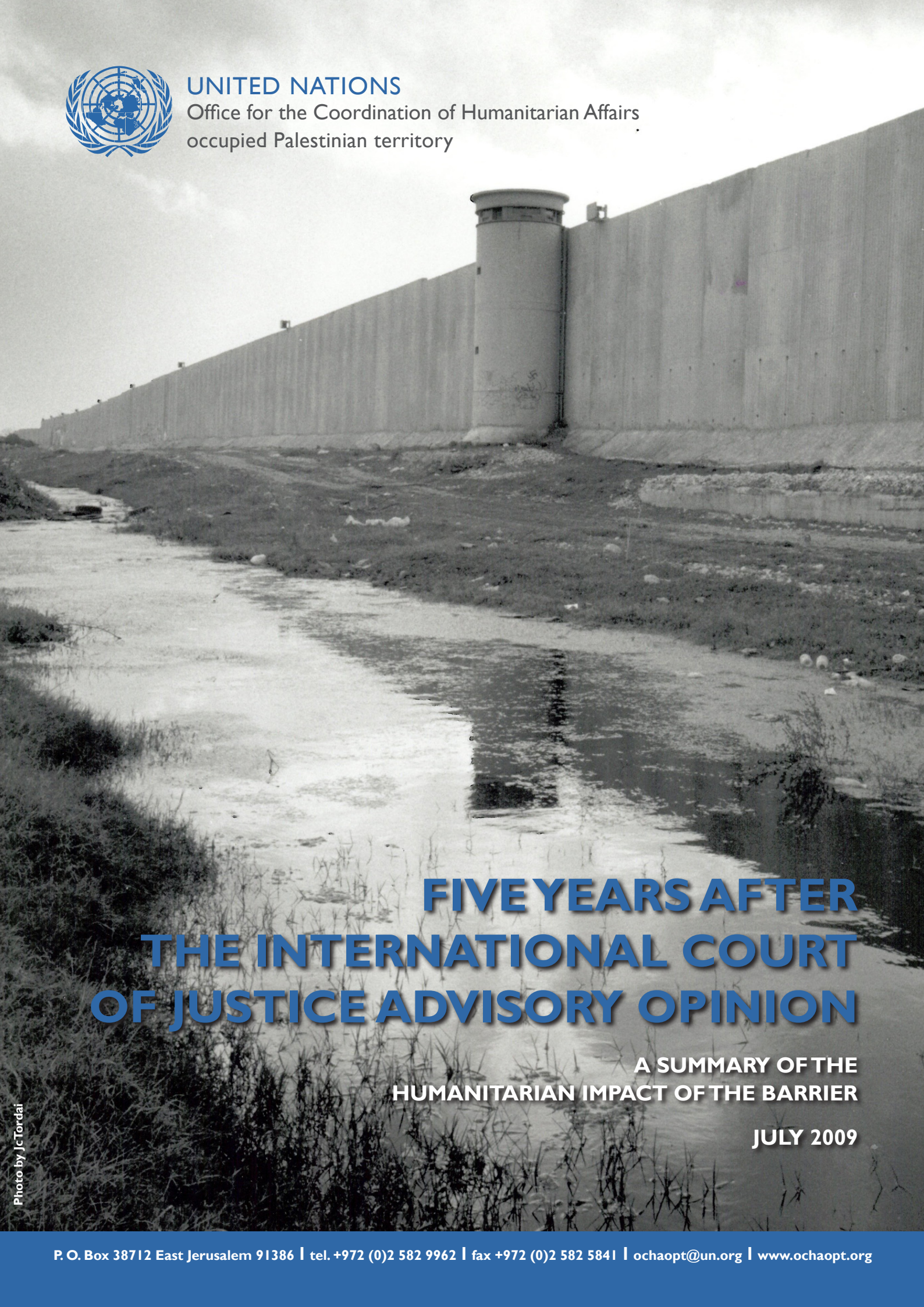




UNITED NATIONS

Office for the Coordination of Humanitarian Affairs
occupied Palestinian territory



FIVE YEARS AFTER THE INTERNATIONAL COURT OF JUSTICE ADVISORY OPINION

**A SUMMARY OF THE
HUMANITARIAN IMPACT OF THE BARRIER**

JULY 2009

Photo by Jc Tordai

BRIEF CHRONOLOGY OF THE BARRIER

November 2000 | Israeli Prime Minister Ehud Barak approves a plan to establish a barrier along a section of the northern and central West Bank to prevent vehicular crossings.

June 2001 | Israeli Prime Minister Ariel Sharon establishes a Steering Committee under the National Security Council (NSC) to develop a more comprehensive plan to prevent Palestinian militants from infiltrating into Israel. The Steering Committee's recommendations lead to the implementation and expansion of Barak's earlier plan. A barrier to block Palestinians crossing by foot into Israel at certain locations along the 'Seam Zone' (a strip of land extending on both sides of the 1949 Armistice or Green Line) is conceived.

July 2001 | The NSC's plan for a barrier is approved in principle.

April 2002 | After a wave of suicide attacks kills dozens and injures hundreds of Israelis, the Israeli Cabinet decides to establish a barrier composed of fences and walls in three areas of the West Bank. A 'Seam Zone Administration' is established and the Israel Defense Forces (IDF) begin requisitioning and levelling land.

June 2002 | The Seam Zone Administration formulates a plan to build Phase I of the Barrier through the northern part of the West Bank and along the northern and southern borders of the 'Jerusalem Envelope'. The plan is approved in principle by Government Decision 2077 in the Israeli Cabinet on 23 June 2002. Construction of the Barrier commences.

14 August 2002 | The Israeli Cabinet approves the final route of Phase I which consists of 123 km of Barrier in the northern West Bank and 20 km around Jerusalem.

October 2003 | More than a year after Barrier construction begins, the Government of Israel publishes the first Cabinet-approved route of the Barrier.

October 2003 | The area between the Barrier and the Green Line in the northern West Bank is declared closed and a permit and gate regime is introduced for Palestinians residing in, and entering, this 'Seam Zone' area.

8 December 2003 | The UN General Assembly requests an advisory opinion from the International Court of Justice (ICJ) on the legal implications of the

route of the Barrier through the West Bank, including East Jerusalem.

23-25 February 2004 | The ICJ oral hearings are held in The Hague.

30 June 2004 | The second official route of the Barrier is published, revising the October 2003 route.

30 June 2004 | In a case relating to the village of Beit Surik, the Israeli High Court of Justice rules that the planning of the Barrier route must give weight to the humanitarian considerations of Palestinian civilians.

9 July 2004 | The ICJ issues an advisory opinion declaring the Barrier constructed in the West Bank contrary to Israel's obligations under international law.

20 July 2004 | The UN General Assembly in Resolution ES-10/15 overwhelmingly reaffirms the ICJ Advisory Opinion.

20 February 2005 | The Israeli government publishes a third revised route of the Barrier.

15 September 2005 | Contrary to the ICJ Advisory Opinion, the Israeli High Court of Justice rules that the route of the Barrier is legal under international law. It decides to continue to examine individual segments of the Barrier on the basis of a proportionality test.

November 2005 | The Israeli human rights organization B'Tselem publishes a report which concludes that the expansion of settlements was a primary consideration of the routing of the Barrier.

November 2005 | Israeli Justice Minister Tzipi Livni states that the Barrier will have implications for the future border.

April 2006 | Latest official route of the Barrier published.

January 2007 | The United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (UNRoD) is established in accordance with General Assembly resolution A/RES/ES-10/17.

January 2009 | The closed area designation is extended to the Salfit, Ramallah, Hebron and parts of the Bethlehem and Jerusalem governorates.

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Executive Summary

In summer 2002, following a campaign of suicide bombings by Palestinian militants, the Government of Israel approved construction of a Barrier with the stated purpose of preventing Palestinian suicide bombers from entering Israel.¹ On 9 July 2004, with approximately 200 kilometres of the Barrier constructed, the International Court of Justice (ICJ), the principal judicial organ of the United Nations, issued an Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory. The opinion recognised that Israel 'has the right, and indeed the duty, to respond in order to protect the life of its citizens [but] the measures taken are bound nonetheless to remain in conformity with applicable international law.'²

In analysing the Barrier route, the ICJ stated that the sections which ran inside the West Bank, including East Jerusalem, together with the associated gate and permit regime, violated Israel's obligations under international law. The ICJ called on Israel to: cease construction of the Barrier 'including in and around East Jerusalem'; dismantle the sections already completed; and 'repeal or render ineffective forthwith all legislative and regulatory acts relating thereto.'³

The ICJ also called on Israel to 'make reparations' for the 'requisition and destruction of homes, businesses and agricultural holdings' and 'to return the land, orchards, olive groves, and other immovable property seized.'⁴ The Court further obligated member states not to recognize the illegal situation created by the Barrier and to ensure Israel's compliance with international law.

Although this is a non-binding advisory legal opinion on 20 July 2004, the General Assembly overwhelmingly approved Resolution ES-10/15 which demanded that Israel comply with the ICJ opinion.

Five years on, Barrier construction continues with approximately 200 kilometres constructed since the ICJ advisory opinion. Approximately 58% of the 709-kilometre-long Barrier is complete; a further 10% is under construction and 31.5% is planned.⁵ When completed, the majority of the route, approximately 85%, will run inside the West Bank and East Jerusalem rather than along the 1949 Armistice Line (Green Line). The total area located between the Barrier and the Green Line amounts to 9.5% of the West Bank including East

Jerusalem and No Man's Land (See Barrier Facts and Figures, p. 8)

The continuing construction of the Barrier inside the West Bank, including East Jerusalem, is not only contrary to the ICJ advisory opinion, but is also responsible for the humanitarian impact on the Palestinian cities, towns and villages detailed in this report.

In the northern West Bank, where the area between the Barrier and the Green Line was declared closed by military order in October 2003, Palestinians residing in this closed area ('Seam Zone') require permanent resident permits to continue to live in their own homes. They face restricted access to health and to education services and are cut off from family and social networks which are generally located on the 'Palestinian' side of the Barrier. Approximately 35,000 West Bank Palestinians will reside between the Barrier and the Green Line once construction is complete, in addition to the majority of the Palestinian residents of East Jerusalem.

The intrusive Barrier route also affects a far larger number of Palestinians, especially farmers, whose land and water resources are located between the Barrier and the Green Line. Since October 2003, Palestinians in the northern West Bank require visitor permits to reach and cultivate their land in the closed area. Access is channelled through one particular gate designated on the permit. Restricted allocation of these visitor permits and the limited number and opening times of the Barrier gates have severely curtailed agricultural practice and undermined rural livelihoods. In January 2009, the closed area designation was extended to the Ramallah, Hebron and parts of the Salfit, Bethlehem and Jerusalem governorates, where until now an ID card sufficed to pass Barrier gates and the gates opened through a system of prior coordination system with the Israeli District Coordination Liaison Office (DCL). This development raises concerns that the impact of the restrictive permit system experienced in the northern West Bank is now being replicated in the central and southern West Bank

While Israel has the duty to ensure the security of its citizens in response to attacks by Palestinian militants, this must be in accordance with international law and



The Barrier cuts off the main Al Quds University campus at Abu Dis from East Jerusalem (see p. 13).
Photo by JcTordai

must not cause long-term detriment to the Palestinian population. The ICJ advisory opinion called on Israel to cease construction of the Barrier ‘including in and around East Jerusalem’ and to dismantle the sections of the Barrier already completed. In line with the advisory opinion, Israel should stop construction, including the intrusive sections around the Qedumim, Ariel and Ma’ale Adummim settlements. Regarding the sections already constructed, the Barrier should be dismantled or re-routed to the Green Line, as the ICJ called for. Only then will the Palestinian urban and rural communities cut off by the Barrier be able to exercise their rights to freedom of movement, work, education, health and an adequate standard of living. This will also ensure that no Palestinian land and water reserves are isolated between the Barrier and the Green Line, preventing rural communities from cultivating land, harvesting crops and grazing animals.

Because of the extensive humanitarian impact of the Barrier, OCHA (together with UNRWA) has been monitoring and reporting on affected Palestinian communities in the West Bank, including East Jerusalem, since 2003. The current report summarises the main findings of this research, while documenting the latest developments since the last Barrier update,

issued on the occasion of the fourth anniversary of the ICJ opinion in July 2008.⁶

The first part of this report provides an overview of the humanitarian impact of the Barrier, highlighting the central role it plays in the system of access and movement restrictions, as well as continuing the fragmentation of the West Bank. The report examines the Barrier’s impact on urban areas, on the closed area communities isolated between the Barrier and the Green Line, and on the rural communities which are primarily affected by the permit and gate regime. In addition, a chronology; basic facts and figures; the latest Barrier projections; insets on the ICJ Advisory Opinion and on the UN Register of Damage are also included.

The second part provides a graphic overview of the route and impact of the Barrier on eight West Bank governorates which the Barrier runs through. Accompanying each map is an overview of the humanitarian impact; the number and type of Barrier crossings (checkpoints and gates); and information boxes to illustrate concerns caused by the Barrier in the specific governorate.

International Court of Justice Advisory Opinion on the Barrier 9 July 2004

In September 2003, the UN General Assembly (UNGA) passed a resolution calling on the Government of Israel to cease construction of the Barrier in the West Bank including East Jerusalem. In December 2003, the UNGA passed another resolution calling on the International Court of Justice (ICJ) to advise it on the legal consequences arising from Israel's construction of the Barrier in the occupied Palestinian territory (oPt), considering the rules and principles of international law, including the Fourth Geneva Convention of 1949, and relevant UN Security Council (UNSC) and UNGA resolutions.⁷

The UN Secretary General, the Palestine Liberation Organization (PLO), Israel and more than 40 member states submitted written statements to the ICJ addressing the question posed by the UNGA. Israel's written statement was limited to challenging the jurisdiction of the ICJ to consider the case. On 23-25 February 2004 the ICJ held oral hearings and on 9 July 2004 issued its opinion.⁸

After determining that it had the jurisdiction to advise the UNGA on the matter, the ICJ concluded that the Barrier route chosen by Israel to run inside the oPt, along with the associated regime of permits and gates 'gravely infringed a number of rights of Palestinians residing in the territory occupied by Israel' and thus breached various obligations of Israel under the applicable international humanitarian and human rights law.⁹

From the Advisory Opinion:

151. Israel accordingly has the obligation to cease forthwith the works of construction of the wall being built by it in the Occupied Palestinian Territory, including in and around East Jerusalem. Moreover, in view of the Court's finding that Israel's violations of its international obligations stem from the construction of the wall and from its associated régime, cessation of those violations entails the dismantling forthwith of those parts of that structure situated within the Occupied Palestinian Territory, including in and around East Jerusalem. All legislative and regulatory acts adopted with a view to its construction, and to the establishment of its associated régime, must forthwith be repealed or rendered ineffective, except in so far as such acts, by providing for compensation or other forms of reparation for the Palestinian population, may continue to be relevant for compliance by Israel with the obligations referred to in paragraph 153 below.

According to the Court 'the infringements resulting from that route cannot be justified by military exigencies or by the requirements of security or public order.'¹⁰ In addition, the Court affirmed that the settlement of Israeli citizens in the oPt is illegal, and found that 'the wall's sinuous route has been traced in such a way as to include within that area the great majority of the Israeli settlements in the oPt.'¹¹

Finally, the court affirmed that international humanitarian and human rights law, including the Fourth Geneva Convention, apply to the West Bank including East Jerusalem, which 'remain occupied territories and Israel has continued to have the status of occupying Power.'¹²

The court called on Israel to cease construction, dismantle constructed parts and provide reparations to those materially damaged by the construction.

International Legal Obligations of Member States:

The Court also stated that the obligation to respect the right of the Palestinian people to self-determination, and certain of the international humanitarian law obligations listed in the advisory opinion, were the concern and obligation not only of Israel but of all States: 'In view of the importance of the rights involved, all States can be held to have a legal interest in their protection.'¹³



The International Court of Justice at The Hague.

The Court was of the view that all states are under an obligation:

- Not to recognize the illegal situation resulting from the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem.
- Not to render aid or assistance in maintaining the situation created by such construction.
- To see to it that any impediment, resulting from the construction of the wall, to the exercise by the Palestinian people of its right to self determination is brought to an end.
- To ensure compliance by Israel with international humanitarian law as embodied in the Fourth Geneva Convention.¹⁴

The Court was of the view that the United Nations, and especially the UNGA and the UNSC, should consider ‘what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated régime, taking due account of the present Advisory Opinion.’¹⁵

Barrier Facts and Figures

Barrier Components: The Barrier consists of fences, ditches, razor wire, groomed sand paths, an electronic monitoring system, patrol roads, and a buffer zone. Around 45 km of the constructed Barrier consists of 8-9 metre high concrete slab segments which are connected to form a wall, particularly in urban areas such as Jerusalem, Bethlehem, Qalqiliya and Tulkarm.

Route: Four routes of the Barrier have been approved by the Israeli cabinet to date, in 2003, 2004, 2005 and 2006 (see page 10). The map of the current route was published on the website of the Ministry of Defense in April 2006. (See www.seamzone.mod.gov.il). The Barrier's total length is 709 km, more than twice the length of the 320-kilometre-long 1949 Armistice Line (Green Line) between the West Bank and Israel.

Status of Construction: 58.3% of the Barrier is complete; a further 10.2% is under construction and 31.5% is planned but not yet constructed

Land Requisition: Land obtained for construction of the Barrier is requisitioned from Palestinian landowners by the Israeli Ministry of Defence through military orders. The orders generally become effective on the date they are signed and are valid even if they are not personally served to the property owners. Most orders are valid for three years and are renewable. Ownership of land cut off on the 'Israeli' side of the Barrier remains the legal property of the owner.

Land Affected: The Barrier will isolate approximately 9.5 percent of West Bank territory, including East Jerusalem and No-Man's Land.

Distance from Green Line: When completed, approximately 15% of the Barrier will be constructed on the Green Line or in Israel with 85% inside the West Bank. The planned route around the Ma'ale Adumim settlement extends 14 km into the West Bank (45%

across the width of the West Bank in this area). The planned route of the Ariel settlement 'Finger' extends 22 km into the West Bank (42% across the width of the West Bank in this area).

Palestinian Population Affected: See West Bank Barrier Route Projections, accompanying page.

Jerusalem: The majority of the approximately 225,000 Palestinians who hold East Jerusalem ID cards reside between the Barrier and the Green Line. However, Palestinian communities inside the current municipal boundary, Kafr Aqab and Shu'fat Camp, are separated from East Jerusalem by the Barrier, as are West Bank localities such as Ar Ram and Abu Dis which were formerly suburbs of East Jerusalem.

Settlements: Eighty settlements will be located between the Barrier and the Green Line.

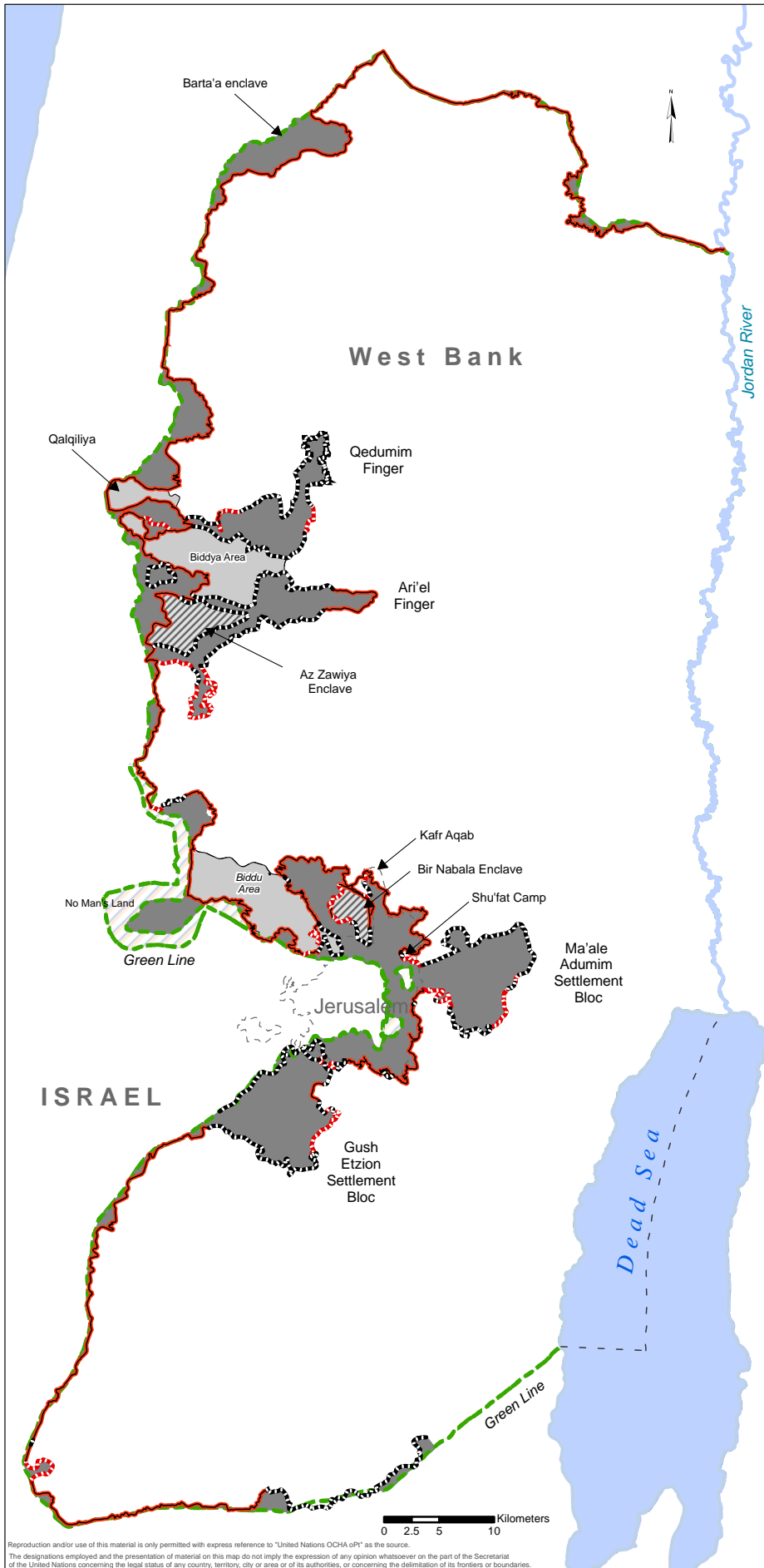
Cost: According to the Committee for the Review of the State Budget in 2007, the estimated cost of the complete Barrier was between NIS 13 - 15 billion.¹⁶ Citing legal and budgetary constraints, the Ministry of Defence reported that only an additional 12 kilometres of the Barrier were completed in 2008.

Permit and Gate Regime: Palestinians living, or accessing land, in the closed area between the Barrier and the Green Line require permits. In certain areas not designated closed, an ID card/prior coordination system operates. Access through the Barrier is channelled through a series of designated gates and checkpoints which open on a daily, seasonal or weekly/seasonal basis.



West Bank Barrier Route Projections

July 2009



Area Affected

The Barrier's total length is 709 km, more than twice the length of the 1949 Armistice Line (Green Line) between the West Bank and Israel.

The total area located between the Barrier and the Green Line is 9.5 % of the West Bank, including East Jerusalem and No Man's Land.

When completed, approximately 15% of the Barrier will be constructed on the Green Line or in Israel with 85 % inside the West Bank.

Populations Affected

If the Barrier is completed based on the current route:

Approximately 35,000 Palestinians holding West Bank ID cards in 34 communities will be located between the Barrier and the Green Line.

The majority of Palestinians with East Jerusalem ID cards will reside between the Barrier and the Green Line. However, Palestinian communities inside the current municipal boundary, Kafr Aqab and Shu'fat Camp, are separated from East Jerusalem by the Barrier.

Approximately 125,000 Palestinians will be surrounded by the Barrier on three sides. These comprise 28 communities; the Biddya and Biddu areas, and the city of Qalqilya.

Approximately 26,000 Palestinians in 8 communities in the Az Zawiya and Bir Nabala Enclaves will be surrounded on four sides by the Barrier, with a tunnel or road connection to the rest of the West Bank.

Barrier Route

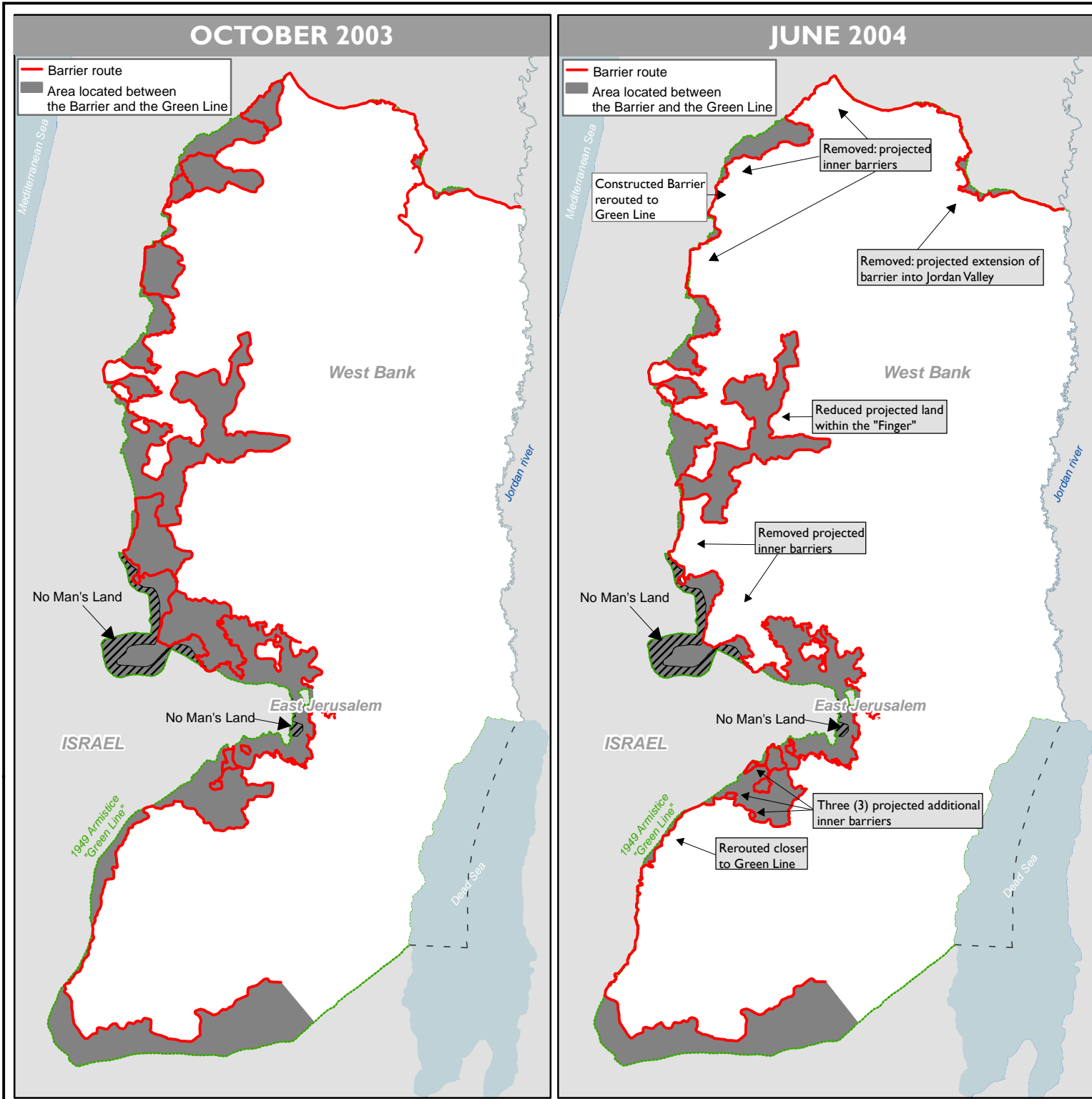
- Completed (413 km or 58.3 %)
- - - - Under construction (73 km or 10.2 %)
- · - · - Planned (223 km or 31.5 %)

Cartography and Barrier Themes: OCHA-oPt IMU
Map July 2009
Base data: MoPIC (2000) updates OCHA (2009)

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Official Barrier Route Revisions



MAIN FEATURES

Length: 638 kilometers
 Jordan Valley Barrier begun
 One Ariel/Qedumim 'Finger'
 Inner barriers in Jenin, Tulkarm, Ramallah & Bethlehem governorates

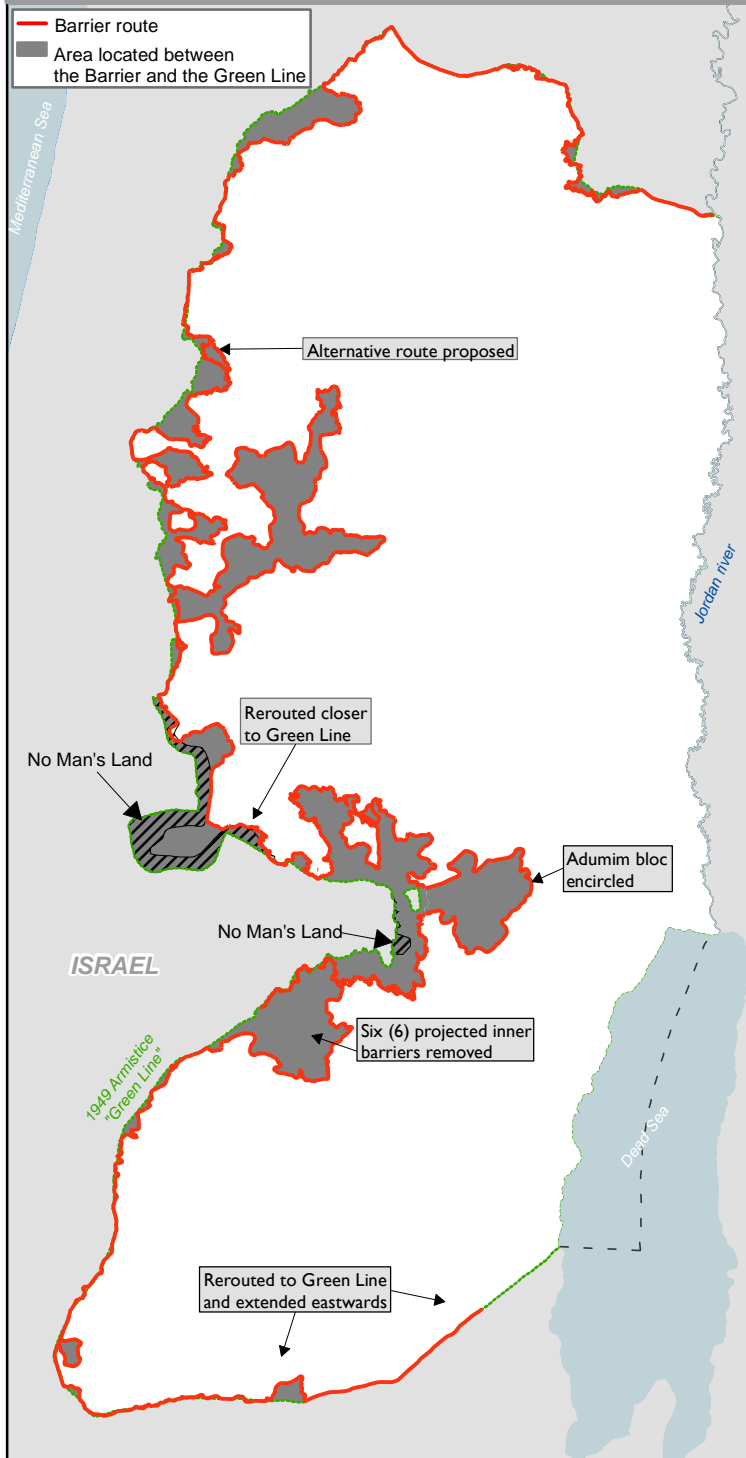
Jerusalem area 'open'
 Southern Hebron route far from Green Line

MAIN CHANGES

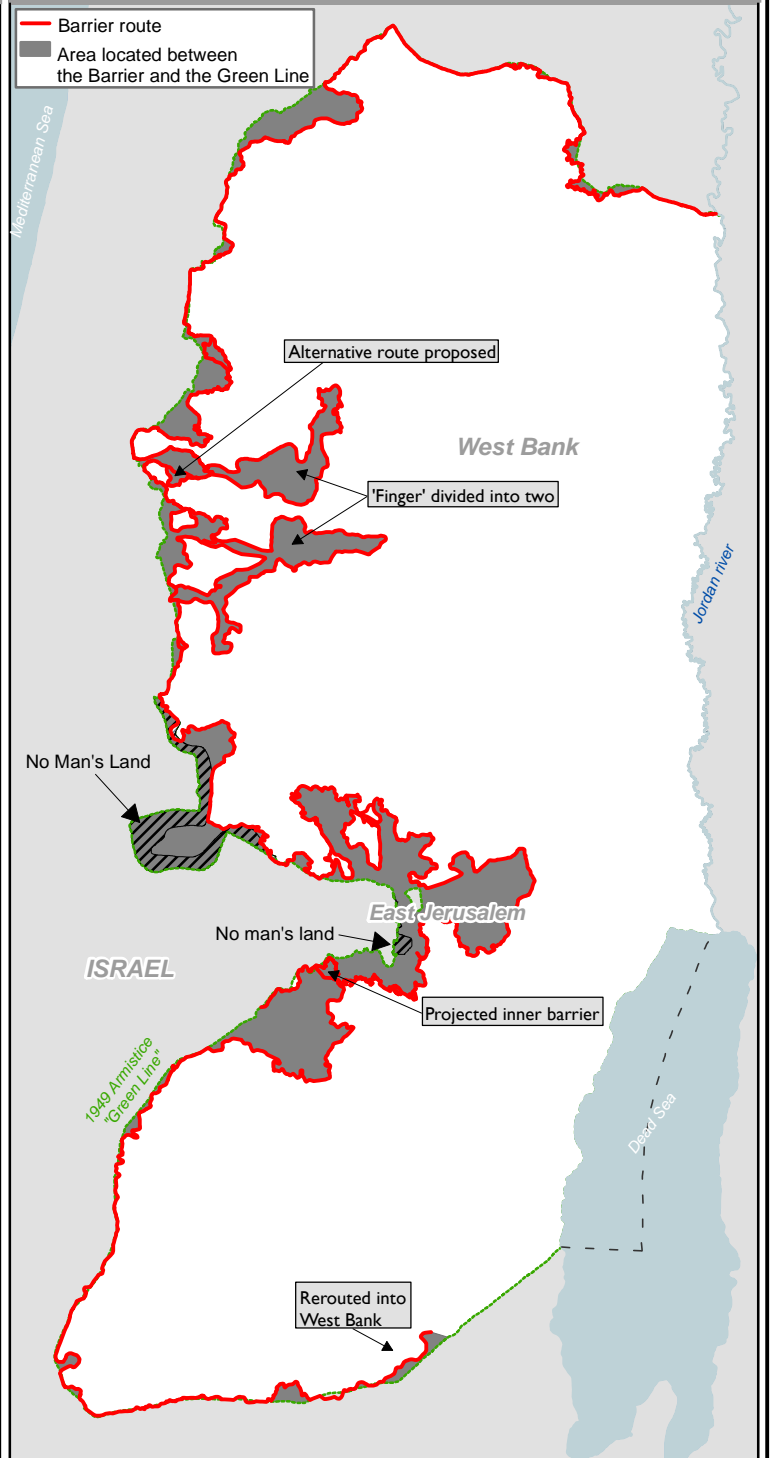
Length: 622 kilometres
 Jordan Valley Barrier removed
 Ariel/Qedumim Finger narrowed
 Inner barriers removed in Jenin, Tulkarm & Ramallah

governorates.
 Inner barriers added in Bethlehem governorate.
 Route moved towards Green Line in western Hebron governorate.

FEBRUARY 2005



FEBRUARY 2006



MAIN CHANGES

Length: 670 kilometres
 Ariel/Qedumim Finger narrowed further
 Inner barriers removed in Bethlehem.
 Jerusalem: Ma'ale Adumim

'Bubble' added
 Route moved towards Green Line in southern Hebron governorate

MAIN CHANGES

Length: 703 kilometres
 Ariel/Qedumim divided into two 'Fingers'
 Inner barriers added to Bethlehem (al Walaja).

The Barrier, Access Restrictions and Fragmentation



Hizma checkpoint, one of the main entry points for settlers to enter East Jerusalem. Pisgat Ze'ev settlement is in the background. Photo by JCTordai 2007.

As the World Bank observes, 'freedom of movement and access for Palestinians within the West Bank is the exception rather than the norm.'¹⁷ The Barrier, and its associated permit and gate regime, are key components of a system which restricts Palestinian vehicular and pedestrian access throughout the West Bank, including East Jerusalem. This regime is implemented through a combination of physical obstacles (checkpoints, roadblocks, the Barrier) and administrative and legal restrictions (closed military zones, prohibited roads, permit requirements).

Israeli settlements are the most important factor shaping the closure regime, as reflected in the significant overlap between the location of access restrictions, including the Barrier, and the location of settlements and settler routes. The majority of the Barrier's route, approximately 85%, runs inside the West Bank, surrounding 80 Israeli settlements, which will be located between the Barrier and the Green Line. According to the Government of Israel, the protection of Israeli settlers and settlements against Palestinian violence is an additional objective of the Barrier.¹⁸

Palestinian access to workplaces, health and education services has been affected by the closure regime, resulting in a sharp deterioration in living conditions in the West Bank. In addition to the immediate humanitarian impact on Palestinians, the closure regime, and

particularly the Barrier, extracts a long-term price in terms of land loss and disruption of traditional routes. Hundreds of rural roads have already been severed by the Barrier, limiting the opportunity for cultivation and undermining rural livelihoods. Projected Barrier construction, in particular the sections around the Ariel and Qedumim 'Fingers', will result in the severing of scores of additional agricultural routes (see profile and map, pages 40-41.)

The Barrier is also one of the key components in the continuing fragmentation of West Bank territory. Movement and access for Palestinians is increasingly channelled through 'Fabric of Life' routes – secondary roads, tunnels and underpasses constructed or paved by the Israeli authorities for Palestinian use. The first 'Fabric of Life' road was constructed in 2004 to reconnect Qalqiliya city to villages to the south, which have been separated by the Barrier.

To date, about 49 kilometres of alternative roads, including 43 tunnels and underpasses, have been paved by the Israeli authorities to restore transportation contiguity between Palestinian localities, disconnected by the Barrier, and other Israeli infrastructure.

The Barrier and Palestinian Urban Centres: East Jerusalem

In addition to the impact on rural communities described below, the Barrier has also adversely affected urban areas, in particular Jerusalem and Bethlehem. Since 1993, West Bank Palestinians require permits to enter East Jerusalem and administrative and physical restrictions have increased since the beginning of the second intifada in September 2000. With the completion of much of the Barrier around East Jerusalem, permit holders are only allowed to enter East Jerusalem through three of the 16 existing checkpoints located along the Barrier, and only on foot. Permits become invalid whenever a general closure is declared, usually during Jewish holidays and times of security alert. Approximately 25 percent of the Palestinian residents of the city are also cut off by the Barrier, and now need to cross a checkpoint to access the health, education and other services to which they are entitled as residents of Jerusalem.¹⁹

Palestinians depend on East Jerusalem's six non-government hospitals for routine, emergency, secondary and in particular for tertiary care: dialysis and oncology at August Victoria, open-heart surgery at Al Makassed, neurosurgery and eye surgery at St Joseph, and neonatal intensive care at both the Red Crescent and Al Makassed hospitals. Requirements for obtaining permits to access East Jerusalem hospitals are long and complicated.²⁰ Permission for emergency cases can be obtained the same day through the auspices of the Palestinian Red Crescent Society, although this involves coordination with the Israeli District Coordination Office (DCL), the authorizing of a specific checkpoint for the patient to cross, and a back-to-back ambulance procedure as West Bank license-plated vehicles, including ambulances, cannot enter Jerusalem. In 2008, 48 percent of all patients referred by the Palestinian Ministry of Health were for East Jerusalem hospitals, up from 26 percent in 2006, with access restrictions affecting a growing number of patients.

Permit requirements and other restrictions also

affect the medical staff of the six hospitals. Medical personnel (excluding doctors) and patients accessing East Jerusalem hospitals from the north are forced to use Qalandiya checkpoint, rather than the more convenient and less crowded Hizma checkpoint. The chronic lateness and absence of West Bank staff makes managing consultations and operations - already a delicate task for any hospital - additionally difficult. The number of West Bank staff at East Jerusalem hospitals is decreasing: in 2007, roughly 70% (1,168 out of 1,670) East Jerusalem hospital staff were from the West Bank, but as of March 2009, this had declined to 62.5% (915 out of 1,470) East Jerusalem hospital employees.²¹

Increased obstacles are also hampering the ability of pupils and teachers to reach schools in Jerusalem. In neighbourhoods such as Abu Dis, Al 'Eizariya, and Bir Nabala, which are cut off by the Barrier, the once short journey from home to classroom can take up to two hours each way.

The main Al Quds university campus at Abu Dis has lost one third of its land to the Barrier and is now cut off from the city. About half of the 8,000 students who travel to Abu Dis daily now need to take a circuitous 17 kilometre journey to reach the campus, requiring more than one taxi or bus each way.

Muslims and Christians are also restricted from accessing places of worship in Jerusalem. Since the second intifada, the Israeli authorities have imposed age restrictions on Palestinians wishing to pray at the Al Aqsa Mosque in Jerusalem during Fridays in Ramadan. In 2008, only men over 50 and women over 45 years of age were allowed to enter Jerusalem without Israeli-issued permits on Fridays during Ramadan. The Palestinian Christian population in the West Bank, many of whom reside in Bethlehem, also require special seasonal permits to celebrate religious holidays in Jerusalem.²² Christians require different permits depending on the religious holiday, as each permit is limited in time.

CASE STUDY: ECONOMIC DECLINE IN AR RAM



The Barrier runs down the centre of the Jerusalem-Ramallah road, cutting off Ar Ram from East Jerusalem.
Photo by Patrick Zoll

The increasing isolation of Jerusalem from the rest of the oPt also signals an end to Jerusalem's historic status as "a hub for Palestinian economic and social activity."²³ In the early 1970's, Ar Ram began to develop as a residential and commercial centre, with a large number of Jerusalem residents owning and renting apartments and shops. Although located just outside the Israeli-defined municipal boundary of Jerusalem, it was strategically located along the Jerusalem-Ramallah road. The Barrier now runs down the centre of this historic road, cutting off Ar Ram from Jerusalem. The closure of the Dahiyat Al Barid Barrier gate in February 2009 requires Jerusalem residents to make a long detour through either the Qalandiya or Hizma checkpoints to reach Ar Ram.

Of the 1,650 registered commercial establishments in Ar Ram in 2006, 730 are now closed. The security deposit for renting an establishment has dropped from NIS 25,000 per metre² to NIS 6,000 – 10,000. Most investors who are not from Ar Ram have left the area. The cost of renting in Ar Ram has also dropped from approximately NIS 1,500 to NIS 700 for a 90-120 metre² apartment. A similar sized apartment which formerly cost NIS 250,000 to purchase now costs NIS 120,000 – 150,000, with little market demand. The Real Estate Bank closed its branch in Ar Ram in late 2007. Numerous international and civil society organizations have also left Ar Ram after the completion of the Barrier in the area.²⁴

This phenomenon is also observed in other West Bank localities which formerly served as commercial hubs for East Jerusalem before being severed by the Barrier. In Bir Nabala, for example, more than half of 1,000 commercial centres have closed, while in Abu Dis at least 40 out of 50 shops in the area of Ras Qubsa along the main road between Abu Dis and Ras Al Amoud have shut down.²⁵

The Barrier and Palestinian Urban Centres: Bethlehem

The completed Barrier intrudes two kilometres into Bethlehem City, encircling Rachel's Tomb and severing the historic artery to Jerusalem. The once thriving commercial area in the vicinity of Rachel's Tomb has been devastated, with most shops and commercial establishments closed or relocated .

Tourism and pilgrimages are the traditional mainstay of the Bethlehem economy, providing employment in hotels, restaurants, travel agencies, and in souvenir and handicraft workshops. Tourism declined dramatically with the beginning of the second *intifada* in September 2000, the closure regime, the reoccupation of Bethlehem in 2002, construction of the Barrier and the lack of permits issued to local tourist guides. In 2004, the total number of people employed in hotels was 95 compared to 393 in 2000.

Tourist numbers increased markedly in 2008 with over 800,000 foreign tourists, mainly due to an appeal by churches and related organisations for pilgrims to visit Bethlehem. However, much of this increase is attributable to the overflow from hotels in Jerusalem, with tourists paying brief visits to Bethlehem and only about 45 percent staying overnight and contributing to the local economy. Moreover, Bethlehem benefits little from domestic tourism with only 65,000 Palestinians visiting in 2008, or from Palestinian citizens of Israel, with approximately 15,000 visits the same year.

Bethlehem's sister municipalities of Beit Jala and Beit Sahur are also impacted by actual and projected

Barrier construction. Beit Jala stands to lose almost 3,000 dunams of cultivated land whose apricot, olive, fig and almond trees are an important source of livelihood for local farmers. In addition to isolating scarce agricultural resources, this will further limit the area for the future urban expansion of Beit Jala. In the case of Beit Sahur, the completed Barrier isolates olive groves which are now only accessible through two gates, open to the Palestinian landowners during the annual olive harvest. If implemented as planned, the Barrier route around the Gush Etzion settlement bloc in the western governorate will isolate Bethlehem's rural hinterland, further squeezing the urban area and limiting its potential for industrial and residential expansion.

Because of the Barrier and other physical and bureaucratic constraints, the only available space left for the residential and industrial expansion of the Bethlehem urban area lies to the south. Some 530 dunams is designated for the creation of a new zone for light industry in Khallet al Bad in the southwestern urban area. The project will include an exhibition area, a training centre and a design centre for production & packaging, in addition to a sports stadium for the governorate. The Bethlehem slaughterhouse, now located in the middle of a highly populated area, will also be moved to the new industrial zone.²⁶



The Barrier near Rachel's Tomb: most shops have closed or relocated. Photo by Patrick Zoll

Closed Area Communities: Living in the ‘Seam Zone’

In the northern West Bank, the area between the Barrier and the Green Line was declared closed by military order in October 2003. Approximately, 10,000 Palestinians in 15 communities, and a number of isolated families, reside in the closed area. Those aged 16 and above require permanent resident permits from the Israeli authorities to continue to live in the closed area.²⁷ Israeli citizens and the settlers living in the area, tourists, or persons of Jewish origin are exempt from this regulation.

This permanent resident permit is designated solely for the closed area. Holders are prohibited from entering Israel, although they reside on the ‘Israeli side’ of the Barrier with no physical obstacle to prevent them from crossing the Green Line.

In previous years, a minority of Palestinian residents in the closed area were not granted permanent resident permits. This restricted their ability to leave their communities as access to the wider West Bank is channelled through staffed checkpoints and gates.²⁸ These exceptions appear to have been resolved: as detailed below, the main difficulty for Palestinians is in obtaining visitor permits, which all non-resident Palestinians, especially farmers, need to enter the closed area in the northern West Bank.

Restricted access to education and to health services

While communities in the closed area generally (although not always) have access to their land, few health and education services are available between the Barrier and the Green Line (see Closed Area Community Table, p.19). Children, patients and workers have to pass through the Barrier checkpoints to reach schools, medical facilities and workplaces and to maintain family and social relations.

In certain localities the Israeli authorities have provided buses to transport children to their schools on the ‘Palestinian’ side of the Barrier, although in some cases children still cross the Barrier on foot.

Frequently, teachers and other education employees reside outside the closed area and so require visitor permits to reach their workplaces. This requirement is waived at certain checkpoints and a list of approved teachers is maintained by the soldiers. Both the permit and approved list system become problematic when there is a need for a temporary or a substitute teacher, or for a maintenance or other specialists.

Although closed area checkpoints are generally open for more hours daily than the agricultural gates which farmers use, the ones which serve the largest communities are closed at night. This poses problems in the case of medical emergencies. According to the 2007 UNOCHA-UNRWA survey of 15 closed area localities in the northern West Bank, seven communities have no access to local primary health care and only one community has access to 24-hour-emergency services. Seven communities reported medical emergencies occurring as a result of restricted gate openings: there are cases of persons dying because of accidents at night when the checkpoint was closed.²⁹ In nine communities, it was reported that expectant mothers leave the closed area weeks before delivery to ensure access to proper care. (See Box, ‘Azzun ‘Atma.’)

Family and Social Relations Impaired

Customary social and familial life is also affected. Relatives and friends who want to visit closed area communities require visitor permits, which are often not granted. The result is that religious holidays, weddings, funerals and wakes take place without the attendance of extended families (see ‘A closed area wedding’.) The situation is also affecting traditional wedding patterns. Women traditionally move to their husband’s locality on marriage but parents are reluctant to approve a union that will lead to their daughter’s isolation and the need for permits to visit family and in-laws in the closed area.

CASE STUDY: 'AZZUN 'ATMA

Azzun 'Atma is a community of 2,000 residents located between the Barrier and the Green Line in the Qalqiliya governorate. The only access point to the wider West Bank is through a checkpoint controlled by the IDF, which closes daily from 22:00 to 06:00. The opening hours are problematic, especially for expectant mothers in labour.

On average, fifty babies are born in 'Azzun 'Atma annually. There is no hospital or 24-hour medical service available, only a basic primary health care clinic which operates for 2 hours a day, twice a week. To ensure access to proper medical care, most women leave the village a month before delivery and relocate to relatives' homes outside the community, often returning during the day to look after their families. Between January and early June 2007, 33 babies were born: 20 were delivered outside 'Azzun 'Atma. The remaining 13 babies were delivered at home, none attended by a trained midwife or a doctor.

At 03:00 on 15 December 2007, when the checkpoint was still closed, Banaan Ismael Yacoub Yousef, a 29 year old resident, experienced labour pains. Her brother-in-law, and mother-in-law, accompanied her to the checkpoint where they were delayed for one hour as they argued with the soldiers. Banaan gave birth in the car before they were eventually allowed to cross. They proceeded to Habla near Qalqiliya, where a midwife tended to the mother and newborn baby girl, who survived. Banaan has required two operations as a result of postnatal complications.



Photo by Jc Tordai

CASE STUDY: A CLOSED AREA WEDDING

In June 2008, Munther and Sana'a Audeh were married in Wadi ar Rasha, one of five Palestinian communities isolated in the closed area surrounding the Alfe Menashe settlement in the Qalqiliya governorate. Over one thousand people were invited to the wedding celebration. The organisers were assured that guests would be allowed entry by means of an approved list at the checkpoint, following coordination between the local village council and the Israeli Authorities. A band was hired, a calf slaughtered and more than NIS 30,000 spent on food and other preparations for the two-day celebration.

On the wedding day itself, only 30 of the invited guests, were on the approved list at the checkpoint. Eleven of the groom's aunts and uncles, and his 90-year old grandfather, were refused entry on the grounds that non-residents were not allowed to enter the closed area. Only 150 people out of the thousand invited were able to attend the wedding, most from Wadi ar Rasha itself. The food had to be distributed to neighbours the following day.

A Bureaucratic and Social Limbo

As of July 2009, approximately 10,000 Palestinians are located between the Barrier and the Green Line. If the Barrier is completed as planned, approximately 35,000 West Bank Palestinians in total will be in this situation (in addition to the majority of Palestinian residents of East Jerusalem). The majority of these are in the Bethlehem governorate, where nine rural communities of approximately 22,000 residents will be cut off from the urban centre by the route of the Barrier around the Gush Etzion settlement bloc. The Israeli authorities have declared that the permit regime will not apply to Palestinians living, or accessing land, in this area, even though this area is much larger and more densely populated than the closed areas where the permit regime currently applies, calling into question why permits are necessary elsewhere in the West Bank. This raises doubts as to whether the permit regime is indeed

the sole available means of ensuring security.³⁰

In other areas, the Israeli authorities intend, or have already started, to reroute the Barrier so that isolated Palestinian localities - Khirbet Jubara and three of the five villages in the Alfe Menashe settlement enclave - can rejoin the wider West Bank, while the settlements to which they have been attached remain on the 'Israeli' side. Although this may release these communities from their current bureaucratic and social limbo, it will result in the destruction of trees and other resources as land is levelled for Barrier re-routing. In both cases, the 'returned' communities will now be separated from much of their land which they can currently access, and so face the permit and gate restrictions detailed in the next section.



Mazmuriya checkpoint with the village of Nu'man in the closed area, background.
Photo by Patrick Zoll

Closed Area Community Table

Locality	Checkpoint #	Health & Education	Social & Economic	Services/Imports
JENIN				
Barta'a enclave 7 Localities, separated from West Bank . Population: 5,600	Reikhan-Barta'a (356): 0500-2100 hrs. Private security company searches persons, goods & vehicles. Metal detectors & other machines. Tura (300): 0630-1100 hrs. & 1200-1930 hrs. Resident & visitor permits: Required	Health: Basic PA & private health services. NGO mobile health teams. Pregnant women leave enclave before delivery due to long delays & closure at night. Coordination needed for ambulances, drugs & vaccinations. UNRWA health & distribution teams unable to enter since Sept. 2007. Education: 4 PA schools. Around 20 pupils use Tura gate to schools on the 'Palestinian side' of the Barrier. 140 students attend university.	Social: Relatives residing on 'Palestinian' side need visitor permits for weddings, condolence visits etc. Economic: Shops and factories present. Israeli Arabs shop in both West & East Barta'a. Special 'commercial permits' are required for WB traders to enter enclave.	Only 42 small trucks can enter enclave. Live animals & frozen meat not allowed from West Bank. Eggs limited to 4 per person a day. Gas not allowed in from West Bank, must be purchased from Israel. Major increase in time to reach municipal services.
TULKARM				
Nazlat Issa: 7 families isolated from main village by Barrier Population: 84	Nazlat 'Isa South (526): 0600-2400 hrs. Resident & visitor permits: Required	Health: No health services. Ambulance needs prior coordination. Pregnant women leave before delivery. Education: 20 children walk to school through security procedures at Gate.	Social: As above Economic: No shops & services available.	Entry of dairy products, meat & eggs restricted. Service providers need permits to enter. Major increase in time to reach municipal services.
Shweika One family Isolated from their village. Population: 8	Shweika (664): 24 hrs. Resident & visitor permits: Required	Health: No health services. Ambulance needs prior coordination. Education: 2 university students go to Tulkarem daily.	Social: As above Economic: No shops & services available.	Coordination needed. No major problems reported. Major increase in time to reach municipal services.
Khirbet Jubara: Village to be re-rooted to 'Palestinian side' of Barrier Population: 365	Jubara (753): 24 hrs. Resident & visitor permits: Required	Health: No health services Education: No education facilities. School bus transports children to villages outside the enclave 'Stop work' order for school under construction.	Social: As above. Residents report proposed marriages have been cancelled. Economic: 1 basic grocery store. Number of poultry farms down from 10 to 2.	Entry of dairy products, meat & eggs restricted. Service providers need permits to enter. Major increase in time & cost to reach municipal services.
QALQILIYA				
Arab al Ramadin al Shamali Bedouin community Population: 170	Zufin (1037): 24 hours Resident & visitor permits: Required	Health: No health services. Education: No education facilities. Residents report that 7 girls (10-15) have dropped out of school due to checking at the checkpoint.	Social: As above. Residents report that proposed marriages have been cancelled. Economic: No shops & services available.	Entry of dairy products, meat & eggs restricted. Animal fodder and gas bottles restricted. Major increase in time to reach municipal services.
Alfei Menashe Enclave: 5 Communities: Population: 1200 3 communities to be re-routed to 'Palestinian' side of the Barrier.	Ras 'Atiya (1351): 0530-1730 hrs. Jaljoulia (109): 24 hrs. Resident and visitor permits: Required	Health: No health services. Pregnant women leave enclave before delivery. Education: PA elementary school in Daba'a. School bus. 3 communities report girls have dropped out of school because of Barrier. Many Bedouins don't continue education.	Social: As above. Daba'a reports that proposed marriages have been cancelled. Economic: No shops & services available.	Shop owners in each community bring in needed supplies. Gas distributor has permit. Major increase in time to reach municipal services.
Azzun 'Atma Population: 2000	Azzun 'Atma (1459): 0600-2200 hrs. Searches as for Bart'a enclave. Resident & visitor permits: Visitor permits required.	Health: Basic health services Pregnant women leave before delivery. Education: Children & teachers from surrounding villages attend school inside the enclave. Their names have to be registred at the checkpoint	Social: As above. Economic: Coordination needed for technicians and service providers.	Distributors for dairy, meat & poultry products listed at gate. Major increase in time to reach municipal services.
BETHLEHEM				
Nu'aman Unilaterally annexed into Jerusalem in 1967. Population: 173 Residents were issued West Bank IDs not Jerusalem ID cards.	Mazmuriyya: 24 hrs. Resident & visitor permits: The resident's names are registered at the checkpoint / visitor permits are required.	Health: No health services. Education: No school. Children walk through security procedures at checkpoint to reach school busses that have difficulties entering the closed area.	Social: As above. Economic: No shops & services available.	Although located inside Jerusalem, the Municipality refuses to provide essential services to the 'illegal' residents. Entry of dairy products, meat and eggs restricted.
HEBRON				
Beit Yatir Population: 50	Beit Yatir: 24 hrs. Resident & visitor permits: Required	Health: No health facilities Education: No school. 10 children walk through security procedures at checkpoint on their way to school and back.	Social: As above Economic: No shops & services available.	As of June 2009, 35 residents have not been granted permanent resident permits. Entry of dairy products, meat and eggs restricted. Animal fodder, water tanks and gas bottles restricted.

Humanitarian Impact of the Barrier: Restricting Access to Land and Livelihoods

The impact of the Barrier has been particularly severe on Palestinian rural communities. The impact is due, in part, to the destruction caused to trees, crops and irrigation systems by the Barrier's system of electronic fence, patrol roads, ditches and buffer zones ploughing through Palestinian farmland. More significantly, the intrusive route of the Barrier through eight of the West Bank's eleven governorates isolates the farms, greenhouses, grazing lands and water resources of tens of thousands of Palestinians. An OCHA/UNRWA survey in 2007 identified 67 communities with an estimated population of 222,000 in the northern West Bank alone, which had land isolated in the closed area between the Barrier and the Green Line.³¹

The agricultural sector accounts for between 11-20 percent of the Palestinian economy, employing approximately 15 percent of the formal, and up to 39 percent of the informal workforce.³² An estimated 80 percent of Palestinians own land, held collectively by extended families.³³ In recent years, lack of access to the Israeli labour market and increasing movement restrictions inside the West Bank have led to a greater dependence on agriculture as a livelihood 'shock absorber.' According to the World Bank, 'some 170,000 dunams of fertile agricultural lands are affected by the Barrier, some 10.2% of the total area cultivated in the West Bank, with an average economic value of \$US38 million - equal to roughly 8% of Palestinian agriculture product.'³⁴

Visitor Permits

As mentioned, in the northern West Bank, the land between the Barrier and the Green Line was declared

closed by military order in October 2003. In addition to the permanent resident requirement for Palestinian residents of the closed area, all non-resident Palestinians above the age of 12 who need to enter the closed area must obtain visitor permits, including agricultural workers. In January 2009, the closed area designation was extended to all or part of areas between the Barrier and the Green Line in the Salfit, Ramallah, Bethlehem and Hebron districts, and various areas between the Barrier and the Israeli-defined municipal boundary of Jerusalem. Visitor permits will now be required in these areas, to replace the existing system whereby access to land isolated by the Barrier is dependent on ID cards and list of names maintained at the gates, which are open by prior coordination with the Israeli District Coordination Liaison Office (DCL).

Since the initial allocation in 2003, the requirements for obtaining visitor permits (or for renewal on expiry of the current permit) have become more stringent. Applicants must satisfy the security considerations necessary for all Israeli-issued permits, in addition to proving a 'connection to land' located in the closed area. The latter demand is particularly problematic in that it normally requires submission of valid ownership or land taxation documents, *Tabu* or *Ikhraj Qayd/Maliyeh*.³⁵ In the West Bank, where the majority of land has not been formally registered ownership has passed down to the next generation by traditional methods which do not require formal inheritance documentation (see Box, Land Registration in the West Bank). These additional requirements run contrary to traditional farming practises, whereby extended families participate in

The Ministry of Foreign Affairs emphasized that the permit process for the Closed Area is still in its early stages and that Israel is 'committed that residents and those that use the area will be able to live in and use the area with minimal interference.'

As for access to the Closed Area by non-residents, the Ministry of Foreign Affairs has advised that permits, as opposed to ID cards, will be issued based upon need. ... While legal proof of ownership or residence would be best, it will not be necessary to receive official documentation proving ownership.

Report of the Secretary-General pursuant to General Assembly Resolution-10/13: Annex 1: Summary Legal Position of the Government of Israel, 24 November 2003.

planting, harvesting and maintaining the land.

In the 2007 UNOCHA-UNRWA survey of the northern West Bank, village representatives reported that fewer than 20 percent of those who used to work land in the closed area before completion of the Barrier - whether in a full or occasional capacity - were being granted permits at the time of the survey.³⁶ In addition to security reasons, for which no further explanation is given, applicants are rejected on the grounds of 'no connection to the land' and 'not having enough land.'³⁷ Among those refused are farmers who had been granted permits in the past, and some who held permits to work in Israel. Tenant farmers and landless

labourers are particularly penalized by a system where the onus is on the applicant to provide documentary proof of land ownership.

Even in this restricted allocation distribution is irregular. Some families have more than one permit-holder, others a single successful applicant - not necessarily the most able-bodied or appropriate- and many families have none at all. Those suffering repeated refusal are discouraged from re-applying and the short validity period also results in farmers' forced inactivity in the period between the expiry of the current permit and its (hoped for) renewal.

LAND REGISTRATION IN THE WEST BANK

Historically, land registration in the West Bank had been low: only 33% of the West Bank overall and 31% of Area C is formally registered (i.e., titled). The registration process which had started in the 1920's, and continued through the Jordanian period, was halted by Israel in 1968. Even during the period when registration was available, many land-owners avoided registration, or under-reported actual amounts of land. The formal systems of land administration often did not match the actual land use system in practice at the time, and thus a dual system emerged, with forms of tenure and a large number of land-related transactions existing outside of the formal system. Among other traditional rights, common property rights of Bedouin communities have been largely ignored by the formal process.

Under the British Mandate, the government initiated an attempt at systematic land registration but the Mandate ended prior to completion of registration, resulting in relatively low levels of land registration in the southern West Bank, notably around Bethlehem and Hebron. Systematic land registration continued in the West Bank under Jordanian administration, until 1967 when the Government of Israel (GOI) took control of the West Bank. After 1967, GOI radically altered the land administration system to the detriment of landowners and users as it instituted measures making registration of private land difficult, formally suspended systematic land registration, and closed all land records to the public. This system became seriously problematic in the 1980's, when Israel declared all land that was not registered or under cultivation as "State land", which amounted to confiscating all land that was deemed without an owner, in official though not in real terms.

Under this system which continues in Area C today, most Palestinian landowners are reluctant to even attempt registration of private land because the process is cumbersome, costly and risky. The necessary steps involved in registration are prohibitively expensive, especially for the poor. Palestinian landowners interviewed reported that in order to register land, they must provide the Civil Administration with three types of maps of different sizes, and submit six copies of all relevant documents. And there is added concern that the Civil Administration will confiscate a portion of the land during the process, for example if the documentary evidence is deemed lacking or if any party with a legal interest in the land is deemed "absentee." This is particularly true in the case of owners of agricultural land.

The World Bank: The Economic Effects of Restricted Access to Land in the West Bank, October 200, pp. 10-11.



A Palestinian herder in the Hebron area, isolated from his grazing lands by the Barrier.
Photo by Mats Svensson

“Of the 1,500,000 dunams of existing rangelands (in the West Bank), 1,275,000 dunams (85%) are closed to Palestinians as a result of Israeli settlements or military areas and the separation wall; thus, 225,000 dunams remain as open rangeland for the grazing of ruminants (i.e. sheep and goats). The estimated carrying capacity of this area is limited as the average annual rainfall varies between 100-250 mm, especially in the southern pastures of the West Bank.”³⁸

CASE STUDY: DECREASE IN PERMIT ALLOCATION

The table below concerns the amount of land in the closed area behind the Barrier; the figures for the number of persons who used to work this land; and the number of permits granted by the Israeli authorities in early 2007, in six communities in the northern West Bank. These figures are from an OCHA-UNRWA survey of 67 communities in the northern West Bank.

The statistics for the number of visitor permits applied for and granted in the first five months of 2009 come from the relevant Palestinian District Coordination Liaison Offices (DCL).

	Habla Qalqiliya	Jayyus Qalqiliya	Far'un Tulkarm	Zeita Tulkarm	Anin Jenin	'Arrabuna Jenin
Population	6,000	2,894	3,100	2,852	3,691	810
Land behind Barrier (dunams)	7,000	8,600	3,000	300	10,000	700
No. who used to work land behind Barrier	1,000	3,000	400	1,400	1,750	300
No. of permits granted Feb/March 2007	174	250	50	7	300	20
Applied Jan-May 2009	844	378	399	128	1,000	300
Granted 2009	207	96	149	73	70	10

While the number of permits granted in Habla has remained roughly the same, it has declined in Jayyus, Anin and 'Arrabuna. In Far'oun and Zeita, the number has risen since 2007, but in both cases the closest Barrier gates were not open during that time, which may explain why few people applied for, or were granted permits in 2007. **In all cases, the amount of people who can work the land now is only a fraction of the number who worked the area before the Barrier was built, according to local sources.**

In January 2009, the closed area designation was extended to all or part of areas between the Barrier and the Green Line in the Salfit, Ramallah, Bethlehem and Hebron districts, and various areas between the Barrier and the Israeli-defined municipal boundary of Jerusalem. In certain areas where farmers could previously access land by showing their ID cards, the visitor permit system has been subsequently introduced.

Since late February 2009, permits are required for farmers wishing to access land through four gates in the Jerusalem governorate. The communities affected are protesting this new requirement and no one has applied for a permit. The new requirement was introduced at the same time for access to all but two gates in the Ramallah governorate; again no permits have been issued to date because local farmers are rejecting the arrangement.

The permit system was also introduced in the Hebron governorate in February 2009 and most farmers appear to have accepted the requirement. Of 250 applications which were processed by the Palestinian DCL at Idna in February, 72 had been granted by 17 June. They are valid for three months and appear, uniquely, to grant access through two gates. At Dura DCL, of the 160 applications which were processed only 16 had been granted by 17 June and 60 refused outright.

Barrier Gates

In the past, farmers used the most direct route by vehicle, donkey or on foot to reach their farms and orchards. Hundreds of agricultural roads and tracks have been severed by the Barrier, increasing the time and distance involved in accessing land. The IDF

harvest. The majority (33) of gates only open during the olive harvest itself, including all those in the northern Jenin and the Ramallah (except for Bil'in), Bethlehem and Hebron governorates. Up to 100,000 families depend on the olive season for their

Designated Barrier Crossings as of July 2009 ³⁹		
Type	Description	No.
Closed Area Checkpoint	Primarily designed to allow residents of communities in the closed area access to the wider West Bank for essential services, schools and health centres etc. They are generally open during the day but closed at night. These crossings can also be used by farmers with visitor permits to access land in the closed area, particularly during the annual olive harvest	11
Daily Gates	Open daily, generally for one hour early morning, noon, late afternoon to allow farmers holding valid visitor permits access to their land in the closed area. Only a minority of permit-holders, generally herders, are allowed to stay on their land overnight: all others must leave the closed area when the gate closes for the day.	11
Weekly/ Seasonal Gates	Open seasonally, generally during the olive harvest, to allow farmers access to olive groves in the closed area. Also open from one-to-three days weekly throughout the year.	10
Seasonal Gates	Open for a limited period during the annual olive harvest, October - December.	17
Prior Coordination Gates	Access is not dependent on permits but on ID cards and a list of names maintained at the gate. Gates are opened through prior coordination with the Israeli District Coordination Liaison (DCL) Office, primarily on a seasonal basis, with a few also opening several days weekly.	23
Other	The Bil'in gate is open 24 hours following an order by the Israeli High Court of Justice.	1
Total		73

has installed 62 gates to allow those granted permits restricted access to land between the completed Barrier and the Green Line. In addition, there are eleven checkpoints primarily designed to allow communities in the closed area to access the wider West Bank.

Only 12 gates open on a daily basis, generally for short periods in the early morning, at noon, and in the late afternoon when farmers must return from the closed area. Another 10 gates open on two or three occasions throughout the week, in addition to the annual olive

livelihoods to some extent and picking is manual and labour-intensive, involving the extended family. The Israeli authorities issue extra permits (3,000 in 2008) during this period and open certain gates for longer periods daily.

Although some seasonal gates now also open on selected days throughout the week, this is not always sufficient for essential year-round activities such as ploughing, pruning, fertilising, and pest and weed management, which improve the quantity and quality



Agricultural gate, Beit Ljza. Farmers queue to access their land.
Photo by Patrick Zoll

of the olive oil yield. Limited access to water supplies also hinders the ability of many farmers to provide irrigation at critical times in the olive cycle.

In addition to their limited opening times, Barrier gates constitute some of the most restrictive checkpoints in the West Bank. Permit-holders must queue for their documents to be inspected and their persons and belongings searched, their names are ticked off a list maintained by the soldiers at the gate before they are permitted to cross. In addition to complaints of harassment and humiliation, there are restrictions on the vehicles and materials which are allowed into the closed area. Farmers also report that agricultural equipment, chemical fertilisers, construction materials, fodder, and essential parts for pumps can be denied, depending on the mood of the soldiers at the gate. Once allowed through the gate, a farmer's land may be located a long distance away over difficult terrain.

Considered 'visitors', few farmers are granted 24-hour permits to remain in the closed area overnight and must return and have their names ticked off before the gate is locked for the day in the late afternoon. To make the best of the limited time available, permit-holders work in summer when the sun is at its height and in winter queue in the dark and cold before the first gate opening. As the gates are closed and un-staffed between the scheduled opening times, farmers cannot return immediately to the 'Palestinian side' in cases of accident or an emergency. The opening hours also penalise the employed and 'part time' farmers who might otherwise cultivate family holdings after their normal days work.

CASE STUDY: MONITORING THE BARRIER GATES

Since 2003, the Barrier gates in Jayyus and Falamyia in the northern West Bank have been monitored by internationals from the Ecumenical Accompanier Programme in Palestine and Israel, an initiative set up by the World Council of Churches (see www.eappi.org). The following extract is from a weekly Checkpoint Activity Log in October 2008.

Monday, Jayyus North Gate: We assumed that the gate would open at 06.45 now that the time has changed in Israel, but were surprised to see the gate was already open. The soldiers informed us that the opening hours for the North Gate have changed. The people we met at the gate were not informed about the new opening hours and we could not see any notification at the gate either. Some came too late for the gate and had to go all the way to Falamyia gate.

Wednesday, Jayyus North Gate: Yesterday there were reports that the opening times at the gate had changed again. We therefore decided to go early and arrived at 5.55 to find that many farmers were already waiting and confused about the opening time. They told us that yesterday evening they waited until it was dark, not knowing the last opening time of the gate. The soldiers arrived after some time and opened the gate at 6.45. We asked them again to confirm the times and they said it will be 6.45-7.30. One man with a tractor had to return. We could not find out why. Two young men from Falamyia could not pass. They said that Falamyia gate was closed this day but the soldiers said it was opened and that the men had to go back to the gate specified in their permit.

Thursday, Jayyus South Gate: We arrived at 07.50. Many men, women and donkeys were waiting. The gate was opened on time. The control was completed within 10 minutes but two men were denied access to their land very close to the gate. They had land also in the Falamyia district with permits valid only for that gate. The DCL (Israeli District Coordination Liaison Office) will only accept one permit per person per agricultural gate. The men had previous experience of some soldiers allowing them to pass without permits for this gate. One of the men showed us that he had a valid working permit to go to Tel Aviv but he could not go to his land 250 meters on the other side of the South Gate. To walk from Falamyia gate to his land close to this gate would take him about 3 hours each way. He was not allowed to walk along the patrol road parallel to the wall but was forced to walk across country on agricultural tracks.

Friday, Falamyia Gate: We arrived at 04.40. A few men were already there. The gate was supposed to open at 05.00 but no soldiers arrived until 05.20. Then they had problems starting up the generator to make the turnstile function. We twice called the Humanitarian Hotline, who answered that they could do nothing due to technical problems at the gate. At 05.40 the gate opened but not the turnstile. About 12 men, 3 women, 3 tractors were waiting. This morning no animals passed. One man with a permit for gate 109 was denied access. We asked the soldiers about the opening hours but found out that they were not sure themselves. After some discussion they said from 05.15 and for 12 hours

Friday, Jayyus North Gate: On our way back from Falamyia gate we stopped at the North gate. When we reached the gate at 07.08 a lot of people were still waiting. We estimated that 50 persons were just in the front of the soldiers at the same time in the gate entrance; many women and children, 4 tractors, 2 donkey carts and one horse cart. Two boys had to return; one (13) with permit could not pass alone without his parents, the other (17) with permit and a copy of his father's ID card could not pass either. His father had no permit and was not there.

Saturday, Jayyus North Gate: We arrived at the same time as the soldiers, 06.30. They opened the gate at 6.45. A lot of families were waiting. The Gate was closed at 07.34. We managed to persuade the soldiers to wait a few minutes for an old woman walking fast downhill.

We were asked if we could help the people to change the last opening hours to 17.15-17.45 from the present time 1815-1845. The present time is too late. It's too dark for working after about 1700. The last hour between 1700 and 1800 people just wait for the gate opening to be able to return home after a long working day under the sun.

Saturday, Jayyus South Gate: There were many farmers waiting desperately for the gate to open. The soldiers were already at the gate but would not open it before 0800 exactly. People holding permits for other gates were turned back: 3 men, 4 women and 3 children. They came to try their luck in case they were allowed: they explained if there are different soldiers present they are sometimes allowed to go through.



Deir Al Ghusun gate. As part of the daily search, soldiers ask a farmer to pull up his jacket.
Photo by Marc Julliard

Jayyus is an agricultural community of 3,000 inhabitants, located in the Qalqiliya district in the northern West Bank. In addition to olive cultivation, the village's six groundwater wells allow for intensive irrigated agriculture. The Barrier, completed in 2003, deviates six kilometres from the Green Line to within metres of village homes. Approximately, 8,600 dunams – the bulk of the community's cultivated land – is cut off, including 25,000 fruit and olive trees, greenhouses and six groundwater wells. Although the Israeli High Court of Justice has ordered a revision to the route, only 2,500 of the 8,600 dunams currently isolated will be restored to Jayyus, leaving the most productive areas for fruit and vegetable cultivation, four groundwater wells and the majority of greenhouses behind the Barrier.

Following the introduction of the permit and gate regime in October 2003, the Israeli DCL distributed 630 permits to Jayyus municipality. By May 2009 this number of valid permits had decreased to approximately 100. Among those refused are farmers who had been granted permits in the past. Where permits were valid for one or two years in the intervening years, none of the recently-issued permits is valid for more than six months.

Compared to most agricultural communities, Jayyus is fortunate in that two agricultural gates open on a daily basis. However, the South Gate only opens for three periods of fifteen minutes and the North Gate with similar, slightly longer, daily openings: 0645-0815, 1230-1330 and 1915-1945. Tractors and donkey carts are allowed through the North Gate but only three trucks in Jayyus have permits to cross into the closed area.

For the minority who hold permits, the gate opening times are such that only twelve hours of farming are possible at best. This is not sufficient for the irrigated agriculture traditionally practiced in Jayyus, where the produce of the greenhouses requires daily irrigation, otherwise crops fall victim to disease and rot.⁴¹ Irrigation is best carried out in the evening to lessen evaporation, but special permission is required to stay overnight, only granted to a few herders.

Even those granted permits find it difficult to invest the time, labour and resources needed for long-term viability. Approximately 100 greenhouses in Jayyus and neighbouring Falameya have been dismantled since the Barrier was constructed and 500 dunams of the villages' land have been converted from citrus trees to lower-maintenance, less perishable but also lower-value crops such as wheat.⁴² Productivity in the closed area has declined from approximately 9 million kilograms of fruit and vegetables in 2002 to 4 million kilograms in 2008. The Barrier has also isolated grazing land and although some sheep are allowed through the South Gate daily, the number of herders has declined, with only one family possessing the 24-hour permit necessary to tend sheep overnight in the closed area.

According to the Mayor, unemployment now stands at 70 percent and Jayyus has been transformed from an exporter of food to a community where social hardship cases receive periodic food aid. The first signs of displacement – a concern recognized by the ICJ⁴³ – are evident with young men, particularly the university-educated, moving to other West Bank cities or emigrating to Sweden, Germany and Canada in recent years.

Based on past experience, there is widespread concern that if land behind the Barrier remains inaccessible and uncultivated, it can be declared 'State Land' and the owners dispossessed. These apprehensions are taking their toll on farmers who fear their permits will not be renewed and they will be unable to pass on land to their children. As land to the west of the Barrier in the rest of the West Bank is declared closed by military order, and the permit and gate regime is instituted, the predicament of Jayyus will be replicated with devastating consequences for rural livelihoods.



A farmer in Jayyus. Fewer permits and restrictive gate openings are undermining rural livelihoods.
Photo by JCTordai



The Barrier at Qalandiya with Qalandiya refugee camp in the background.
Photo by JCTordai

The UN Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (UNRoD)

Following the issuance on 9 July 2004 by the International Court of Justice of the advisory opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (UNRoD) was established in accordance with General Assembly resolution A/RES/ES-10/17 of January 2007.

UNRoD's mandate is to serve as a record, in documentary form, of the damage caused to all natural and legal persons concerned as a result of the construction of the Wall by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem. UNRoD is not a compensation commission, claims-resolution facility, judicial or quasi-judicial body.

To fulfill its mandate, UNRoD undertakes outreach activities in the Occupied Palestinian Territory to inform potential claimants of the existence and purpose of UNRoD and the procedure for filing a claim for registration of damage. It also assists claimants in completing the official UNRoD claim forms, and collects completed claims forms for processing in Vienna.

UNRoD receives, processes and reviews claims from natural or legal persons who have sustained material damage as a result of the construction of the Wall in the Occupied Palestinian Territory. UNRoD's three-member Board has the ultimate authority to decide, based on criteria established by it, whether or not a claimed loss is to be included in the United Nations Register of Damage.

The mandate entrusted to UNRoD is now being implemented. By June 2009, more than 1,500 claims forms have been collected in the Occupied Palestinian Territory. Several hundred of those claims have been reviewed by the Board of UNRoD and included in the Register.

The Way Forward

Five years after the ICJ Advisory Opinion, the Israeli authorities have taken certain administrative steps to address some of these humanitarian concerns. In the northern West Bank, a number of gates which previously operated only during the annual olive harvest now also open on a limited basis throughout the week, to allow for seasonal activities such as ploughing and fertilizing. Additional permits are also issued to farming families during the olive harvest.

However, as detailed above, the requirements for agricultural workers to obtain visitor permits throughout the year have become more stringent over the years, limiting the number of Palestinians overall who can cultivate their land. The extension of the closed area and permit regime to other West Bank governorates in January 2009 risks further undermining Palestinian access to land in the central and southern West Bank. While the declaration by the Israeli authorities that neither permanent resident nor visitor permits will apply to Palestinians living, or accessing land, in the Gush Etzion settlement enclave in Bethlehem, is welcome, this falls short of the ICJ's demand that Israel should 'repeal or render ineffective forthwith all legislative and regulatory acts relating thereto.' This declaration also calls into question why the permit regime is necessary in the rest of the West Bank.

Regarding the question of the route of the Barrier which is at the core of the ICJ Advisory Opinion, the Israeli authorities have relocated certain closed area communities to the 'Palestinian side' of the Barrier. However these amendments, which are in compliance with decisions taken by the Israeli High Court of Justice rather than the ICJ Advisory Opinion, leave the re-routed sections of the Barrier within the West Bank rather than along the Green Line or in Israel. Furthermore, the impact of these re-alignments is negligible compared to projected Barrier construction around the major settlement blocs: in particular the Qedumim and Ariel 'Fingers', which will eviscerate the Qalqiliya and Salfit governorates; the encirclement of Ma'ale Adummim settlement, which will compound the separation of East Jerusalem from the rest of the West Bank; and construction around the Gush Etzion bloc, which will sever the Bethlehem urban area from



A mural on the Barrier near Qalandiya.
Photo by Steve Sabella

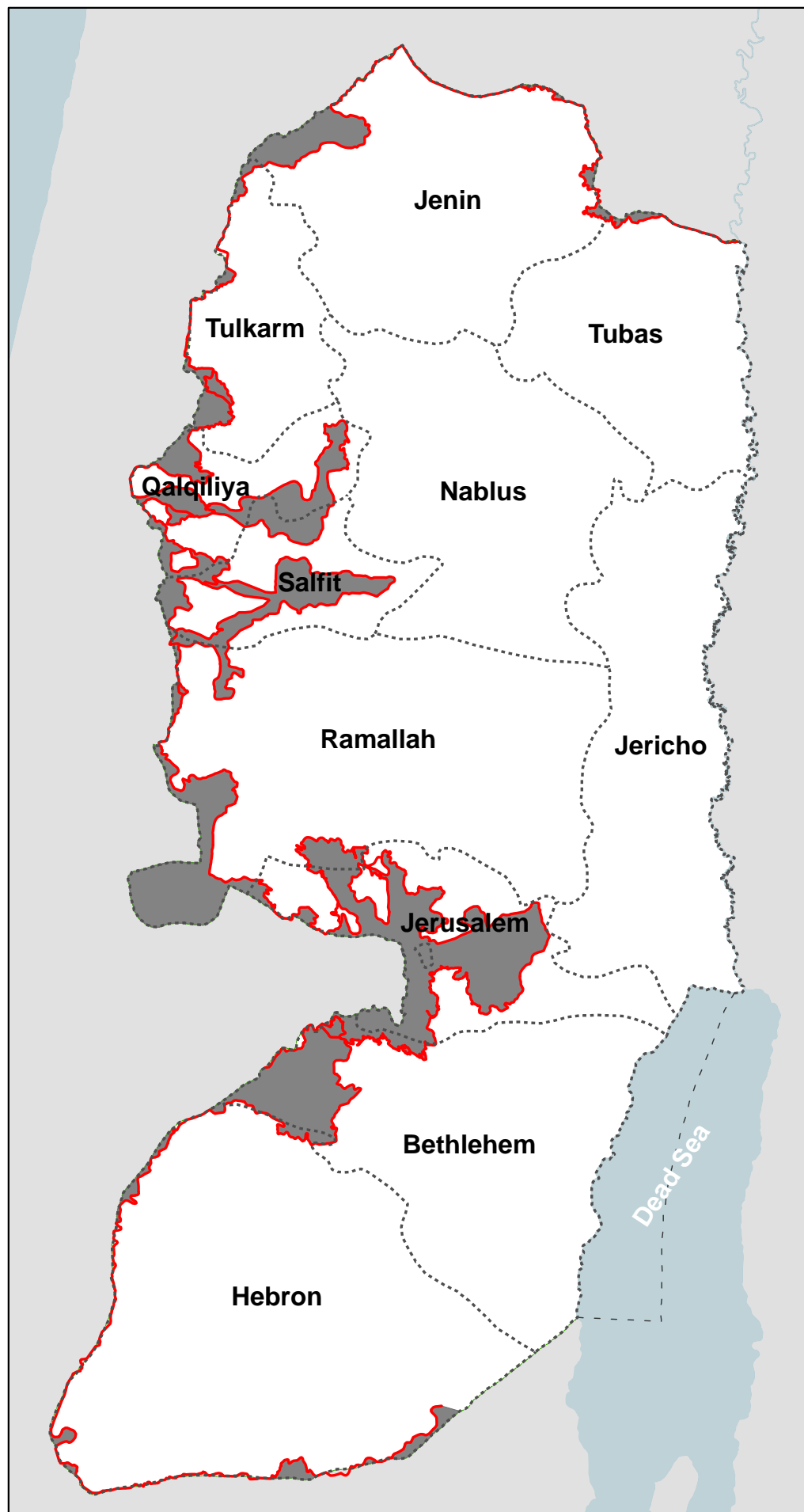
its agricultural hinterland and stymie its potential for residential and urban development.

While Israel has the duty to ensure the security of its citizens in response to attacks by Palestinian militants, this must be in accordance with international law and must not cause long-term detriment to the Palestinian population. The ICJ advisory opinion called on Israel to cease construction of the Barrier 'including in and around East Jerusalem' and to dismantle the sections of the Barrier already completed. In line with the advisory opinion, Israel should stop construction, including the intrusive sections around the Qedumim, Ariel and Ma'ale Adummim settlements. Regarding the sections already constructed, the Barrier should be dismantled or re-routed to the Green Line, as the ICJ called for. Only then will the Palestinian urban and rural communities cut off by the Barrier be able to exercise their rights to freedom of movement, work, education, health and an adequate standard of living. This will also ensure that no Palestinian land and water reserves are isolated between the Barrier and the Green Line, preventing rural communities from cultivating land, harvesting crops and grazing animals.



The Barrier is projected to intrude 14 kilometres into the West Bank to encircle the Ma'ale Adummin settlement bloc. The Dead Sea is in the background. Photo by JcTordai

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GOVERNORATE: JENIN

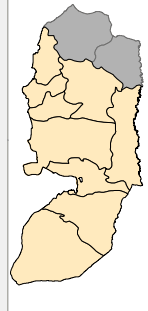
In the Jenin governorate, the Barrier has been completed and the permit and gate regime operational since 2003. The Barrier runs along the complete length of the governorate and the northern part of Tubas district, from Bardala in the northeast to Dhaher al 'Abed in the south. In the northern part, from Jalbun to 'Anin, the Barrier adheres closely to the Green Line and there are no Palestinian localities isolated. However, the communities of Bardala, Al Mughayyir, Al Mutilla, Jalbun and Faqqua have olive groves, grain crops and/or grazing land isolated by the Barrier, with the relevant gates open only on a seasonal or weekly/seasonal basis. In 2004, requisition orders were issued for lands south of Al Mutilla, apparently in preparation for construction of a Barrier along the Jordan Valley. However, no land leveling was undertaken and the plans were abandoned.

The Barrier intrudes significantly into the western Jenin governorate, isolating seven communities in the Barta'a enclave, currently the largest 'Seam Zone' community in the West Bank. 'Anin and Ya'bad have significant

Area: 580 km²
population: 257,000
Settlements/Outposts: 5/1

BARRIER

Length: 69 km
44% on Green Line
56% inside West Bank
5 kilometers at widest point
7 communities inside closed area



GATES

Total: 9
Seasonal: 5
Seasonal/weekly: 4
Daily: 0

numbers of olive trees isolated in the enclave, while the herding communities of Khirbet Suruj, Al Khiljan and Um Dar have also lost access to their grazing lands. In total, there are over 30 communities with land under or isolated by the Barrier in the Jenin governorate.

"The permit regime has turned the lives of Palestinians living near the separation barrier, and those who make a living from farming, in particular, into a bureaucratic nightmare, and severely infringes their rights to live in their own homes, to enjoy basic services such as education, health and sanitation services; it also violates the right to pursue a livelihood of those Palestinians who live on the other side of the separation barrier."

Association of Civil Rights in Israel, January 2006

THE BARTA'A ENCLAVE

The 5,600 Palestinian residents of seven small communities need permanent resident permits to continue to live in the enclave. This does not allow them to visit West Barta'a on the Israeli side of the Green Line, or Israel proper. Other West Bank Palestinians require visitor permits to enter the enclave.

The Barta'a Reikhan checkpoint is operated by private security. Palestinian pedestrians cross the checkpoint on foot and pass through a metal detector. Drivers must get out for an individual search and for the vehicle to be checked.

Medical and other services are generally located on the 'West Bank' side of the Barrier. Because the two checkpoints are closed at night, pregnant women leave the enclave in the last month of pregnancy and live close

to Jenin maternity services. Those who remain often give birth without qualified assistance.

Live animals and frozen meat are no longer allowed in from the West Bank. Eggs are limited to four per person per day.

There are 1,140 UNRWA-registered refugees and the mobile health team used to visit twice a week, passing the Barta'a Reikhan checkpoint with prior coordination from the Israeli authorities. Since September 2007, this arrangement has broken down and the team has not entered. UNRWA also needs to access the enclave for quarterly emergency and hardship distributions. These distributions have taken place in Ya'bad with UNRWA paying the cost for Barta'a residents to transport the distribution back to the enclave.

Closed areas, altering social customs:
It is customary that the wife moves to her husband's locality following marriage. Several proposed marriages have been cancelled as people are reluctant to allow their daughters to move to the closed areas. Families are also reluctant to let female members endure searches and delays at the checkpoints. Women's mobility, social participation and educational opportunities have decreased as a result.



Arrabuna agricultural door - the community's only entrance to land behind the Barrier, opens seasonally. Photo by UN OCHA

Tura Checkpoint:
Daily (0630-1000 & 1200-1930)
For two of the communities in the Barta'a enclave.

'Anin:
8,000 olive & other trees isolated by the Barrier, only 70 out of the population of 3,700 have permits to access land as of May 2009.

Arabbuna:
Olives, almonds, carob, lentils, hummus were once cultivated, but only olives are now grown, resulting in decreased income.

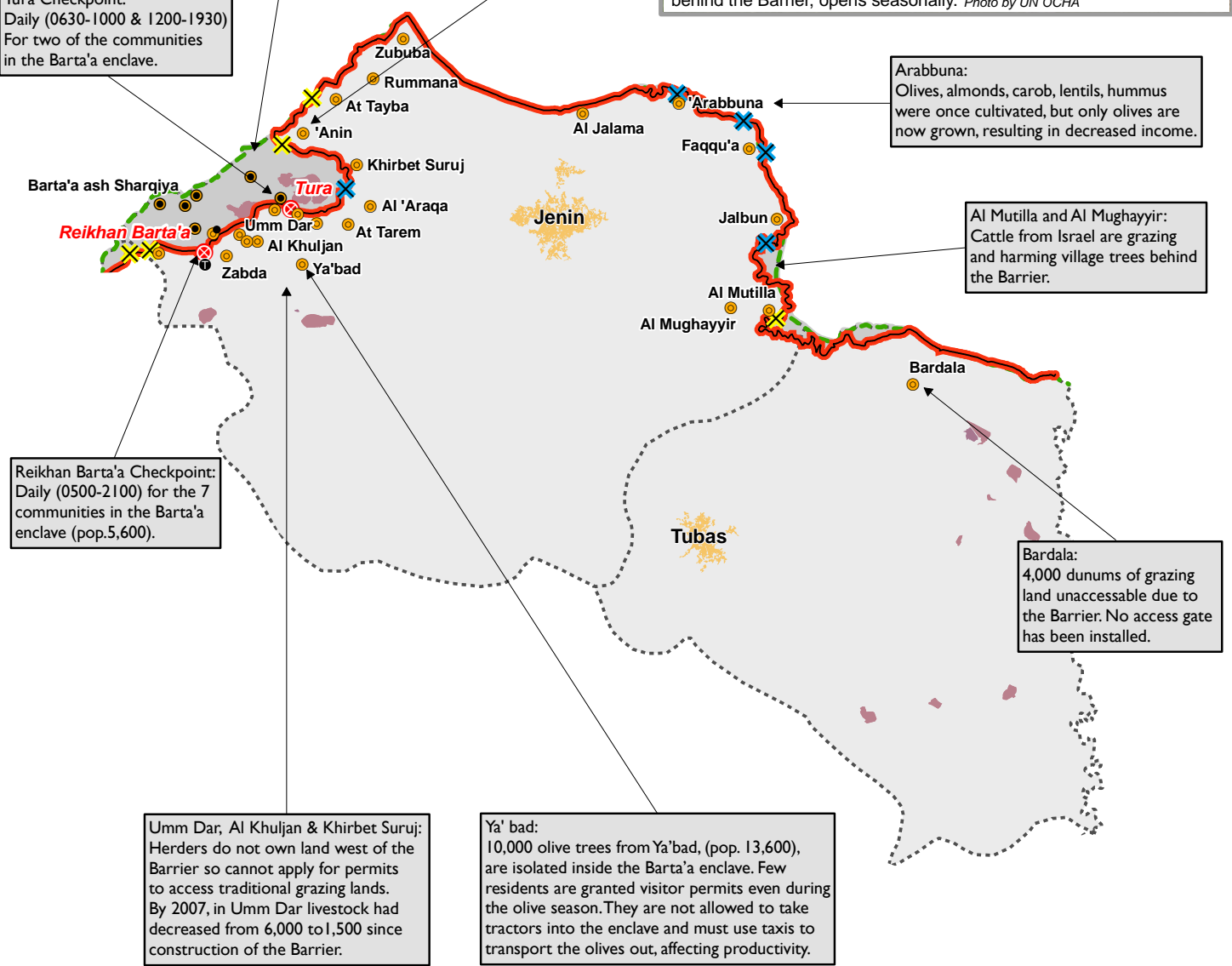
Al Mutilla and Al Mughayyir:
Cattle from Israel are grazing and harming village trees behind the Barrier.

Bardala:
4,000 dunums of grazing land inaccessible due to the Barrier. No access gate has been installed.

Reikhan Barta'a Checkpoint:
Daily (0500-2100) for the 7 communities in the Barta'a enclave (pop.5,600).

Umm Dar, Al Khuljan & Khirbet Suruj:
Herders do not own land west of the Barrier so cannot apply for permits to access traditional grazing lands. By 2007, in Umm Dar livestock had decreased from 6,000 to 1,500 since construction of the Barrier.

Ya' bad:
10,000 olive trees from Ya'bad, (pop. 13,600), are isolated inside the Barta'a enclave. Few residents are granted visitor permits even during the olive season. They are not allowed to take tractors into the enclave and must use taxis to transport the olives out, affecting productivity.



Gates	Barrier Status	Palestinian built up areas	Affected communities
<ul style="list-style-type: none"> X Daily: generally open 15-60 minutes; 3 times/day. X Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest. X Seasonal: Open daily during olive harvest only. 	<ul style="list-style-type: none"> Constructed Projected Under construction 	<ul style="list-style-type: none"> Built up area 	<ul style="list-style-type: none"> Affected communities east of barrier Closed area communities
<ul style="list-style-type: none"> Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate. Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night. 	<ul style="list-style-type: none"> Green Line Governorate boundary Village boundary 	<ul style="list-style-type: none"> Built up area 	<ul style="list-style-type: none"> Passage Underpassage/Tunnel
		<ul style="list-style-type: none"> Affected Area behind Barrier Governorate area 	<ul style="list-style-type: none"> ● Wells/Springs ● Spring/Well

Cartography: OCHA-oPt - July 2009 Base data: PA MoP, July 2000, OCHA update 2009 For comments contact <ochaopt@un.org> Tel. +972 (02) 582-9962 http://www.ochaopt.org

GOVERNORATE: TULKARM

In the Tulkarm governorate, the Barrier has been completed and the permit and gate regime operational since 2003. The Barrier runs along the complete length of the governorate, from 'Akkaba to Kafr Zibad, with a five-kilometre section of concrete Barrier running to the west of Tulkarm city. An 800-metre concrete section west of Nazlat 'Isa isolates several families from that community between the Barrier and the Green Line.

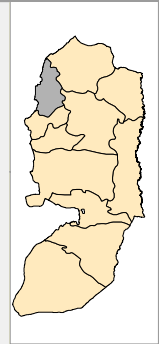
With three large incursions into the West Bank, the Barrier isolates significant tracts of agricultural land, in particular from the communities of 'Akkaba, Qaffin, Deir al Ghusun, Far'un, Ar Ras, Kafr Sur, Kafr Jammal and Kafr Zibad. This land contains olive groves, fruit trees and varieties of vegetables and grain crops. A recurring problem is the number of fires which have broken out because of the unchecked undergrowth, destroying trees and crops.

The circuitous route around the Sal'it settlement isolates one community, Khirbet Jubara, and two families from Ar Ras: a projected re-routing of the Barrier will return

Area: 248 km²
population: 158,000
Settlements/Outposts: 3/3

BARRIER

Length: 40 km
22% on Green Line
78% inside West Bank
4 kilometers at widest point
1 community inside closed area



GATES

Total: 9
Seasonal: 1
Seasonal/weekly: 4
Daily: 4

them to the 'Palestinian' side. One family group in Shweika is also isolated between the Barrier and the Green Line.

“Since the construction of the West Bank Barrier, which lies deep inside Palestinian territory, large tracts of farming land have been out of reach for farmers, as the Barrier cuts off many villages from their lands. During the summer, farmers helplessly watched as wild fires destroyed olive trees isolated behind the Barrier. They were barred from the area because the gate was not scheduled to open or they lacked the appropriate permit. Some of the trees had taken over fifty years to grow – two generations of labour and care lost in one night.”

International Committee of the Red Cross, November 2007.

BARRIER GATES

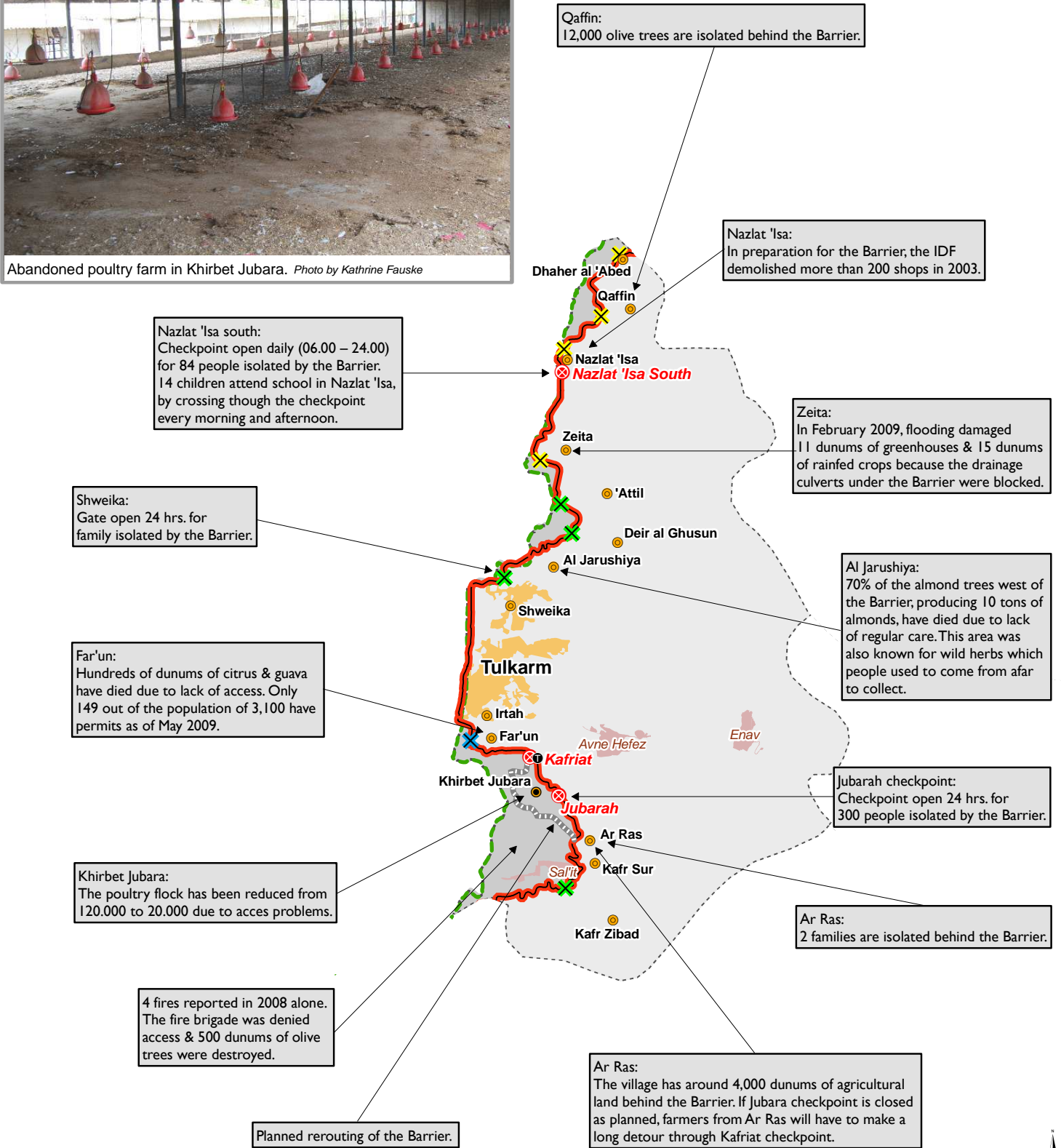
The fact that Barrier gates are locked in the intervals between the scheduled opening times causes problems for farmers in the event of a medical emergency. In 2005, Mohammed from Deir al Ghusun in the Tulkarm governorate severed his fingers with a chainsaw while working on his father's land in the closed area behind the Barrier. The gate was locked and not due to open again for several hours, and there was no medical help available. As he required urgent attention, his fellow farmers tried to flag down two military jeeps passing on the patrol road, without success.

In desperation, Mohammed's brother climbed onto the electronic fence, sending a signal to the nearest command centre where IDF personnel monitor the Barrier. Within minutes, a military vehicle arrived and, satisfied that it was not an intrusion attempt, opened the gate. However, Mohammed's brother could have been shot or apprehended by the military as climbing onto, or touching, the fence is illegal.

It took Mohammed two and a half hours to get to Tulkarm hospital, where he underwent three hours of surgery.



Abandoned poultry farm in Khirbet Jubara. Photo by Kathrine Fauske



Gates	Barrier Status	Palestinian built up areas	Affected communities
Daily: generally open 15-60 minutes; 3 times/day.	Constructed	Built up area	Affected communities east of barrier
Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest.	Projected	Built up area	Closed area communities
Seasonal: Open daily during olive harvest only.	Under construction	Settlements	Passage
Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate.	Boundaries	Affected Area behind Barrier	Underpassage/Tunnel
Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night.	Green Line	Governorate	Wells/Springs
	Governorate boundary	Governorate area	Spring/Well
	Village boundary		

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GOVERNORATE: QALQILIYA

In the Qalqiliya governorate, the Barrier has been completed and the permit and gate regime operational since 2003. The route is extremely intrusive, physically joining a large number of settlements to Israel and isolating some of the most productive agricultural land and water resources in the West Bank. The route surrounds the city of Qalqiliya on three sides and isolates seven communities between the Barrier and the Green Line. Construction of the 'Qedumim Finger' will further fragment agricultural land and restrict Palestinian access through both the Qalqiliya and Salfit governorates.

In the north, Jayyus and neighbouring Falameya are known for intensive irrigated agriculture. The route, which here intrudes up to six kilometres into the West Bank, is being revised following an Israeli High Court decision. Although returning some land to Jayyus, this will still leave the majority of the community's land behind the Barrier, including the most productive areas for fruit and vegetable cultivation, four groundwater wells and the majority of greenhouses. One Bedouin community will also remain isolated.

The Barrier, both concrete and fence-like construction, surrounds the city of Qalqiliya on three sides, with negative impact on economic life for the 50,000 residents. To the south, the villages of Habla and Ras 'Atiya are similarly 'bottlenecked', with only one access point to the wider West Bank. In 2004, the first 'Fabric of Life' network in the West Bank, consisting of a road and a series of tunnels running under Route 55, was constructed to reconnect Qalqiliya city to the southern localities.

Southeast of Qalqiliya city, the circuitous route around the Alfe Menashe settlement isolates five Palestinian

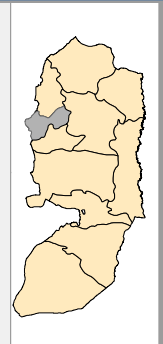
Area: 177 km²
population: 91,000
Settlements/Outposts: 8/3

BARRIER

Length: 100 km
4% on Green Line
96% inside West Bank
20 kilometers at widest point
8 communities inside closed area

GATES

Total: 9
Seasonal: 2
Seasonal/weekly: 0
Daily: 7



communities between the Barrier and the Green Line. Following an Israeli High Court decision, the Barrier is being rerouted to 'reconnect' three communities to the West Bank. However, two Bedouin communities will remain within the Alfe Menashe enclave, while vital agricultural land from the other three communities will be isolated.

In the southern governorate, the winding route of the Barrier allows for territorial contiguity to be maintained between four settlements and Israel, while isolating the community of 'Azzun 'Atma. In March 2009, the IDF installed an inner fence, or secondary Barrier, cutting off nine houses in 'Azzun 'Atma from the rest of the community. These residents now require permanent resident permits to remain in the area while the large number of Palestinians who have land holdings within the 'Azzun 'Atma enclave require visitor permits to access their holdings and water reserves.

The fence snakes through in a very interesting way, and crosses through very interesting areas: Here, there is a nice Palestinian village, with agricultural land and access to them, and suddenly they have nothing.

US Secretary of State, Colin Powell, August 2003.

In 2004, a study by the Palestinian Counseling Center of Barrier-related psycho-social symptoms in the Qalqiliya area revealed a high prevalence of depressive factors, such as sleeping and eating disorders among adults and children.



Flooding in Qalqiliya because the drainage culverts under the Barrier were blocked.
Photo by Stop the Wall

Approximately 20 of the governorate's wells have been isolated by the Barrier.

'Arab ar Ramadin: These Bedouin communities (pop. 300) are isolated from each other by the Barrier and are under threat of expulsion.

Jayyus: In 2002, farmers found the official land requisition orders pinned to trees and were only given 3 weeks to appeal. 4,000 trees were uprooted for construction of the Barrier.

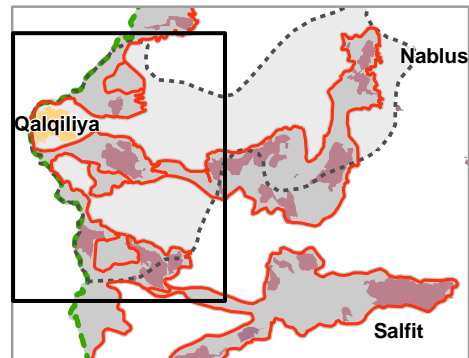
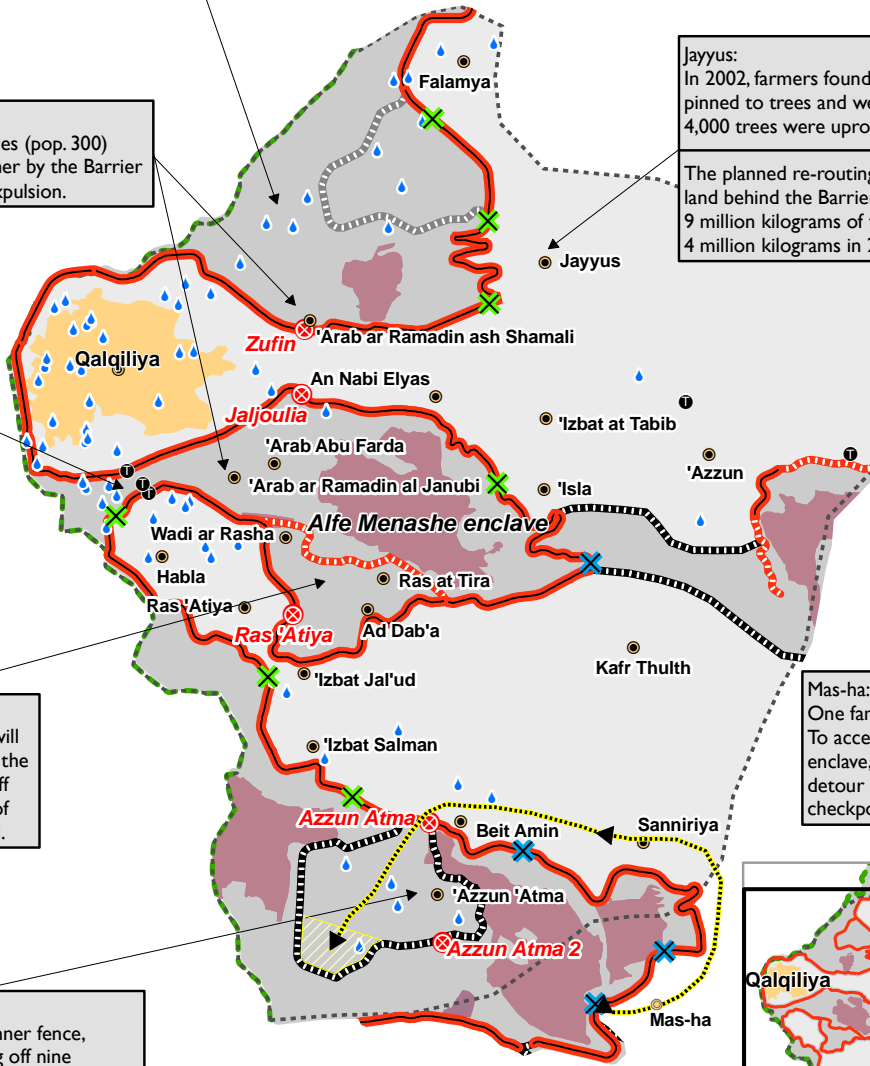
The planned re-routing will still leave the most productive land behind the Barrier. Productivity declined from approx. 9 million kilograms of fruit & vegetables in 2002 to just 4 million kilograms in 2008.

'Fabric of Life' underpass built in 2004 to reconnect communities disconnected by the Barrier.

Barrier re-routing: Three communities will be reconnected with the West Bank, but cut off from 60-80 percent of their agricultural land.

'Azzun 'Atma: The IDF installed an inner fence, with two gates, cutting off nine houses from the rest of the village and forcing their 75 inhabitants to apply for permanent residents permits.

Mas-ha: One family is isolated behind the Barrier. To access his land inside the 'Azzun 'Atma enclave, the landowner needs to make a detour of 8 km and pass through 2 gates & 1 checkpoint.



Gates	Barrier Status	Palestinian built up areas	Affected communities
<ul style="list-style-type: none"> Green X: Daily: generally open 15-60 minutes; 3 times/day. Yellow X: Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest. Blue X: Seasonal: Open daily during olive harvest only. Black X: Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate. Red X: Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night. 	<ul style="list-style-type: none"> Red line: Constructed Dashed black line: Projected Dotted red line: Under construction 	<ul style="list-style-type: none"> Yellow square: Built up area Brown square: Settlements Built up area Grey square: Governorate Affected Area behind Barrier Light grey square: Governorate area 	<ul style="list-style-type: none"> Yellow circle: Affected communities east of barrier Black circle: Closed area communities Black circle with 'I': Passage Underpassage/Tunnel Blue circle: Wells/Springs Spring/Well
	<ul style="list-style-type: none"> Green dashed line: Green Line Black dashed line: Governorate boundary Black solid line: Village boundary 		

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GOVERNORATE: SALFIT & THE 'FINGERS'

Approximately 12 percent of the land area of the Salfit governorate has been seized by the Israeli authorities and allocated for the construction of settlements and industrial zones. An additional 10 percent has been declared a firing zone, used for military training. The underground water resources of Salfit are threatened by the continuous discharge of raw sewage from the settlements, in particular Ariel. According to the Israeli organization, Peace Now, a plan for another 8,000 housing units for the future expansion of Ariel is in the status of 'pre-preparation', which would add 32,000 new settlers to the present population of 17,000. (Peace Now: Ministry of Housing's Plans for the West Bank, March 2009).

The territorial integrity of the Salfit governorate will be further fragmented if the 'Fingers' - the most intrusive routes of the Barrier into the West Bank - are constructed as projected. The Ariel 'Finger', a 22-kilometre-long corridor, and a separate corridor in the north, the Qedumim 'Finger', will link the settlements of Ariel, the Shomron bloc and Qedumim to Israel. As a consequence, close to 100 square kilometres, almost half of Salfit's land area, will be effectively cut off on the 'Israeli' side of the Barrier.

The geographical contiguity of Salfit will be shattered into three disconnected pockets, affecting all of the governorate's Palestinian population centres. Nine localities in the north will be surrounded on three sides by the Barrier, squeezed between the two 'Fingers'. The Az Zawia enclave of three communities, will be

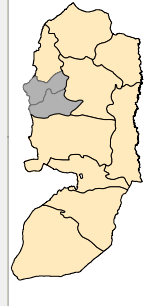
Area: 205 km²
population: 60,000
Settlements/Outposts: 15/7

BARRIER

Length: 89 km
0% on Green Line
100% inside West Bank
22 kilometers at widest point
3 communities inside closed area

GATES

Total: 6
Seasonal: 2
Seasonal/weekly: 4
Daily: 0

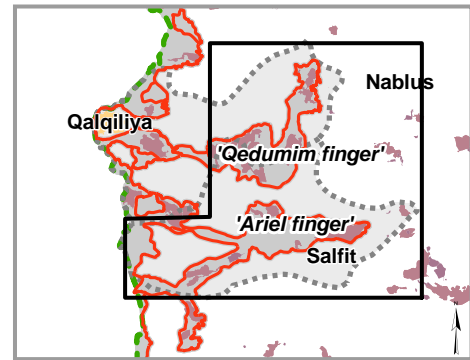
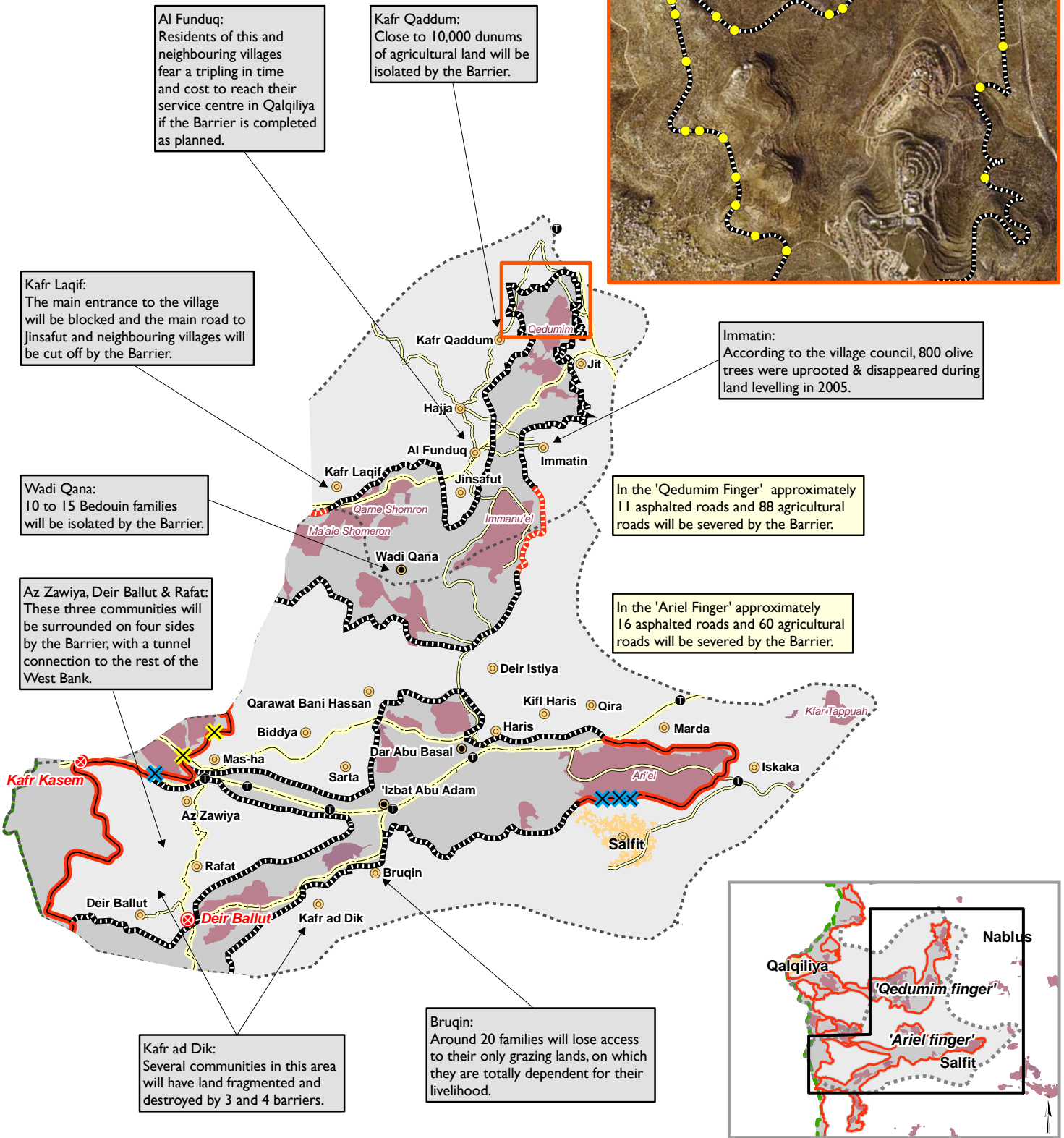
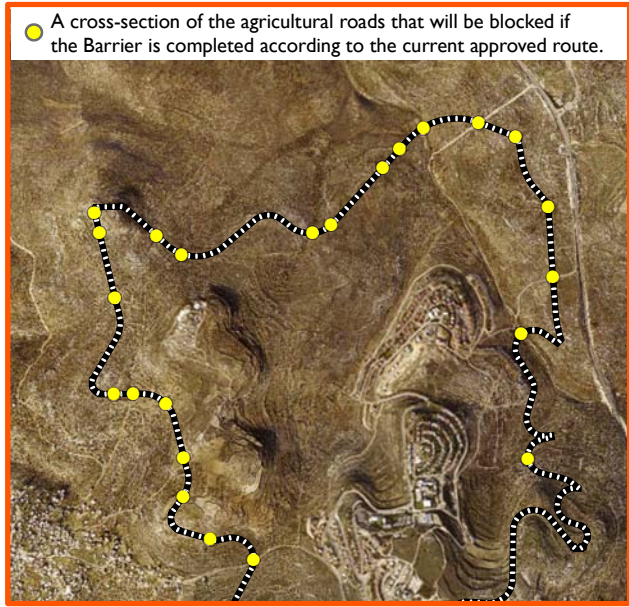


surrounded on four sides, with a tunnel connection to the rest of the West Bank. To reach the south of the Ariel 'Finger', most villages in the governorate will be forced to make long detours to reach the district capital, Salfit city.

The 'Qedumim Finger' will also impact much of the Qalqiliya governorate, further fragmenting agricultural land and restricting Palestinian access. Both 'Fingers' will sever numerous rural roads and tracks, undermining access to land, water resources and markets with severe implications for the agricultural economy of both governorates.

'Whilst the Court notes the assurance given by Israel that the construction of the wall does not amount to annexation and that the wall is of a temporary nature, it nevertheless cannot remain indifferent to certain fears expressed to it that the route of the wall will prejudice the future frontier between Israel and Palestine, and the fear that Israel may integrate the settlements and their means of access. The Court considers that the construction of the wall and its associated régime create a "fait accompli" on the ground that could well become permanent, in which case, and notwithstanding the formal characterization of the wall by Israel, it would be tantamount to de facto annexation"

ICJ, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory,
Advisory Opinion of 9 July 2004, para. 121



Gates	Barrier Status	Palestinian built up areas	Affected communities
Daily: generally open 15-60 minutes; 3 times/day.	Constructed	Built up area	Affected communities east of barrier
Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest.	Projected	Built up area	Closed area communities
Seasonal: Open daily during olive harvest only.	Under construction	Settlements	Passage
Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate.	Boundaries	Built up area	Underpassage/Tunnel
Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night.	Green Line	Governorate	Wells/Springs
	Governorate boundary	Affected Area behind Barrier	Spring/Well
	Village boundary	Governorate area	

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GOVERNORATE: RAMALLAH

In the Ramallah governorate, the Barrier is almost complete, from Rantis in the north to Beituniya in the south-east. The route loops around major settlements, Bet Arye, Ofarim, Modi'in Illit and Mevo Horon, and joins most of No Man's Land - the 1949 demilitarized zone between Israel and the Hashemite Kingdom of Jordan - to Israel. Ramallah city is separated by the Barrier from Jerusalem to the south. A succession of 'Fabric of Life' roads, tunnels and underpasses connect enclaved communities in the northern Jerusalem governorate to each other and to Ramallah. Once suburbs of Jerusalem, their 'centre of life' has been rerouted to Ramallah.

Communities in the Ramallah governorate have been the focus of the majority of popular protests against the Barrier, which take place weekly following Friday prayers, and involve local Palestinians together with Israeli and international sympathisers. These protests started in Budrus and neighbouring villages in 2003, and continued until 2005 when the Barrier was re-routed, preserving the bulk of Budrus' cultivated land, and plans for an inner barrier which would have enclaved nine communities were dropped. Weekly protests continue in Ni'lin, which stands to have 2,500 dunams of land isolated by the Barrier, and in Bil'in. In 2007, the Israeli High Court of Justice ordered the state to dismantle and re-route a section of the Barrier in Bil'in to return village land on which Modi'in Illit

Area: 850 km²
 population: 280,000
 Settlements/Outposts: 26/22

BARRIER

Length: 79 km
 5% on Green Line
 95% inside West Bank
 5.5 kilometers at widest point
 No communities inside closed area



GATES

Total: 7
 Seasonal: 6
 Seasonal/weekly: 0
 Daily: 1

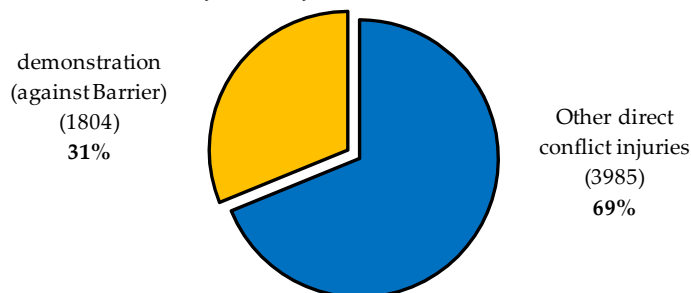
settlement was projected to expand. In December 2008, the High Court found the state in contempt by adopting a new route which did not comply with the 2007 ruling.

Although the weekly popular protests are for, the most part, non-violent, up to 16 protestors have been killed, according to some estimates. Hundreds of Palestinian, Israeli and international demonstrators have been injured, with anti-Barrier demonstrations accounting for a significant portion of injuries recorded in the West Bank.

"Our non-violent struggle is supported by international and Israeli peace activists. Our children were used to seeing Israelis and Jews only as soldiers or settlers. Now they also see Israelis, Jews, Americans and other internationals supporting them and helping Palestinian voices to reach the rest of the world."

Ayed Morrar, Organizer of the Budrus campaign against the Barrier, July 2004

Number of Palestinians injured in anti-Barrier demonstrations
 vs. other (West Bank) direct conflict injuries
 Jan 2005-Jun 2009



'Fabric of Life' roads:
 In the leadup to the ICJ hearings in early 2004, the Israeli authorities took steps to address some of the humanitarian issues arising from the Barrier route. Money was allocated for the construction of alternative roads and tunnels to restore transport links and services to beleaguered communities. The first such road was completed in 2004 restoring direct passage between Qalqiliya and villages to the south. Since then, more 'Fabric of Life' roads have been constructed, particularly in the Ramallah and Jerusalem governorates, substituting territorial with 'transportational' contiguity.



'Fabric of Life' road linking the Biddu and Bir Nabala enclaves, Jerusalem governorate. Photo by UN OCHA

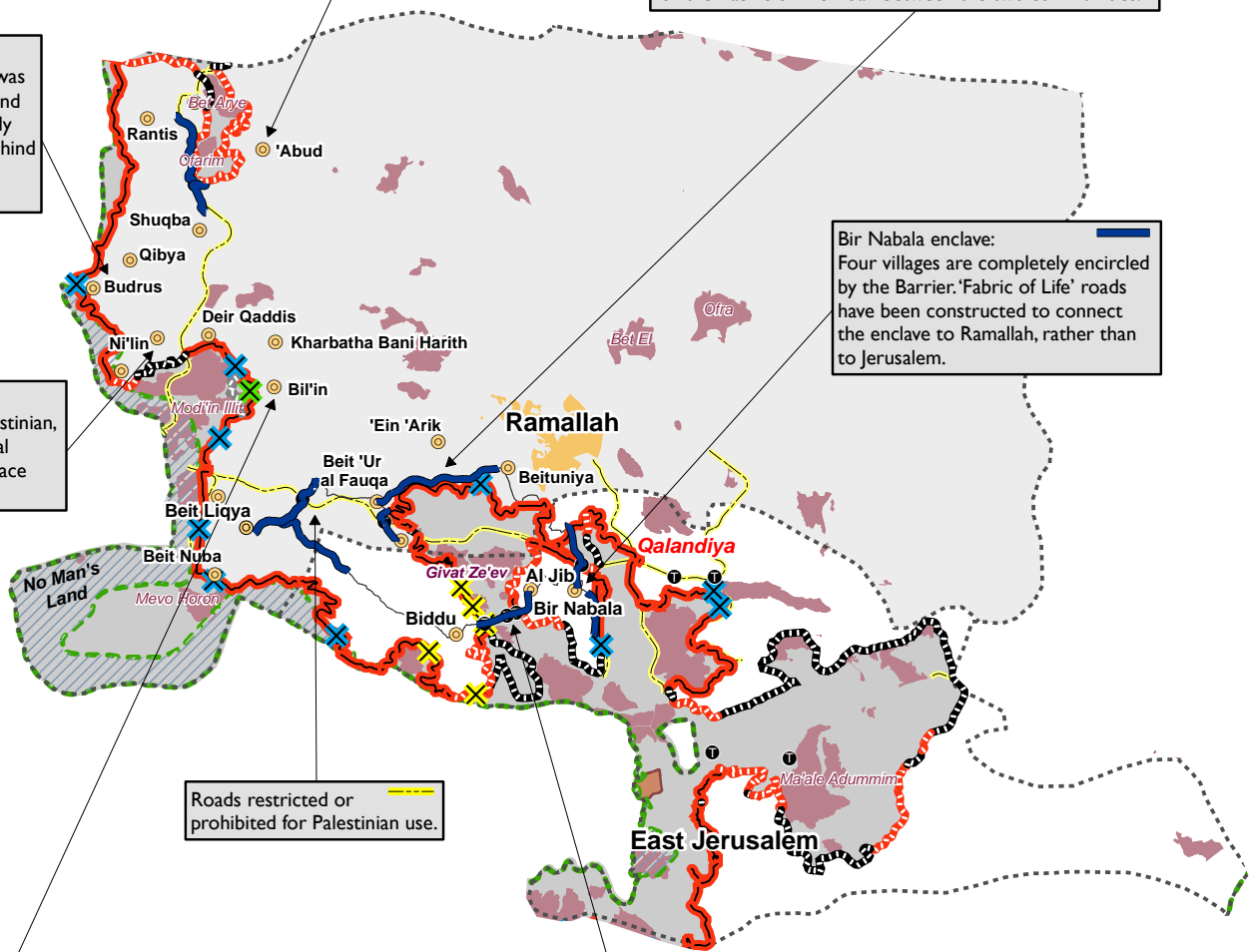
'Abud:
 This section of the Barrier is the most southerly segment of the Ariel 'Finger' and will isolate 3,800 dunams of the village's land.

Beit 'Ur al Fauqa & Beituniya:
 Approximately 600 dunams of land have been requisitioned for the 'Fabric of Life' road between the two communities.

Budrus:
 Although the barrier was rerouted and village land restored, residents only have access to land behind the Barrier during the olive harvest.

Nil'in:
 Protests involving Palestinian, Israeli and international demonstrators take place on a weekly basis.

Bir Nabala enclave:
 Four villages are completely encircled by the Barrier. 'Fabric of Life' roads have been constructed to connect the enclave to Ramallah, rather than to Jerusalem.



Roads restricted or prohibited for Palestinian use.

Bil'in:
 An Israeli high court ruling to change the route of the Barrier has still not been implemented and protests continue on a weekly basis.

Biddu-Al Jib:
 A two kilometre sunken road has been constructed to link the four communities in the Bir Nabala enclave to Biddu.

Gates	Barrier Status	Palestinian built up areas	Affected communities
<ul style="list-style-type: none"> Daily: generally open 15-60 minutes; 3 times/day. Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest. Seasonal: Open daily during olive harvest only. Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate. Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night. 	<ul style="list-style-type: none"> Constructed Projected Under construction 	<ul style="list-style-type: none"> Built up area Built up area 	<ul style="list-style-type: none"> Affected communities east of barrier Closed area communities
	<ul style="list-style-type: none"> Boundaries Green Line Governorate boundary Village boundary 	<ul style="list-style-type: none"> Settlements Built up area 	<ul style="list-style-type: none"> Passage Underpassage/Tunnel Wells/Springs Spring/Well
		<ul style="list-style-type: none"> Governorate Affected Area behind Barrier Governorate area 	

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GOVERNORATE: JERUSALEM

The route of the Barrier in the Jerusalem governorate measures 168 kilometres in length, of which only three per cent lie on the Green Line. The route is extremely circuitous, joining settlements to Israel, while creating enclaves of Palestinian communities surrounded on three and four sides by the Barrier.

Access to East Jerusalem is of critical importance for the entire West Bank population, for specialized medical care, university education, work, social and family relationships and worship. For most Palestinians this access has been forbidden since 1993, unless they are granted difficult-to-obtain entry permits issued by the Israeli authorities. In conjunction with the complex system of permits, checkpoints and gates, the Barrier in effect has become a de facto border, severing historic religious, social, and economic ties between East Jerusalem and the rest of the West Bank.

In the north of the governorate, the route creates two densely-populated enclaves, Biddu and Bir Nabala, surrounded on three and four sides respectively by the Barrier. A two kilometre sunken 'Fabric of Life' road runs underneath the Givat Ze'ev settlement area to connect the two enclaves, with designated roads and underpasses under route 443 linking them separately to Ramallah city, which is now physically separated from Jerusalem by the Barrier. Givat Ze'ev settlement, although located outside the municipal boundary, falls on the Jerusalem side of the Barrier.

In the north of the governorate, the Palestinian neighbourhoods of Kafr 'Aqab, Shu'fat refugee camp and part of Anata, which lie within the Jerusalem municipal boundary are now on the 'West Bank' side of the Barrier. Conversely, some 53 km² of West Bank

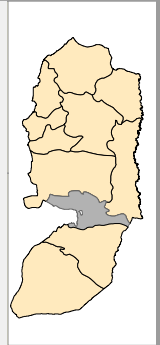
Area: 346 km²
population: 364,000
Settlements/Outposts: 28/4

BARRIER

Length: 141 km
3% on Green Line
97% inside West Bank
14 kilometers at widest point
5 communities inside closed area

GATES

Total: 9
Seasonal: 4
Seasonal/weekly: 5
Daily: 0



territory surrounding the Ma'ale Adummim settlement bloc, similar in size to the area of West Jerusalem, will be enclosed by the Barrier. If constructed as planned, the Barrier around the Ma'ale Adummim settlement bloc will physically sever East Jerusalem from the wider West Bank. A road around the Ma'ale Adummim 'bubble' is planned for Palestinians, replacing territorial with transportational contiguity between Ramallah and Bethlehem, and the northern and southern West Bank.

The Barrier also separates West Bank villages and suburbs that were once closely connected to East Jerusalem. One such locality is Ar Ram in the northern governorate, while in the south Al 'Eizariya and Abu Dis are also separated from East Jerusalem, their main commercial and service centre.

"When the Barrier has been completed, Israel will control access to and from East Jerusalem, cutting off its Palestinian satellite cities of Bethlehem and Ramallah, and the rest of the West Bank beyond. This will have serious economic, social and humanitarian consequences for the Palestinians. By vigorously applying policies on residency and ID status, Israel will be able finally to complete the isolation of East Jerusalem – the political, social, commercial and infrastructural centre of Palestinian life."

From a European Union report on Jerusalem, 2005.

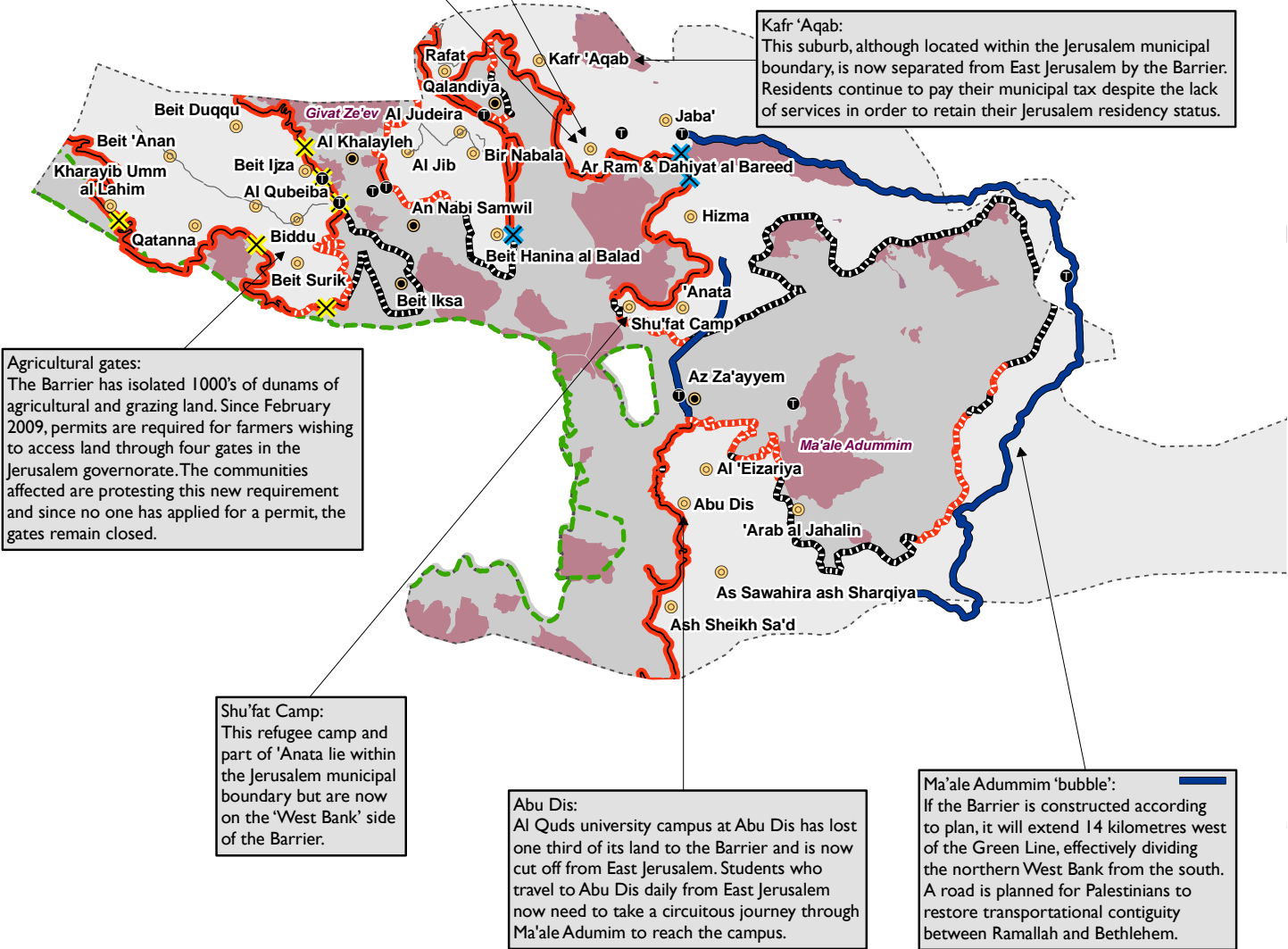
Ad Dahiya al Bareed:
This neighbourhood is divided by the Barrier. Since February 2009, West Bank residents living on the Jerusalem side of the Barrier require permits to live in their homes but are not allowed to enter the rest of Jerusalem.

Ar Ram:
The Barrier now runs down the centre of the Jerusalem-Ramallah road, cutting off Ar Ram from Jerusalem. Of the 1,650 registered commercial establishments in Ar Ram in 2006, 730 are now closed.



The Barrier is cutting off Ar Ram from Jerusalem. Photo by Patrick Zoll

Kafr 'Aqab:
This suburb, although located within the Jerusalem municipal boundary, is now separated from East Jerusalem by the Barrier. Residents continue to pay their municipal tax despite the lack of services in order to retain their Jerusalem residency status.



Agricultural gates:
The Barrier has isolated 1000's of dunams of agricultural and grazing land. Since February 2009, permits are required for farmers wishing to access land through four gates in the Jerusalem governorate. The communities affected are protesting this new requirement and since no one has applied for a permit, the gates remain closed.

Shu'fat Camp:
This refugee camp and part of 'Anata lie within the Jerusalem municipal boundary but are now on the 'West Bank' side of the Barrier.

Abu Dis:
Al Quds university campus at Abu Dis has lost one third of its land to the Barrier and is now cut off from East Jerusalem. Students who travel to Abu Dis daily from East Jerusalem now need to take a circuitous journey through Ma'ale Adummim to reach the campus.

Ma'ale Adummim 'bubble':
If the Barrier is constructed according to plan, it will extend 14 kilometres west of the Green Line, effectively dividing the northern West Bank from the south. A road is planned for Palestinians to restore transportational contiguity between Ramallah and Bethlehem.

Gates	Barrier Status	Palestinian built up areas	Affected communities
<ul style="list-style-type: none"> Green X: Daily: generally open 15-60 minutes; 3 times/day. Yellow X: Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest. Blue X: Seasonal: Open daily during olive harvest only. White X: Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate. Red X: Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night. 	<ul style="list-style-type: none"> Red line: Constructed Black dashed line: Projected Red dashed line: Under construction 	<ul style="list-style-type: none"> Yellow square: Built up area Pink square: Settled area Grey square: Affected Area behind Barrier Light grey square: Governorate area 	<ul style="list-style-type: none"> Yellow circle: Affected communities east of barrier Black circle: Closed area communities Black circle with 'I': Underpassage/Tunnel Blue circle: Wells/Springs Blue square: Spring/Well
	<ul style="list-style-type: none"> Green dashed line: Green Line Black dashed line: Governorate boundary Black solid line: Village boundary 	<ul style="list-style-type: none"> Black square: Governorate Grey square: Affected Area behind Barrier Light grey square: Governorate area 	

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GOVERNORATE: BETHLEHEM

The Bethlehem governorate comprises 660 km². Because of the continued expansion of Israeli settlements and settlement outposts, construction of the Barrier, and the zoning of the majority of its land as Area C, most of the governorate's land reserves are allocated for military and settler use. Area C includes large tracts of land in the eastern Bethlehem governorate, which have been designated as military areas/firing zones and nature reserves where Palestinian entry and usage is restricted or forbidden. Palestinians also lack access to the 32 kilometres of the Dead Sea coastline which forms the most easterly part of the Bethlehem governorate.

Only 13 percent of governorate land is available for Palestinian use, much of this fragmented. As a result, Bethlehem's potential for residential and industrial expansion and development has been reduced as well as its access to natural resources.

The completed Barrier in the northern governorate has already devastated economic activity in the Rachel's Tomb area. It also isolates olive groves which are now only accessible through two gates, open for limited periods during the annual olive harvest. In addition, the completed Barrier compounds the isolation of the small community of Nu'man – whose inhabitants are 'illegally' residing in Jerusalem according to the Israeli authorities.

Earlier official routes envisaged inner barriers encircling the Palestinian villages in the Gush Etzion settlement bloc. These have been removed from the latest official route, except for Al Walaja, which stands to lose 5,00 dunams of land to the Barrier.

The section of the Barrier in the western governorate, if completed, will follow (approximately) the Green Line

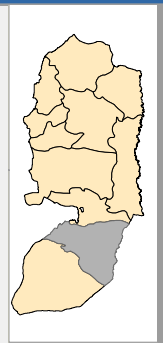
Area: 657 km²
population: 176,000
Settlements/Outposts: 18/3

BARRIER

Length: 62 km
12% on Green Line
88% inside West Bank
10 kilometers at widest point
9 communities inside closed area

GATES

Total: 3
Seasonal: 3
Seasonal/weekly: 0
Daily: 0



for 12.7 kilometres while a more intrusive inner route will reach roughly ten kilometres inside the West Bank, to encircle the Gush Etzion settlement bloc. Access to Road 60, currently the main route for the residents of Bethlehem to travel south to Hebron, will be blocked, necessitating an alternative transportation route for Palestinians further east.

The area isolated by the Barrier to the west comprises approximately 64 km², including some of the most fertile land in the governorate. Nine Palestinian communities with approximately 21,000 residents will also be affected, constituting the largest enclave in terms of population. They will face reduced access to Bethlehem City, the major services centre for health, education, markets and trade. Bethlehem farmers who reside on the 'Palestinian side' of the Barrier will also face reduced access to their land behind the Barrier.

“Towering over us ... is a stark reminder of the stalemate that relations between Israelis and Palestinians seem to have reached – the wall. In a world where more and more borders are being opened up – to trade, to travel, to movement of peoples, to cultural exchanges – it's tragic to see walls still being erected.”

Pope Benedict XVI, Bethlehem, May 2009.



Gilo, one of four checkpoints where Palestinians with Israeli issued permits are allowed entry into East Jerusalem. Photo by JCTordai

Nu'man:
Although located in Bethlehem, Nu'man was annexed within the Jerusalem municipal boundary by Israel in 1967. The residents (173) hold West Bank ID cards and are considered to be illegal residents by the Israeli authorities. Now a closed area, residents names are registered at the checkpoint by the village entrance.

Beit Sahur:
2,000 dunams of olive groves only accessible during the olive season.

Rachel's Tomb:
The Barrier intrudes two kilometres into Bethlehem City, encircling Rachel's Tomb and severing the historic artery to Jerusalem. Most shops in the area have closed or relocated.

Beit Jala:
The Barrier will isolate 3,200 dunams of land, including almost 3,000 dunams of olive groves & the only recreational forest in the area, the Cremisan Monastery and Winery.

Road 60:
The Barrier will block access to Road 60, the main route south to Hebron, necessitating an alternative transportation route for Palestinians further east.

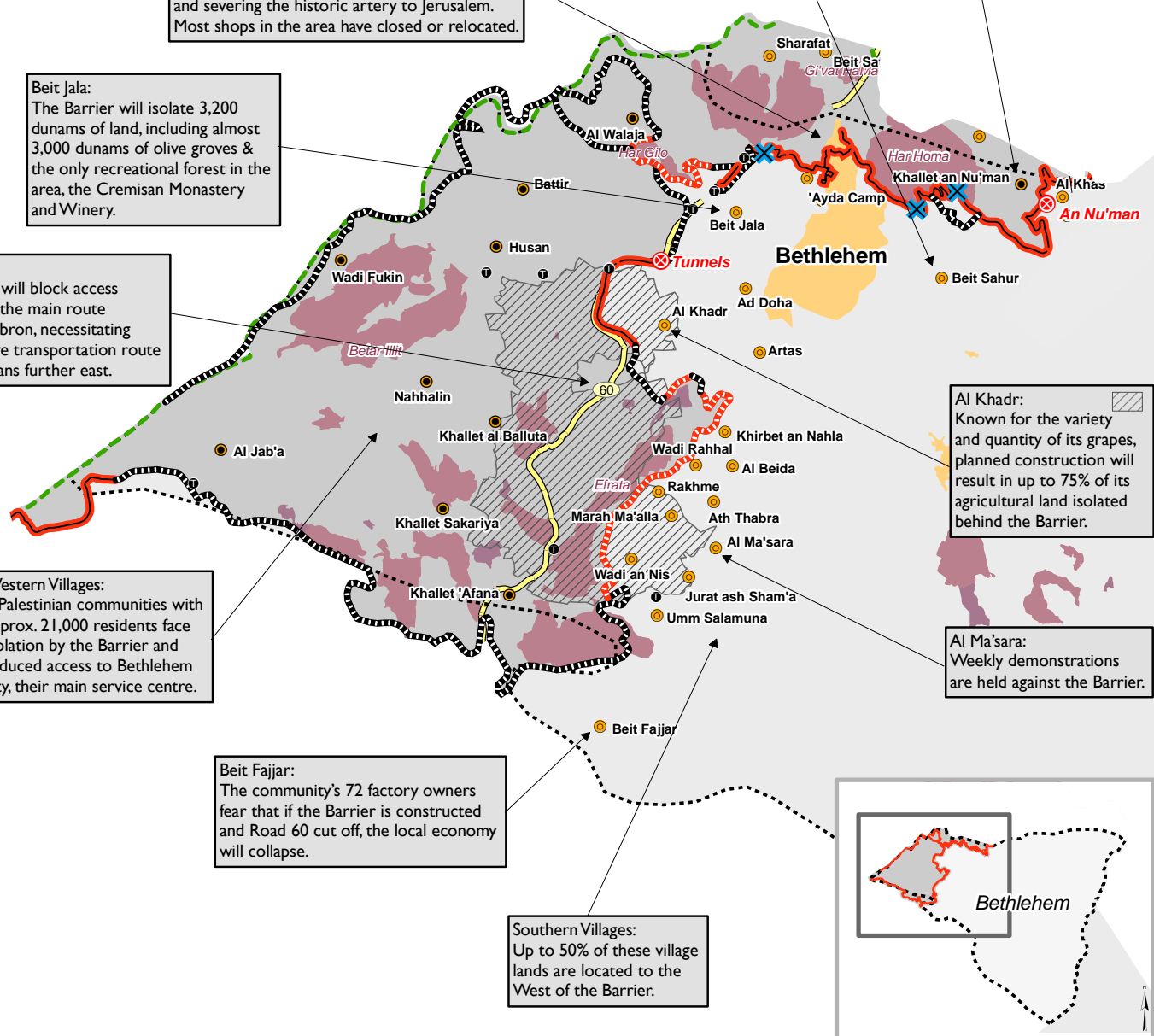
Al Khadr:
Known for the variety and quantity of its grapes, planned construction will result in up to 75% of its agricultural land isolated behind the Barrier.

Al Ma'sara:
Weekly demonstrations are held against the Barrier.

Western Villages:
9 Palestinian communities with approx. 21,000 residents face isolation by the Barrier and reduced access to Bethlehem city, their main service centre.

Beit Fajjar:
The community's 72 factory owners fear that if the Barrier is constructed and Road 60 cut off, the local economy will collapse.

Southern Villages:
Up to 50% of these village lands are located to the West of the Barrier.



Gates	Barrier Status	Palestinian built up areas	Affected communities
Daily: generally open 15-60 minutes; 3 times/day.	Constructed	Built up area	Affected communities east of barrier
Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest.	Projected	Built up area	Closed area communities
Seasonal: Open daily during olive harvest only.	Under construction	Settlements	Passage
Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate.	Boundaries	Affected Area behind Barrier	Underpassage/Tunnel
Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night.	Green Line	Governorate area	Wells/Springs
	Governorate boundary		Spring/Well
	Village boundary		

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GOVERNORATE: HEBRON

The completed section of the Barrier in the Hebron area runs from Khirbet ad Deir in the north to Beit Yatir in the south, with the exception of the Eshkolot enclave. Earlier official Barrier routes envisaged large incursions into the west and, in particular, the southern parts of the governorate. Following revisions, the Barrier now cleaves much closer to the Green Line. Despite this, approximately 50 communities have land isolated between the Barrier and the Green Line and a large number of herders have lost access to their traditional grazing grounds. While the majority of settlements in the governorate lie east and south of the Barrier, three will be encircled by the Barrier, including 4,000 dunams surrounding the built-up area of Eshkolot settlement which includes grazing lands currently used by Palestinian herders.

In January 2009, the closed area designation was extended to the Hebron governorate and permit requirements introduced in February 2009. In the southernmost part of the governorate an extended family of 50 people inside the Beit Yatir enclave are isolated from the rest of the West Bank and lack shops, school or medical services. To reach Imneizil, the nearest service centre, they have to cross the Beit Yatir terminal controlled by a private Israeli company. As of June 2009, a number of residents of Beit Yatir were still

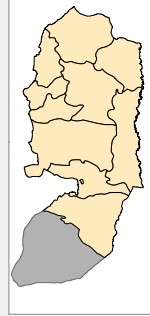
Area: 998 km²
population: 552,000
Settlements/Outposts: 22/15

BARRIER

Length: 111 km
32% on Green Line
68% inside West Bank
2 kilometers at widest point
2 communities inside closed area

GATES

Total: 6
Seasonal: 6
Seasonal/weekly: 0
Daily: 0



without permanent resident permits.

All Barrier gates in the Hebron governorate operate on a seasonal basis and visitor permits are now required for farmers to access land between the Barrier and the Green Line. Allocation has been slow and partial to date, and farmers with valid permits must coordinate access through the Palestinian DCL at least three days in advance, who in turn must apply in writing to their Israeli counterparts to arrange gate opening times.

“There is also a risk of further alterations to the demographic composition of the Occupied Palestinian Territory resulting from the construction of the wall inasmuch as it is contributing ... to the departure of Palestinian populations from certain areas. That construction, along with measures taken previously, thus severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel’s obligation to respect that right.”

ICJ, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, para. 122.

QUSSA

On 29 October 2007, the IDF displaced the Qussa community of approximately 180 Palestinians in the northern Hebron governorate. This was the first incident in which a community residing between the Barrier and the Green Line was evicted. Hired workers collected the belongings of the residents, as well as their sheep, and removed them to the ‘Palestinian’ side of the Tarqumiya Terminal.

The eviction was implemented on the grounds that Idhna, rather than Qussa, was their official place of residence according to their ID cards. In addition, Qussa residents could not prove ownership of the land. While residing in Idhna, many of the evicted spent eight months of the year grazing their sheep in Qussa.



In October 2007 the Qussa community (180 residents) was evicted to the 'Palestinian' side of the Barrier. Photo by UN OCHA

Qussa:
This community (180 residents), located between the Barrier and the Green Line, was evicted in October 2007.

The Barrier blocks access to the traditional grazing areas for villages east of the Barrier. There are around 10,000 sheep in the area and lack of access to pasture has led to dependency on expensive fodder.

Masafer Yatta:
The herder communities risk losing access to their traditional grazing land since they cannot prove land ownership on the other side of the Barrier and be eligible for visitor permits.

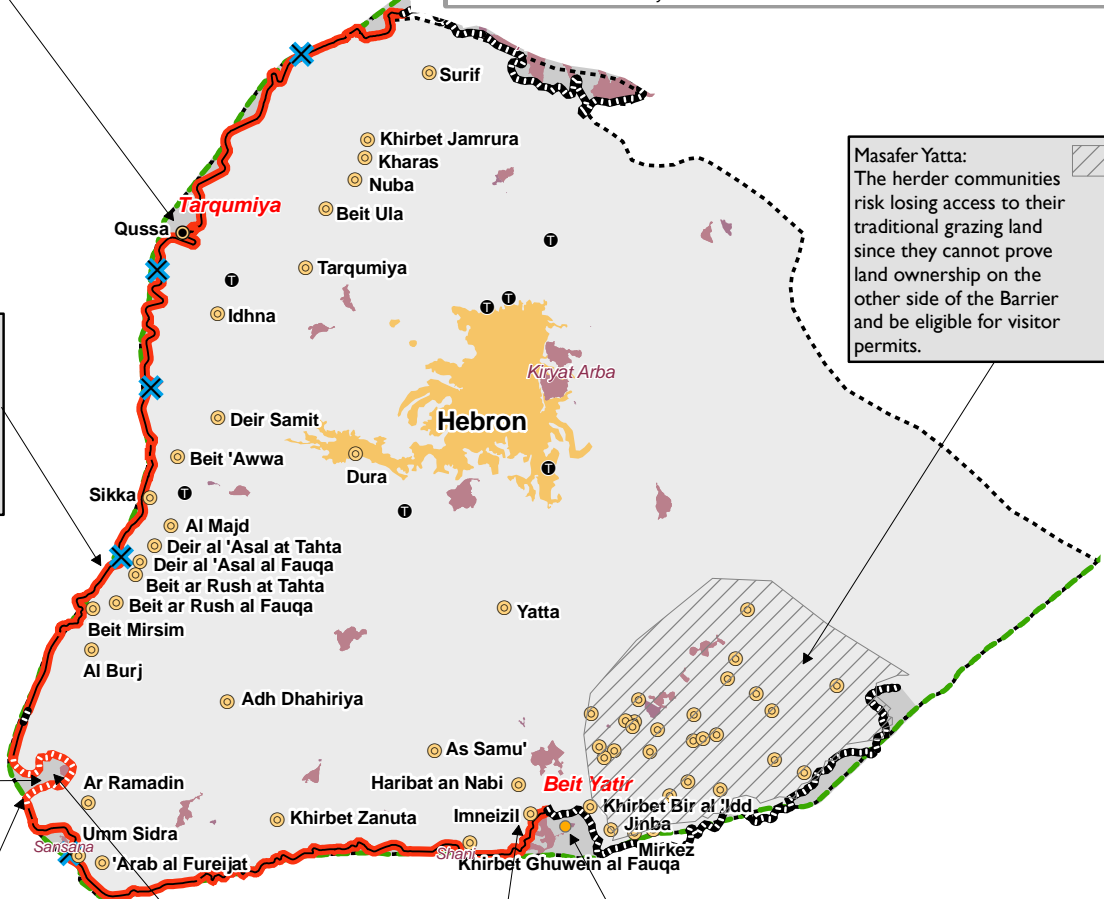
Eshkolot enclave:
Four Palestinian families live inside the enclave during the summer season.

Eshkolot enclave:
Land levelling is ongoing. The enclave includes 4,000 dunums formerly used as pasture by Ar Ramadin and herders from Adh Dahahiriya.

Eshkolot enclave:
Agricultural cisterns inside the enclave will be inaccessible for Palestinians when the Barrier is completed.

Beit Yatir:
Of the 120 people with land inside the enclave, only 10 were granted permits by June 2009.

Beit Yatir:
An extended family (50 people) lives between the Barrier and the Green Line. The area was declared a closed area in January 2009, and residents now need permanent resident permits to reside in their homes. By June 2009, 35 residents were still not granted these permits. Ten children are checked by a private company operating the checkpoint on their way to school and back.



Gates	Barrier Status	Palestinian built up areas	Affected communities
Daily: generally open 15-60 minutes; 3 times/day.	Constructed	Built up area	Affected communities east of barrier
Weekly/Seasonal: Open 3 times/day; 1-3 days/week; & during olive harvest.	Projected	Built up area	Closed area communities
Seasonal: Open daily during olive harvest only.	Under construction	Settlements	Passage
Prior Coordination: Open seasonal/several days weekly through prior coordination. Access not depending on permits but on ID cards & a list of names at gate.	Boundaries	Built up area	Underpassage/Tunnel
Closed Area CP: for communities in closed area to access wider West Bank. Generally open during day; closed at night.	Green Line	Governorate	Wells/Springs
	Governorate boundary	Affected Area behind Barrier	Spring/Well
	Village boundary	Governorate area	

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Endnotes

- 1 Since 2004, the number of suicide bombings has decreased. In 2005, Palestinian militant groups declared a ceasefire on suicide bombings in Israel.
- 2 ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion of 9 July 2004, para. 141.
- 3 *Ibid.*, para. 163.
- 4 *Ibid.*, paras.152-53.
- 5 The planned Barrier route is based on the Israeli government map, published in April 2006 and data provided by Shaul Arieli (Council for Peace and Security) in July 2009. The constructed and under-construction Barrier route is extracted from satellite imagery (June 2008), compared to data provided by the Council for Peace and Security and verified by field surveys as of July 2009.
- 6 OCHA/UNRWA Special Focus: *The Humanitarian Impact of the Barrier*, Update No. 8: Four years after the Advisory Opinion of the International Court of Justice on the Barrier, July 2008.
- 7 Resolution ES-10/14 adopted by the General Assembly of the United Nations on 8 December 2003 at its Tenth Emergency Special Session.
- 8 ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion of 9 July 2004.
- 9 *Ibid.*, para. 137.
- 10 *Ibid.*
- 11 *Ibid.*, para. 119 and 120. See also the Declaration by Judge Buergenthal, para. 9, where he states 'the segments of the wall being built by Israel to protect the settlements are ipso facto in violation of international humanitarian law.'
- 12 *Ibid.*, para. 78.
- 13 *Ibid.*, para. 155.
- 14 *Ibid.*, para. 159.
- 15 *Ibid.*, para. 160. The full text of the ICJ opinion can be found at: <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=5a&case=131&code=mwp&p3=4>
- 16 See <http://www.nsc.gov.il/NSCWeb/Docs.Brodet.pdf> (Hebrew only).
- 17 World Bank Technical Team: *Movement and Access Restrictions in the West Bank: Uncertainty and Inefficiency in the Palestinian Economy*, 9 May 2007, p. 1.
- 18 See for example, Cabinet Decision 3283, of 20 February 2005, Section B.2.
- 19 For an assessment of the Barrier's impact on Palestinian access to health, education, religious and economic services and facilities in Jerusalem, see OCHA: *The Humanitarian Impact of the West Bank Barrier on Palestinian Communities: East Jerusalem*, Update No. 7, June 2007. (<http://www.ochaopt.org/documents/Jerusalem-30July2007.pdf>).
- 20 Requests are made by the patient's physician to the Referral Abroad Department (RAD) of the Palestinian Ministry of Health, which during weekly meetings determines the eligibility and designated hospital of the patients. The patient then sets up an appointment with the hospital concerned, following which the RAD sends a request to the Israeli Civil Administration to issue a permit for the patient for a specific period. If the permit is granted, the patient is issued a form which allows him or her to cross checkpoints and enter Jerusalem or Israel for a limited period. Chronic patients cannot obtain permits for prolonged stays, and must re-apply for permits every time they enter Israel or East Jerusalem for treatment. In some cases, permits are not the valid for the total period required for treatment, and accompanying family members are often denied permits. Source World Health Organization, Jerusalem.
- 21 World Health Organization, Jerusalem.
- 22 According to the Israeli Governorate Coordination Liaison Office in Bethlehem, 39,220 such permits were issued during 2008, a decline of almost 30 percent from the 54,866 permits issued in 2007.
- 23 The World Bank: *Two Years after London: Restarting Palestinian Economic Recovery*, Economic Monitoring Report to the Ad Hoc Liaison Committee, 24 September 2007, p. 20. The World Bank notes that the percentage of West Bank firms selling into East Jerusalem has dropped from 21% to 18% between 2000 and 2005 while Gazan businesses are almost entirely shut out of the Jerusalem economy
- 24 Meeting with Ar Ram Village Council, 8 July 2009.
- 25 Meeting with Bir Nabala Village Council and Mayor of Abu Dis, 8 July 2009.
- 26 For more information on the Bethlehem governorate, see OCHA, *Shrinking Space: Urban Contraction and Rural Fragmentation in Bethlehem Governorate*, May 2009.
- 27 The exception is the village of 'Azzun 'Atma whose residents, although located on the 'Israeli' side of the Barrier, were not required to obtain permits to continue living in the village. In March 2009, the IDF installed an inner fence, or secondary Barrier, with two gates along it, cutting off nine houses from the rest of the village and obliging their 75 inhabitants to apply for permanent resident permits.
- 28 According to an OCHA-UNRWA survey conducted in 2007 in the northern West Bank, 26 men, 81 women, and four children residing in the closed area had not received permanent resident permits. UNOCHA/UNRWA Special Focus: *The Barrier Gate and Permit Regime Four Years On: Humanitarian Impact in the Northern West Bank*, November 2007. (http://www.ochaopt.org/documents/OCHA_SpecialFocus_BarrierGates_2007_11.pdf).
- 29 One such case is described by the journalist, Gideon Levy: 'Twilight Zone: Charlie's Angels', *Ha'aretz*, 31 August 2007.
- 30 The State of Israel's declaration was a written commitment submitted to the High Court of Justice HCJ, 85/06

- Muhammad Muhammad Rashid Takatke and others vs. The State of Israel, State Response submitted on 12 June 2006, para. 41.
- 31 UNOCHA/UNRWA Special Focus: The Barrier Gate and Permit Regime Four Years On: Humanitarian Impact in the Northern West Bank, November 2007.
 - 32 Consulate General of Spain in Jerusalem; Azahar; Agencia Espanola de Cooperacion Internacional Technical Cooperation Office, Jerusalem: A Review of the Palestinian Agricultural Sector 2007, p. 5. Almost 90 percent of women in the informal economy work in the agricultural sector: Occupied Palestinian Territory, UN Consolidated Appeal 2009, p. 37.
 - 33 The World Bank: The Economic Effects of Restricted Access to Land in the West Bank, October 2008, p. 10.
 - 34 Ibid, p. 16.
 - 35 Also required are an accompanying map of the land in question, and both certificates of inheritance and proof that the land has not been sold and still belongs to the applicant.
 - 36 UNOCHA/UNRWA Special Focus: The Barrier Gate and Permit Regime Four Years On: Humanitarian Impact in the Northern West Bank, November 2007. (http://www.ochaopt.org/documents/OCHA_SpecialFocus_BarrierGates_2007_11.pdf). This figure was replicated in a follow-up survey of the same communities in May-June 2008.
 - 37 According to the Israeli DCL in Qalqiliya, the minimum amount of land necessary to obtain a permit is half a dunam.
 - 38 Consulate General of Spain in Jerusalem et al; A Review of the Palestinian Agricultural Sector 2007, p. 12.
 - 39 The list does not include military gates which Palestinians are prohibited from using, nor the crossing points installed or incorporated into the Barrier which channel Palestinian access into Israel or to East Jerusalem.
 - 40 See OCHA/UNRWA Special Focus: The Humanitarian Impact of the Barrier, Update No. 8: Four years after the Advisory Opinion of the International Court of Justice on the Barrier, July 2008, p. 16.
 - 41 Although occupying only 2.3 percent of the total cultivated area of the West Bank, irrigated agriculture is responsible for 47.4% of the total plant production. Consulate General of Spain in Jerusalem et al; A Review of the Palestinian Agricultural Sector 2007, p. 4.
 - 42 The cultivated areas of wheat in the West Bank dropped from 46,490 hectares in 1967 to 15,600 in 1992, and increased to 21,400 in 2005. 'The recent augmentation in wheat production area is intimately related to the increase in movement restrictions and closure policies, instigating a change in the planting pattern towards crops that need less tending in order to minimize the need for physical access.' Consulate General of Spain in Jerusalem et al; A Review of the Palestinian Agricultural Sector 2007, p. 23.
 - 43 The ICJ stated that causing such displacement and changes to demographic composition breached Israel's legal obligations: "There is also a risk of further alterations to the demographic composition of the Occupied Palestinian Territory resulting from the construction of the wall inasmuch as it is contributing, as will be further explained in paragraph 133 below, to the departure of Palestinian populations from certain areas. That construction, along with measures taken previously, thus severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel's obligation to respect that right." Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, para. 122.



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