Nearby Palestinian village	Litres/person/day
Beda'ot	401	Tubas	30
Niran	433	Al-A'uja	82
Arganan	411	A-Zubeidat	82
Roí	431	Al-Hadidiya	20
Beqa'ot	406	Al-Hadidiya	20

Bron: [EWASH, Water control in the West Bank](http://www.ewash.org/files/library/110818%20EWASH%20Parelllel%20Report%20to%20CESCR%20(2011)%20(FINAL).pdf), september 2011

In de Gazastrook

“

Almost 95 percent of the water pumped in the Gaza Strip is polluted and unfit for drinking. This warning was recently issued by the UN Environment Programme, the Palestinian Water Authority, the Coastal Municipalities Water Utility, and international aid organizations. **They estimate it will take at least 20 years to rehabilitate Gaza's underground water system,** and any delay in dealing with the problem will lead to additional deterioration in the situation and thus might extend the rehabilitation process for hundreds of years. Since it began its siege on the Gaza Strip, in June 2007, Israel has forbidden the entry of equipment and materials needed to rehabilitate the water and wastewater-treatment systems there. The prohibition has remained despite the recent easing of the siege.

Bron: B'Tselem, [Water supplied in Gaza unfit for drinking; Israel prevents entry of materials needed to repair system](http://www.btselem.org/gaza_strip/20100823_gaza_water_crisis), 23 augustus 2010
www.btselem.org/gaza_strip/20100823_gaza_water_crisis

“

Reductions in the supply of fuel and electricity in Gaza mean that water is unable to be pumped to buildings and taps run dry. Access to adequate quantities of safe water for drinking and domestic use has been severely restricted for many. As of January 2011, **45 per cent of Gaza residents receive water for 6-8 hours once every two days,** with 10 per cent receiving water for 6-8 hours once every four days. Irregularity of supply is more severe during the summer months. Restrictions on the amount of diesel that Israel allows to enter the Gaza Strip has led to the shutdown of wells that are not connected to the electrical grid and that depend on generators or diesel powered pumps. **Children (who represent over 50 per cent of the population of Gaza), the elderly and the sick are left particularly vulnerable** without access to adequate supplies of safe water.

Bron: EWASH, [Factsheet How Gaza's Blockade Impacts on Water and Sanitation](http://www.ewash.org/files/library/Factsheet%201%20-%20A4.pdf), feb 2011
www.ewash.org/files/library/Factsheet%201%20-%20A4.pdf

“

Repeated military incursions have caused extensive damage to water systems necessary for agriculture. It is estimated that the Israeli military destroyed around 370 agricultural wells and related irrigation networks in the Gaza Strip during the second Intifada (Palestinian uprising). Of these, only 100 had been rehabilitated by 2008. During Operation Cast Lead, damage to agricultural infrastructure, including water and irrigation networks was estimated at US\$ 77.8 million. **The continued Israeli-imposed blockade on the Gaza Strip prevents entry of the materials necessary to repair, rehabilitate and maintain infrastructure.**

Bron: EWASH, [Factsheet Water for Agriculture and Food Security in Gaza](http://www.ewash.org/files/library/Factsheet%206%20-%20A4.pdf), februari 2011
www.ewash.org/files/library/Factsheet%206%20-%20A4.pdf

“

Sewage is the biggest cause of groundwater pollution in the Gaza Strip. The release of up to 80 million litres of untreated or partially treated sewage into the environment and Mediterranean Sea each day is primarily a result of the Israeli imposed blockade on the Gaza Strip. The blockade has prevented entry of materials necessary to repair, upgrade and maintain sewage treatment plants as well as the fuel required to operate them.

Bron: EWASH, [Factsheet Water Quality in the Gaza Strip](http://www.ewash.org/files/library/Factsheet%203%20-%20A4.pdf), februari 2011
www.ewash.org/files/library/Factsheet%203%20-%20A4.pdf

7. GEWELD VAN BEIDE KANTEN EN SLACHTOFFERS

Palestijnen gedood of verwond door het Israëlische leger in 2010 en 2011:

Totaal	2010	2011
Gedood	85	117
Verwond	1426	1931

Gaza

Gedood	72	107
Verwond	286	466

Westoever

Gedood	13	10
Verwond	1140	1465

Bron: UN OCHA, *Protection of Civilians Weekly Report*, 5 januari 2012

www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2012_01_05_english.pdf

Dodelijke slachtoffers aan beide kanten oktober 2000 t/m december 2011:

Palestijnen gedood

Palestijnen gedood door het Israëlische leger	6.508
Palestijnen gedood door Israëlische burgers	53
Totaal	6.561

Israëli's gedood

Israëlische burgers gedood door Palestijnen	754
Israëlische soldaten gedood door Palestijnen	342
Totaal	1.096

Kinderen gedood

Palestijnse kinderen gedood door het Israëlische leger	1.331
Israëlische kinderen gedood door Palestijnen	129

Bron: B'Tselem, *Statistics: Fatalities*

old.btselem.org/statistics/english/casualties.asp

Geweld Israël – Gaza in 2011

Aanvallen vanuit Gaza op Israël

Afgevuurde raketten en mortieren	889*
----------------------------------	------

Aanvallen op Gaza door het Israëlische leger

Militaire invallen in Gaza	90
Raketten afgevuurd door Israëlische luchtmacht	308
Mortieren afgeschoten door Israëlische tanks	202
Beschietingen van Palestijnse vissers	93

Palestijnse slachtoffers**

Gewond	467
Gedood	108

Israëlische slachtoffers***

Gewond	24
Gedood	3

* Bron: UNWRA Gaza Weekly Updates. De Israëlische veiligheidsdienst (ISA) vermeldt voor dezelfde periode een lager aantal afgevuurde raketten (677).

** Bron: UN OCHA *Monthly Humanitarian Monitor*, januari 2012

www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2012_02_16_english.pdf

*** Bron: Israëlische veiligheidsdienst (ISA), *Terror Data and Trends*

www.shabak.gov.il/english/enterrordata/pages/default.aspx

Relevante feiten

“

Only three and half percent of complaints received by the Military Police Criminal Investigations Unit (MPCID) and the Military Advocate General's Corps (MAGC) **of criminal offenses allegedly committed by soldiers** against Palestinian civilians and their property in the West Bank **ultimately lead to indictments**. In other words, a complaint made to the military law enforcement bodies of offenses by soldier against Palestinians **have a 96.5% chance of being dismissed without an indictment being filed against the suspected soldiers**.

Bron: Yesh Din, [Alleged Investigation the Failure of Investigations into Offenses Committed by IDF Soldiers Against Palestinians](http://yesh-din.org/userfiles/file/Reports-English/Alleged%20Investigation%20-%20Summary%20%5BEnglish%5D.pdf), februari 2012
<http://yesh-din.org/userfiles/file/Reports-English/Alleged%20Investigation%20-%20Summary%20%5BEnglish%5D.pdf>

“

Palestinian civilians injured 29 settlers in the West Bank and killed seven as of November, the UN reported. In September Israeli police concluded that a father and son from the settlement of Kiryat Arba died in a car crash because Palestinians had thrown rocks at their car. In August an Israeli military court convicted a Palestinian man for killing five members of the Fogel family in the Itamar settlement in March; a second man plead guilty to murder charges in the case in October.

Bron: Human Rights Watch, [World Report 2012](http://www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories), januari 2012
www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories

“

Palestinian organizations that fire rockets and mortar shells into Israel openly declare that they intend to strike Israeli civilians, among other targets. **Aiming attacks at civilians is both immoral and illegal**, and the intentional killing of civilians is defined a grave breach of the Fourth Geneva Convention and a war crime that cannot be justified, under any circumstance. Furthermore, **the rockets and mortar shells are illegal weapons, even when aimed at military objects, as they are greatly imprecise** and endanger civilians present both in the area from which they are fired and where they land, thus violating two fundamental principles of the laws of war: distinction and proportionality.

In a significant number of cases, Palestinians have fired the rockets and mortar shells from civilian residential areas. International humanitarian law (IHL) prohibits attacks from inside or near the homes of civilians, and using civilians as human shields. Palestinian organizations that choose to carry out attacks against communities in Israel from within or near populated areas breach this rule, and in doing so, demonstrate not only their intention to harm Israeli civilians, but also indifference to the lives of Palestinian civilians.

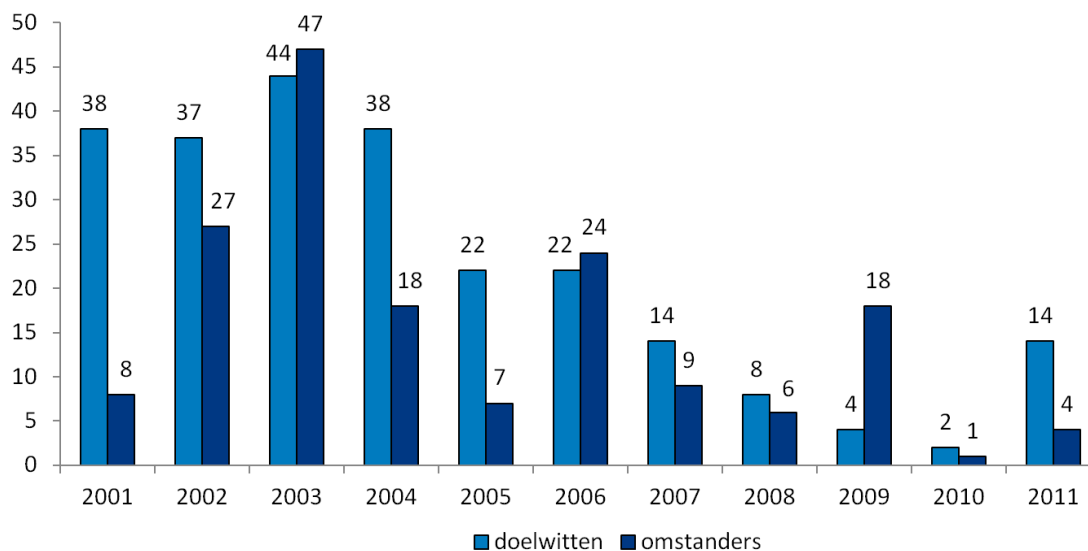
The Hamas government in the Gaza Strip must do everything in its power to stop the rocket and mortar fire, and the Palestinian organizations must cease attacks aimed at civilians, in particular when they are carried out from populated Palestinian areas. The government is responsible for the breaches of international humanitarian law, due to its failure to take sufficient action to stop the firing from areas close to civilian homes, and even more so, as it actively takes part in these attacks. **The persons involved in these breaches are guilty of war crimes and bear individual criminal responsibility for their acts.**

Bron: B'Tselem, [Rocket and mortar fire into Israel](http://www.btselem.org/israeli_civilians/qassam_missiles)
www.btselem.org/israeli_civilians/qassam_missiles

8. BUITENGERECHTELIJKE DODINGEN EN DOODSTRAF

Buitengerechtelijke dodingen door Israël

Aantal Palestijnen gedood door Israël middels "targeted killings" en aantal gedode omstanders, 2001 t/m 2011:



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	totaal
doelwitten	38	37	44	38	22	22	14	8	4	2	14	243
omstanders	8	27	47	18	7	24	9	6	18	1	4	169

Bron: B'Tselem, *Statistics on Casualties*

http://old.btselem.org/statistics/english/Casualties_Data.asp?Category=17®ion=GAZA

http://old.btselem.org/statistics/english/Casualties_Data.asp?Category=17®ion=WB

“

[Israel] commits extra-judicial executions against Palestinian field and political activists from a number of Palestinian resistance organizations. This Israeli policy of extra-judicial executions has been **officially adopted by the Israeli political and military establishments**, and is judicially sustained by the Israeli Supreme Court, despite being **illegal under international humanitarian and human rights law**. Furthermore, international complacency concerning this issue has reinforced Israel's ability to continue its policy of extra-judicial executions; acts which constitute war crimes under international humanitarian law, and which the High Contracting Parties to the Geneva Conventions are **legally obligated to take all steps necessary to prevent**.

Bron: PCHR, *Extra-Judicial Executions as Israeli Government Policy*, augustus 2008

www.pchrgaza.org/files/Reports/English/pdf_killing/killing%20report9.pdf

Doodstraf en doding collaborateurs in Palestijnse gebieden

“

In Gaza, military and criminal courts **sentenced at least 11 people to death. Five men were executed** after trials that failed to meet international fair trial standards – two in April who had been convicted of “collaboration” with Israel; and three in May who had been convicted of murder.

Bron: [Amnesty International, **Annual Report 2011 – Palestinian Authority**
www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6](http://www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6)

“

Since the beginning of the al-Aqsa intifada, Palestinians have killed dozens of Palestinian civilians on suspicion of collaboration with Israel. Some of the victims were killed in assassinations conducted by organizations; others died at the hands of Palestinian Authority security forces as a result of being tortured or when attempting to escape, while other were lynched by crowds of people. Also, the Palestinian Authority killed several Palestinians whom the State Security Court, in a patently unfair judicial process, had convicted of collaborating with Israel.

These acts against collaborators, particularly the killing of suspects, are **patently illegal and immoral**. They constitute grave breaches of the Four Geneva Conventions, and the International Criminal Court Statute defines these acts as **war crimes**. Every state, organization and individual, even those that are not formal parties to these international agreements, is subject to its rules and principles.

Israeli security forces pressure Palestinians to collaborate. The Fourth Geneva Convention **prohibits the occupying state to recruit collaborators** from the local population by means of threat, extortion, or condition for granting a specific service.

Bron: [B'Tselem, **Harm to Palestinians suspected of collaborating with Israel**
www.btselem.org/collaboration](http://www.btselem.org/collaboration)

9. DETENTIE EN MARTELING

Palestijnen in Israëlische gevangenschap

	2010 maandelijks gemiddelde	2011 maandelijks gemiddelde	2012 op 31 jan
Totaal aantal gevangenen	6.221	5.213 (- 16%)	4.357
Specificatie			
Administratieve gevangenen	218	251 (+ 15%)	309
Kinderen onder 16	31	36 (+ 16%)	26
Kinderen 16 - 18	254	153 (- 40%)	140

Bron: B'Tselem, *Statistics on Palestinians in the custody of the Israeli security forces*
www.btselem.org/statistics/detainees_and_prisoners

Detentieregime Israël

“ **Palestinian political prisoners** and detainees incarcerated by Israel **are subject to harsher pre-trial detention laws** (e.g., lengthy prohibition on meeting with lawyers, proceedings being held in their absence, etc.), interrogations and conditions of confinement **than other prisoners and detainees held in Israel**. For example, **no family visits to hundreds of prisoners from Gaza have been permitted since 2007, in violation of international law**.

In Israel Security Agency (ISA or shabak) facilities, testimonies taken by human rights organizations in past years **indicate clear patterns of torture and/or cruel, inhuman and degrading treatment of Palestinian detainees**.

There is an **insufficient legislative framework to safeguard the rights of Palestinian prisoners and recent legislative initiatives have been enacted that violate their rights**. The absolute prohibition on torture enshrined in international law has not been adopted in Israeli domestic law.

Bron: Public Committee Against Torture in Israel, *Input for ENP country progress report for Israel*, november 2011
www.phr.org.il/uploaded/Joint%20Submission%20for%20ENP%20Torture%20Nov%202011.doc

Palestijnse kinderen in Israëlische gevangenissen

“ According to official figures, as of August 2010, **58% of detained Palestinian children were kept inside Israel, thus contravening the Fourth Geneva Convention**.

Bron: European Commission, *ENP Progress Report 2010: Israel*, mei 2011
http://ec.europa.eu/world/enp/pdf/progress2011/sec_11_642_en.pdf

“ Some **700 Palestinian children are arrested by Israel each year**, on average one or two per day. Palestinian children **as young as the age of 12** are arrested, interrogated and put on trial in Israel's military courts.

Based on testimonies provided by 40 children who were detained and represented in court by Defense for Children International – Palestine Section (DCI-Palestine) in 2010, **physical and verbal violence was used against them during detention in 70% of the cases**. Most violent incidents occurred during the jeep ride or during the wait at a military base or police station, where the children are made to wait for hours on end, often with their hands are painfully tied behind their backs with plastic handcuffs while blindfolded, deprived of food and drink, and deprived of access to a toilet and sleep.

Interrogations of Palestinian children and adolescents by the Israeli security forces are, in most cases, conducted **without the presence of their parents or a lawyer**, and carried out by several regular police interrogators, not by special interrogators for children and adolescents.

At the end of the interrogation, the children **signed their “statements”/confessions**, which were written in Hebrew, **a language they do not understand**.

According to DCI-Palestine, based on 100 statements obtained by the organization from children detained in 2009, **81% of the children's confessions were coerced** from them during interrogation.

Bron: Physicians For Human Rights - Israel, **[False Confessions by Palestinian Children and Adolescents under Coercion](http://www.phr.org.il/default.asp?PageID=119&ItemID=1177)**, november 2011

Marteling van Palestijnen door Israëlische autoriteiten

“ From the beginning of 2001 to the end of March 2011, **more than seven hundred complaints** alleging ISA abuse of interrogees have been filed with the State Attorney's Office. The State Attorney's Office did **not order a criminal investigation into any of the complaints**.

Bron: B'Tselem, **[Torture & abuse under interrogation](http://www.btselem.org/torture/impunity)**

“ **Over 700 Complaints of Torture: Not a Single Criminal Investigation.** Between 2001 and 2010, 701 complaints of torture and ill treatment were received and processed by the Inspector of Interrogee Complaints. Not one of these complaints has led to a criminal investigation.

It is worth noting that the majority of detainees who have reported torture or ill treatment to PCATI lawyers ultimately refuse to submit complaints to the authorities, citing lack of trust in official mechanisms of investigation or fear of reprisals.

Based on an analysis of correspondence received by PCATI from the State Attorney's Office since 2005, the **grounds provided for the closure** of complaints of torture and ill treatment, in their vast majority, fall into one of two main categories: **either denial or justification under the necessity defense doctrine**.

Bron: Public Committee Against Torture in Israel, **[Accountability Still Denied](http://www.stoptorture.org.il/files/PCATI_eng_web.pdf)**, januari 2012

Marteling van Palestijnen door Palestijnse Autoriteit of Hamas

“ The internal security service of the **Interior Ministry and Hamas police in Gaza** allegedly **tortured 102 people** as of September, according to complaints received by the Independent Commission for Human Rights (ICHR), a Palestinian rights body. [...] The ICHR received **163 complaints of arbitrary arrest by Hamas security forces**.

Complaints of **torture** committed by **West Bank PA security services** decreased slightly compared to the same period last year, with the ICHR receiving 91 complaints as of September. PA courts have not found any security officers responsible for torture, arbitrary detention, or prior cases of unlawful deaths in custody. The ICHR received **479 complaints of arbitrary arrests by PA security forces**. In a positive development, PA military courts implemented a January decision to stop exercising jurisdiction over civilians.

Bron: [Human Rights Watch, **World Report 2012**, januari 2012](http://www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories)
www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories

“ PA security forces in the West Bank **arbitrarily arrested** and detained suspected Hamas supporters, and Hamas security forces in Gaza arbitrarily arrested and detained suspected Fatah supporters. In both areas, the authorities gave the security forces wide powers of discretion, including to arrest and detain suspects in breach of the law and to torture and otherwise ill-treat them with impunity. The Independent Commission for Human Rights (ICHR) reported receiving complaints of **more than 1,400 arbitrary arrests in the West Bank and more than 300 in Gaza**.

Bron: [Amnesty International, **Annual Report 2011 – Palestinian Authority**](http://www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6)
www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6

10. ISRAËLISCHE EN PALESTIJNSE MENSENRECHTENVERDEDIGERS

Mensenrechtenverdedigers in Israël

“ 2011 has witnessed a marked **restriction of space for free expression, association and assembly in Israel.**

Bron: Physicians for Human Rights-Israel, *Input for ENP Progress report Israel*, november 2011
www.phr.org.il/default.asp?PageID=384&ItemID=1167

“ While the Israeli government's attitude toward human rights groups that provide assistance to Palestinian residents of the Occupied Territory has always been ambivalent, **until recently, human rights groups in Israel could operate with relative freedom.** Freedom of speech and association were relatively protected, and we interacted on a professional level with military and government authorities through limited procedures for administrative appeal.

In recent months, however, and especially since the Israeli military operation in Gaza (December 27, 2008-January 18, 2009), the Israeli government has sought to undermine the legitimacy of human rights groups, especially those who defend human rights in the occupied Palestinian territory (oPt). The Israeli Security Agency (Shin Bet or Shabac) interrogated a Palestinian citizen of Israel working at a human rights organization, warning him not to engage in "political activities" concerning Gaza; the police opened a criminal investigation and arrested staff members of an Israeli group supporting conscientious objection from military service; the government launched a public attack against a group that published testimonies of soldiers who served in the Gaza offensive, including asking European governments to stop funding the organization through their human rights programs; and police arrested and detained more than 830 protesters, especially Palestinian citizens of Israel, while protesting against the military attack on Gaza.

From September to November 2009, the Coordinator of Government Activities in the Territories office in Gaza shunned Israeli human rights groups, refusing to respond to appeals on behalf of Gaza residents seeking exit permits, even in dire humanitarian circumstances, until heavy pressure was exerted by the international community and the State Attorney's office. Sporadic refusal to respond to human rights groups representing Palestinian residents continues.

In February 2010, Israeli lawmakers voted to establish a parliamentary sub-committee to "investigate" human rights groups in Israel which are supported by the New Israel Fund. Although no such committee has been formed, the pretext for this investigation is that the groups provided information to the Goldstone Fact-Finding Mission, which inquired into the Israeli military operation in Gaza. Government spokespersons have given interviews in the media calling human rights groups "a strategic threat", casting them as traitors and spreading misinformation about their activities.

We are witnessing an unprecedented attempt to interfere with the activities of Israeli human rights groups. These governmental attempts to narrow the space in which human rights groups in Israel operate form the context for a number of proposed laws.

Bron: Physicians for Human Rights-Israel, *Attack on Human Rights Defenders*
www.phr.org.il/default.asp?PageID=314

Mensenrechtenverdedigers in de Palestijnse gebieden

“

Both the PA in the West Bank and the Hamas de facto administration in Gaza **maintained tight controls on freedom of expression, and harassed and prosecuted journalists, bloggers and other critics.**

The PA and Hamas authorities **restricted freedom of association.** Both prevented the Islamist organization Hizb ut-Tahrir from holding meetings, forcibly dispersed peaceful protests, and restricted the activities of other political parties and NGOs.

Bron: [Amnesty International, *Annual Report 2011 – Palestinian Authority*](https://www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6)
www.amnesty.org/en/region/palestinian-authority/report-2011#section-108-6

Zie voor een **overzicht van wetgeving die de vrijheden van Israëlische mensenrechtenverdedigers inperkt** de bijlage “Focus 3: Mensenrechtenverdedigers in Israël” (pag. 31)

II. ACHTERSTELLING PALESTIJNS-ARABISCHE MINDERHEID IN ISRAEL

“

The State's **intentional neglect** of social inequalities in education, infrastructure, poverty and access to the job market **have led to chronic disparities in health between Arabs and Jews**. Successive governments have failed to address the disparities in health indicators among Jewish and Arab citizens of Israel.

There is not one Arab town with an operating governmental hospital, mental health clinic, or a geriatric nursing home. The gap in life expectancy between Jewish and Arab men grew from a gap of two years (in favor of Jewish-Israeli citizens) in 1998, to a gap of 3.7 years in 2008.

Some 90,000 Arab-Bedouin citizens of Israel live in villages that are 'unrecognized' by the state. This lack of formal recognition means that the villages **are disconnected from basic infrastructure such as water, electricity, roads, garbage clearance services, and have restricted access to education, welfare and social services**. Seven towns were **constructed by the state** specifically for Bedouin populations displaced from their ancestral villages and lands. Despite the fact that some of these towns have **existed for 30 years, they also suffer from a lack of infrastructure, and from the highest poverty and unemployment rates in Israel**.

The State's intentional neglect of social inequalities in education, infrastructure, poverty and access to the job market have led to chronic **disparities in health between Arabs and Jews**. Successive governments have failed to address the disparities in health indicators among Jewish and Arab citizens of Israel; the Bedouin community is an extreme example of this failure.

Bron: [Physicians for Human Rights Israel, Arab Minority and Right to Health, november 2011](http://www.phr.org.il/default.asp?PageID=186&ItemID=1172)
www.phr.org.il/default.asp?PageID=186&ItemID=1172

“

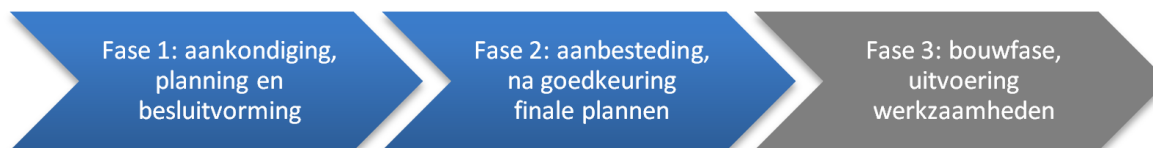
Some 90,000 Bedouin live in “unrecognized” villages with no basic services and at risk of demolitions. In September the Israeli government adopted a plan that reportedly recommended the transfer of up to 30,000 Bedouin from the “unrecognized” villages to other townships. **Israel has retroactively legalized large, Jewish-owned, private farms in the area.**

Bron: [Human Rights Watch, World Report 2012, januari 2012](http://www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories)
www.hrw.org/world-report-2012/world-report-2012-israeloccupied-palestinian-territories

FOCUS I: NEDERZETTINGENBELEID

Uitbreidingen nederzettingen in 2011

Uitbreiding van nederzettingen in fasen, van aankondiging tot bouw¹:



Woningen in fase I: aangekondigd en gepland, nog in besluitvormingsproces

datum aankondiging	actor	aantal woningen	locatie	naam nederzetting	plan nummer
14-mrt	Ministerieel Comité voor de Nederzettingen	100	Westoever	Ariel	
14-mrt	Ministerieel Comité voor de Nederzettingen	48	Westoever	Kfar Eldad	
14-mrt	Ministerieel Comité voor de Nederzettingen	200	Westoever	Modi'in Ilit, Kiryat Sefer	
23-mrt	Regering Netanyahu	5	Westoever	Ariel	
10-apr	Regering Netanyahu	5	Westoever	Givat Zeev	
24-mei	Regering Netanyahu	22	Westoever	Ma'aleh Adumim	
26-mei	Regering Netanyahu	40	Westoever	Oranit	
23-jun	Planningscomité Jeruzalem District	30	Oost-Jeruzalem	Ras El-Amud	12259
4-jul	Gemeente Jeruzalem	900	Oost-Jeruzalem	Gilo	13157
4-aug	Ministerie van Binnenlandse Zaken	983	Oost-Jeruzalem	Har Homa C	10310
7-aug	Ministerie van Binnenlandse Zaken	50	Oost-Jeruzalem	Har Homa B	12825
11-aug	Ministerie van Binnenlandse Zaken	625	Oost-Jeruzalem	Pisgat Zeev	11647
11-aug	Ministerie van Binnenlandse Zaken	1600	Oost-Jeruzalem	Ramat Shlomo	11085
29-aug	Ministerie van Defensie	100	Westoever	Beit Arye	
12-sept	Regering Netanyahu	42	Westoever	Anatot	
27-sept	Ministerie van Binnenlandse Zaken	1100	Oost-Jeruzalem	Gilo	13261
10-okt	Regering Netanyahu	50	Westoever	Alfei Menashe	
15-okt	Regering Netanyahu	80	Oost-Jeruzalem	Pisgat Zeev	
15-okt	Regering-Netanyahu	2610	Oost-Jeruzalem	Givat Hamatos	5834 A
15-okt	Regering Netanyahu	158	Oost-Jeruzalem	Ramot	5330
27-dec	Regering Netanyahu	130	Oost-Jeruzalem	Gilo	13290A
Totaal		8.878			

¹ Dit overzicht heeft betrekking op het *politieke besluitvormingsproces* van de uitbreiding van nederzettingen, fase I en 2. Het is gebaseerd op openbaar toegankelijke informatie van drie Israëlische bronnen: Haaretz (www.haaretz.com), Peace Now (www.peacenow.org.il/eng) en Terrestrial Jerusalem (www.t-j.org.il).

Woningen in fase 2: goedgekeurd en aanbesteed, in aanloop naar bouwfase

datum goedkeuring	actor	aantal woningen	locatie	naam nederzetting	plan nummer
18-jul	Ministerie van Huisvesting	294	Westoever	Beitar Illit	
18-jul	Ministerie van Huisvesting	42	Westoever	Karnei Shomron	
15-nov	Ministerie van Huisvesting	749	Oost-Jeruzalem	Har Homa	
15-nov	Ministerie van Huisvesting	65	Oost-Jeruzalem	Pisgat Zeev	
15-nov	Ministerie van Huisvesting	743	Oost-Jeruzalem	Ramot	
8-dec	Ministerie van Huisvesting	277	Westoever	Ariel	YS/327/2011
8-dec	Ministerie van Huisvesting	30	Westoever	Efrat	YS/290/2011
8-dec	Ministerie van Huisvesting	10	Westoever	Efrat	YS/363/2011
12-dec	Ministerie van Huisvesting	40	Westoever	Efrat (Gush Etzion)	
18-dec	Ministerie van Huisvesting	348	Westoever	Beitar Illit	
18-dec	Ministerie van Huisvesting	180	Westoever	Givat Zeev	
18-dec	Ministerie van Huisvesting	500	Oost-Jeruzalem	Har Homa C	
28-dec	Ministerie van Huisvesting	7	Westoever	Har Adar	YS/391&2/2011
28-dec	Ministerie van Huisvesting	117	Oost-Jeruzalem	Har Homa B	JM/342/2011
28-dec	Ministerie van Huisvesting	18	Oost-Jeruzalem	Pisgat Zeev	10016/2011
28-dec	Ministerie van Huisvesting	213	Westoever	Efrat	10017/2011
28-dec	Ministerie van Huisvesting	24	Westoever	Efrat	YS/356/2011
28-dec	Ministerie van Huisvesting	40	Westoever	Ma'aleh Adumim	YS/399/2011
30-dec	Ministerie van Huisvesting	72	Westoever	Har Adar	YS/397/2011
Totaal		3.769			

“Legalisering” met terugwerkende kracht

Legalisering² met terugwerkende kracht van bebouwingen e.d. zonder bestemmingsplan

datum	actie	actor	aantal woningen	aantal dunams	naam nederzetting of outpost
1-apr	“Legalisering”	Ministerie van Defensie	86		Kiryat Netafim
3-apr	“Legalisering”	Ministerie van Defensie	"honderden"		Rotem, Hemdat, Sansana, Nofim
13-apr	“Legalisering”	Ministerie van Defensie	27		Halamish
26-jun	“Landonteigening”	Civiel bestuur Westoever		815	Haresha
8-jul	“Landonteigening”	Civiel bestuur Westoever		189	Eli
16-sep	“Legalisering”	Civiel bestuur Westoever		"duizenden"	Ofra
11-okt	“Legalisering”	Ministerie van Defensie	119		Shilo

² Hiermee wordt bedoeld: “legalisering” met terugwerkende kracht (voor de Israëlische wet) van nederzettingenhuizen, *outposts* (buitenposten) en bebouwingen die zonder bestemmingsplan gebouwd zijn, alsmede van geconfisqueerd land. Volgens het internationaal recht zijn alle nederzettingen illegaal.

Protest Europese Veiligheidsraadsleden

“

Israel's continuing announcements to accelerate the construction of settlements in the Occupied Palestinian Territories, including East Jerusalem, send a devastating message. We call on the Israeli government to reverse these steps. The viability of the Palestinian state that we want to see and the two-state solution that is essential for Israel's long-term security are threatened by the systematic and deliberate expansion of settlements. Settlements are illegal under international law and represent a serious blow to the Quartet's efforts to restart peace negotiations. All settlement activity, including in East Jerusalem, must cease immediately.

Bron: [Gezamenlijke verklaring van Frankrijk, Duitsland, het Verenigd Koninkrijk en Portugal in de VN-Veiligheidsraad, 20 december 2011](http://ukun.fco.gov.uk/en/news/?view=Press&id=708021082)
<http://ukun.fco.gov.uk/en/news/?view=Press&id=708021082>

De claim van premier Netanyahu

“

How much space do the settlements take? [...] The settlements compromise 1,5 percent of the territory of the West Bank. 1,5 percent.

Premier Benjamin Netanyahu, op 19 januari 2012 in Nieuwsuur

Hoe het werkelijk zit

“

Since 1967, Israel -- using various means -- has taken control of around 50 percent of the West Bank. Almost all of that land has been turned over to the settlers. The 1 percent of the West Bank on which the built-up areas of settlements are located is just the beginning. Because **almost 10 percent of the West Bank is included in the "municipal area" of settlements.** That is, the jurisdictional borders of settlements, as drawn by Israel, are so large as to allow settlements to expand many times over onto land that is in the meantime totally off-limits to Palestinians. In addition, **almost 34 percent of the West Bank has been placed under the jurisdiction of the Settlement "Regional Councils."** That is more than an additional one-third of the West Bank under the control of the settler and totally off-limits to Palestinians.

In this way, more than 40 percent of the West Bank is under the direct control of settlers/settlements and off-limits to Palestinians, irrespective of the fact that only a small portion of this land has been built on by settlers.

Moreover, more than 32 percent of the built-up area of settlements (and outposts) is on privately owned Palestinian land. This construction is on land that Israel has not been able to "legally" take control of since 1967. Under Israeli law, settler use of this land constitutes out-and-out theft -- theft that the Netanyahu government is currently working to legalize post-facto.

In addition, **Israel has taken hundreds of kilometers of the West Bank to build roads** that serve the settlements, connecting them to each other and to Israel. The negative impact of these roads is arguably more profound in terms of impeding normal life for the Palestinians than the settlements or the land seizures themselves. They crisscross the entire West Bank, dividing Palestinian cities and town from each other, and

imposing various barriers to Palestinian movement and access, all for the benefit of the settlements.

The meaninglessness of focusing on the built-up area of settlements is self-evident in another simple reality: **the "separation barrier" de facto annexes 9.5 percent of the West Bank to Israel**, following a route that was manifestly guided not by security needs but to accommodate settlements and settlement expansion plans. This 9.5 percent is many times the built-up area of settlements -- underscoring the fact that Israeli territorial ambitions across the 1967 lines are not limited to the built-up areas of settlements. And even this 9.5 percent clearly doesn't begin to represent the extent of those ambitions, given that the barrier leaves the majority of settlements (built-up areas included) on the "wrong" side.

In addition, there is the issue of East Jerusalem. Since 1967, **Israel has expropriated fully 35 percent of the land in East Jerusalem as "state land" and used it almost entirely for settlements**. Such settlements (and new settlement construction going on today) has the explicit goal of preventing the establishment of a Palestinian capital in East Jerusalem -- which, in effect, means preventing the two-state solution.

Yes, **settlement construction takes up only a small part of the West Bank, but settlements control almost half of the West Bank's territory** -- spread across the entire length and breadth of the West Bank, connected by dedicated infrastructure and bolstered throughout by the Israeli army. They have exclusive authority over almost half the land and form a network of control that makes normal Palestinian life and development virtually impossible throughout the approximately 90 percent of the West Bank on which settlements have not (yet) been physically built.

Bron: [Lara Friedman, Americans for Peace Now, **Settlements Not an Obstacle to Peace? Get Serious**](http://www.huffingtonpost.com/lara-friedman/israel-settlements-b_1197376.html)
www.huffingtonpost.com/lara-friedman/israel-settlements-b_1197376.html

FOCUS 2: KOLONISTENGEWELD

Citaten uit EU-interne rapporten over kolonistengeweld

EU Heads of Mission Report on Settler Violence, April 2011

Introduction

Settler activity in the occupied Palestinian territories is a leading cause of violence against Palestinian civilians, destruction of Palestinian property and the abuse of Palestinian rights under international law. Discriminatory protections and privileges for settlers further compound these abuses and create an environment in which settlers can act with apparent impunity. This atmosphere of impunity is contributing to the persistence of, and indeed an increase in violent attacks by settlers on Palestinians. [...]

92% of the 600 cases related to settler violence monitored by Israeli NGO Yesh Din between 2005 and April 2010 were closed by Israeli authorities without resolution. The absence of legal remedy or sanction undermines the rule of law, risks engendering more violence and jeopardises political dialogue. [...]

Furthermore, the Palestinian Authority has almost no means – nor, in Area C, the authority – to protect its people from settler violence. This undermines the legitimacy of the PA in the eyes of the Palestinian public. [...]

The nature of settler violence

Settler violence takes various forms and is a means of **frightening, deterring or harassing Palestinians**, mainly those living in areas close to Israeli settlements in the oPt.

Attacks include **gunfire** aimed at Palestinian civilians and their residences and even more serious acts of **physical assault**; the **dispossession of privately held property** belonging to the Palestinian population; general harassment and **violent acts against individuals**. **Destruction of crops** through burning of olive fields or **uprooting of trees, blocking of roads** to impede Palestinian life and commerce; **stone and garbage throwing at Palestinians**. These practices are all recorded incidents of settler violence.

Some attacks on Palestinians come in response to attempts by the Israeli authorities to dismantle illegally built structures in the settlements or to distribute demolition orders. The settlers refer to the ensuing violence against Palestinians as a ‘price tag’, intended to deter the authorities from implementing decisions seen to be directed against settlements. This so-called “price tag” strategy entails systematic, widespread and indiscriminate violence against Palestinian civilians. In some cases, Israeli security forces are also targeted. On occasion, settler violence has occurred as a retaliatory response to violence committed by Palestinians. [...]

Among the most serious cases of suspected settler violence have been three **arson attacks on mosques** in the last 12 months. The political impact of the de facto impunity is significant.

Triggering factors

Settler violence occurs throughout the year, yet with particular increases in property and land damage observed during periods of intensive agricultural activity for Palestinians, **especially during the olive harvest season**. [...]

There are indications that settler violence also **increases at defining moments in the peace process**.

Accountability

The settler population and the Palestinians in the West Bank are subject to entirely separate and distinct legal frameworks. This coexistence in the West Bank of these two legal frameworks, one civil – more favourable – applied to the settlers, and one military applied to the local Palestinian population, has institutionalised de facto discrimination before the law.

Arguably, the single most important deficiency in the provision of an impartial rule of law is the **difference in the level of protection afforded to settlers and Palestinians**. Palestinians in Area C are entirely dependent on the IDF, as the occupying force, for their physical protection. IDF personnel have only limited authority to use force against settlers, as this is the prerogative of the Israeli police. As a result, they are in general prevented from protecting Palestinians from settlers. However, if Palestinians resort to even limited force in self-defence against settlers, IDF soldiers can and must intervene according to their Rules of Engagement. The presence of the IDF at scenes of settler violence against the Palestinian population, together with the differences in protection provided in the IDF Rules of Engagement, **creates the perception that settler violence enjoys the tacit approval of the state of Israel**. [...]

Police personnel routinely fail to conduct investigations into allegations of settler violence against Palestinians: in a 2006 report, the Israeli NGO Yesh Din found that over 90% of complaints and files were completed without indictments; 96% of allegations of trespassing and 100% of allegations of illegal tree felling were closed without indictments; 100% of alleged cases or property offenses were closed without indictments; 79% of assault cases were closed without indictments; 5% of all criminal complaints against Israeli's and settlers by Palestinian were lost by the police authorities and the investigations were then abandoned. Subsequent reporting has confirmed this trend of impunity.

Bron: rapport niet openbaar

EU note on Settler Violence (update), February 2012

Background

This note serves as an update of the EU Heads of Mission Report on Settler Violence from April 2011.

Since the submission of the report there has been **a further escalation of violence by settlers, including attacks on mosques and Christian institutions in the West Bank** and attacks against Israeli security forces and Palestinian security officials. A notable exception to this negative trend was the 2011 olive harvest season, which is traditionally a very tense period. As a result of increased IDF presence on the ground, the number of attacks went significantly down compared to last year. [...]

In response to settler attacks on IDF bases and violent behaviour against Israeli security officials the Israeli Government has during the second half of 2011 begun taking steps to emphasise accountability for such acts including through legal proceedings. So far, such **measures adopted by the Israeli authorities have mainly focused on attacks against Israelis** and Israeli property. To date a similar change in law enforcement for attacks against Palestinians has not been seen.

There has been **no widespread response from the Palestinian side**. However, settler violence has the potential to increase tensions between settlers and Palestinians even further. [...]

Bron: rapport niet openbaar

FOCUS 3: MENSENRECHTENVERDEDIGERS IN ISRAËL

Wetgeving die vrijheden van Israëlische mensenrechtenverdedigers inperkt

Wetten aangenomen in 2011

Wet	Inhoud/impact	datum aanname
<i>Funding from Foreign State Entities</i> (Law on Disclosure Requirements for Recipients of Support from a Foreign State Entity)	Verhoogt de verantwoordingsdruk op mensenrechtenorganisaties die buitenlandse subsidies ontvangen	21-feb-11
<i>The Nakba Law</i> (Budget Foundation Law (Amendment 40) – Reducing Budget or Support for Activity Contrary to the Principles of the State)	Sanctioneert organisaties en publieke instellingen die openlijk de <i>Nakba</i> herdenken of bijdragen aan activiteiten die tornen aan Israël's bestaan als Joodse en democratische staat	22-mrt-11
<i>Law Preventing Harm to the State of Israel by Means of Boycott</i>	Sanctioneert personen, organisaties of bedrijven die bijdragen aan boycotacties tegen Israël of de nederzettingen	11-jul-11

In behandeling

Wetsvoorstel	Inhoud/impact	datum laatste behandeling
<i>Anti-Incitement Bill</i>	Maakt het mogelijk om personen, die openlijk het bestaan van Israël als Joodse en democratische staat ontkennen, tot een gevangenisstraf te veroordelen	27-mei-09
<i>Bill to Protect Israel's Values</i>	Maakt het mogelijk om organisaties met activiteiten “die de staat Israël als Joodse staat schaden” te sluiten	7-nov-10
<i>Restricting Public Petitions to the High Court of Justice</i>	Beperkt de mogelijkheden van mensenrechtenorganisaties om zaken bij het Israëlische Hooggerechtshof aanhangig te maken	28-feb-11
<i>Defamation of Public or State Authorities Bill</i>	Maakt het mogelijk om personen en organisaties te vervolgen voor smadelijke uitlatingen over de staat Israël, waaronder het verstrekken van informatie over (vermeende) mensenrechtenschendingen en oorlogsmisdaden gepleegd door Israëlische soldaten	11-jul-11
<i>Associations Law – Amendment</i>	Maakt het mogelijk om NGO's te sluiten die betrokken zijn bij rechtszaken in het buitenland tegen hooggeplaatste Israëlische politici en militairen	14-jun-10
<i>Bill on Foreign Funding of NGOs</i>	Maakt het mogelijk een verbod op te leggen aan vredes- en mensenrechtenorganisaties om buitenlandse subsidies te ontvangen of hen te onderwerpen aan een belastingheffing van 45% voor deze subsidies, terwijl NGO's die Israëlische overheidssteun ontvangen niet worden getroffen	30-nov-11

Bill on Dissolving Companies that Refuse to Operate in Any Part of the State	Maakt het mogelijk om bedrijven te ontbinden die zich contractueel hebben verplicht om niet in bepaalde Israëlische regio's te opereren, met inbegrip van de nederzettingen	11-jul-11
Denying Entry to Israel	Maakt het mogelijk om buitenlanders de toegang tot Israël te ontzeggen die betrokken (zouden) zijn bij boycot acties tegen Israël of rechtszaken tegen Israëlische politici of militairen	

Bron: Gebaseerd op informatie van The Association for Civil Rights in Israel (ACRI), "[Summary of Anti-Democratic Knesset Legislation](#)" (februari 2012)
www.acri.org.il/en/wp-content/uploads/2012/02/Anti-Democratic-Legislation-05Feb2012-ENG.pdf

Dit overzicht is beperkt tot wetgeving die mensenrechtenverdedigers treft. Andere wetgeving die de Israëlische democratie ondermijnt staat vermeld in het overzicht "[Summary of Anti-Democratic Knesset Legislation](#)" van ACRI (zie link hierboven).