

Restrictions on Life



Eliezer Moav, B'Tselem

Impediments to the free movement of the civilian population far exceed legitimate security measures. Palestinians are no longer able to lead a normal life, and the isolation of Jerusalem from its Palestinian environs is almost complete.

In 1990, Israel began imposing restrictions on Palestinian free movement. At first, Palestinians were prohibited from entering Israel or East Jerusalem. Then restrictions were imposed inside the West Bank as well. Over the past six years, these restrictions have reached unprecedented proportions. The military has set up hundreds of check-points, road blocks and other obstacles. Palestinians have limited access to many of the major roadways in the West Bank. Some roads are completely off-limits, reserved exclusively for Israeli settlers. The West Bank is essentially divided into five different areas, and it is very difficult to move between them.



Ash-Sheikh Sa'd

A Case Study

The village of ash-Sheikh Sa'd stands on a hilltop on the eastern border of Jerusalem. Its west side is linked to Jabal Mukabar, an East Jerusalem neighborhood. In fact, most of ash-Sheikh Sa'd's 2,000 inhabitants view themselves as Jerusalemites, and have strong family ties linking them to Jerusalem. Almost all vital needs, including medical services, are supplied in East Jerusalem. In all other directions, a steep cliff separates ash-Sheikh Sa'd from the rest of the West Bank, and prevents access by vehicles. Despite these facts, the municipal boundary left the village officially outside of Jerusalem, and thus most of its inhabitants carry West Bank identification cards, and do not share the rights of their Jerusalemite counterparts.

In 2002, the Israeli military blocked access to the village by placing concrete blocks and an earth mound on the road connecting it to Jabal Mukabar. Because of the difficult topographical conditions, ash-Sheikh Sa'd is no longer accessible by car and is practically isolated from its environment. All supplies must be carted in by foot; the sick have to be carried to ambulances over the road block.

Since May 2006, the Border Police have operated a new checkpoint erected at the blocked entrance to the village. Only holders of special permits may now cross by foot to Jabal Mukabar, and the rest of Jerusalem. Ash-Sheikh Sa'd is in fact under siege, and even access to medical care is not always available if one doesn't carry the proper permit. Those who are able to hike down the slopes may reach a car at the other end of the valley, which will drive them to other parts of the West Bank. A quarter of the residents have already abandoned their homes.

The Barrier route in this area follows the Jerusalem municipal boundary and when completed, will make this untenable situation permanent. Following the residents' appeal, the Tel-Aviv Magistrate's Court cancelled this portion of the Barrier, ruling that it caused disproportionate harm to the residents of ash-Sheikh Sa'd. The State has appealed this ruling to the High Court.

Lin Chalozin-Dovrat



Ar-Ram

A Case Study



Some 60,000 people live in the North Jerusalem suburb of ar-Ram, just outside of the city limits. About half the residents are Jerusalemites who left the city due to the overcrowding and high real estate prices that result from Israel's restrictions on Palestinian urban development. Ar-Ram residents are dependent on Jerusalem in all aspects of daily life. Most work in the city, or elsewhere inside Israel. Five thousand children from the town attend schools inside Jerusalem. Virtually all receive healthcare services in East Jerusalem.

The Barrier surrounds ar-Ram on three sides. A 23-foot high concrete wall runs down the main street, cutting off ar-Ram from Jerusalem. To get to work, to school or to the hospital, people have to travel a circuitous route and pass through the Qalandiya checkpoint. They can do so only if they have the necessary permits. Whenever Israel closes the checkpoint for any reason, these people are cut off from all necessary services.



Dana Levy, Digital Montage: "Qalandiya Boys", 2005, 40x153

In addition to being cut off from Jerusalem, ar-Ram is separated from five neighboring villages, among them Bir Nabala, by a system of fences and walls, leaving only one way out, to the north. Residents in the Bir Nabala enclave are also completely dependent on Jerusalem for services, and have close social and family ties with neighboring ar-Ram and Beit-Hanina. Bir Nabala, for example, is only a short walk from ar-Ram, yet now to go from one to the other requires a journey of over twenty kilometers, and passage through at least one checkpoint.

Suhair Abdi-Habib Allah,
32, married with two children,
Human Rights worker, resident of ar-Ram

I live with my family in ar-Ram, and all four of us need to get to Jerusalem every morning, my husband and I to our jobs and my kids to their preschools. Since ar-Ram was disconnected from Jerusalem by the wall, it has become extremely difficult to get to work on time, and you can never tell how long it will take. That's why my husband and I split up every morning - one goes out early while the other stays home with the kids until the traffic jams are over. Yesterday, for instance, I didn't leave the house until after 8:00 in order to avoid the long lines of all the parents trying to get their children to schools inside Jerusalem. Iyad, my husband, called me from Qalandiya, and reported that the line wasn't moving. I considered taking the road through the settlement of Pisgat-Zeev. In the afternoon this road is clear, but lately every morning there is a "temporary checkpoint" on the road connecting ar-Ram with this road, and I didn't want to get stuck there. The military logic is incomprehensible - I don't see why the threat to security would manifest itself in morning rush-hours only. However, with the Palestinian residents detained, the settlers coming in from the North-East can avoid traffic at the Hizmah check-point, and enter the city without the lengthy delays we face. It was already late, so I tried a different checkpoint, one that has a lane for West Bank Palestinians and a separate lane for Israeli citizens. I have an Israeli ID so I took the Israeli lane, which is much shorter, but after the soldier saw that I am an Arab, he wouldn't let me through. He claimed that the lane is in fact only for those with special passes and foreign aid workers. I made a u-turn and went back to Qalandiya. I got to work at 10:15.



"With the Palestinians detained, the settlers can avoid traffic at the checkpoint, and enter the city without the lengthy delays we face."

Gates in the Barrier

Any Palestinian who wishes to enter Jerusalem must now cross a checkpoint, whether to get to work or school, to access the city's hospitals, or simply to visit friends and family. Those most affected are the 100,000 residents of the suburbs that have been cut off from Jerusalem by the Separation Barrier. These are people who cross in and out of Jerusalem at least twice a day. Some 60,000 of them have Jerusalem residency status. The result is inevitable: thousands of people lining up before dawn to get their children to school and to get to work on time. Those who manage to cross, arrive exhausted and worn out by the effort required just to travel a few kilometers down the road. Many of those who can afford to do so have left the suburbs and returned to live inside the city. The result: further overcrowding and poverty, and an additional burden on the city's meager resources.

The Birth of a Checkpoint



Loay Abu Haykel, Reuters

In 2001, a temporary military checkpoint was erected on the main road connecting Ramallah to Jerusalem, between Kafr 'Aqeb and the Atarot industrial zone. The Qalandiya checkpoint has since become permanent, and has created a whole new reality on the ground, in blatant disregard of international law, and even of the city limits of the Jerusalem municipality. Although Qalandiya serves as the control point for passage between the West Bank and Jerusalem, it is located deep inside occupied territory. Absurdly, it is also located inside the territory of annexed East Jerusalem, such that Qalandiya serves as the transit point for traffic within Jerusalem, and traffic within the West Bank.

Qalandiya Checkpoint, 2005

With the construction of the Barrier, the infamous Qalandiya checkpoint changed again. Since April 2005, a massive system of cement walls, gates and lanes marks the northern entrance to Jerusalem. Jewish settlers bypass the Qalandiya checkpoint altogether, entering the city through alternate roads.



Kafr 'Aqab

A Case Study

In order to use the old Jordanian airport at Atarot, Israel annexed a long, narrow corridor of the West Bank to the northern border of Jerusalem. As a result, most of the Palestinian village of Kafr 'Aqab, located just north of the runway, was included within the city. Most villagers have Jerusalem residency status and are obligated to pay municipal taxes to the Israeli Municipality. However, they receive almost no services. The village has no welfare services and no postal service. Only the main street is lit, the roads are in terrible condition and there is not a single public park.

Despite the proximity to Ramallah, Kafr 'Aqab residents are dependent on Jerusalem for all aspects of daily life. Most work inside Jerusalem, and receive medical treatment and other services there. The Qalandiya checkpoint separates Kafr 'Aqab from the rest of Jerusalem. For the past five years, every trip out of the village required residents to stand in a long line to pass through the checkpoint. After they make it through Qalandiya, residents of Kafr 'Aqab often wait another hour to cross a second checkpoint at ar-Ram in order to reach the city center.

Since 2003, with the completion of the Barrier in this area, Kafr 'Aqab is now physically separated from Jerusalem. Most of the land on which the Barrier was constructed was privately owned, belonging to forty-six families. The Barrier also cuts off access to the village's farmlands, harming eighty-five families who are dependent on agriculture for their livelihood. In addition, the Barrier prevents the urban development of the village, as it cuts the village off from the main land reserves available for building.

Hilla Lutsky, Machsom Watch



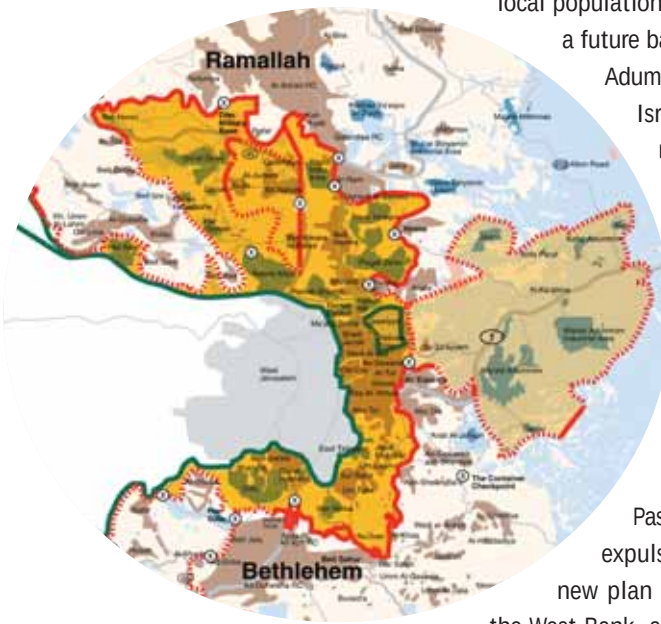
Qalandiya Checkpoint, 2004



2005. Construction of Ma'ale Adumim settlement block

Blocking the Road to a Better Future

Plans to expand settlements in strategic locations not only severely harm the local population. They also impose obstacles to any attempt to build a future based on human dignity for all. The settlement of Ma'ale Adumim was established in 1975 and is today the largest Israeli settlement in the West Bank, with some 30,000 residents. Establishment of Ma'ale Adumim entailed extensive harm to local Palestinians. Whereas most settlements are built on what Israel declared to be "state land," Ma'ale Adumim was established on private Palestinian property. This land was expropriated "for public needs", but the public who benefits is not the local Palestinian community, but Israeli Jews who moved to the settlement. Now Israel plans to construct a massive development - the E1 plan - between Ma'ale Adumim and Jerusalem. Past expansion of Ma'ale Adumim already resulted in the expulsion of the Bedouin Jahalin tribe from its land. The new plan will further isolate East Jerusalem from the rest of the West Bank, and also severely limit the possibilities for the growth and development of four neighboring Palestinian villages, with a total of 27,700 residents.



Ma'ale Adumim is designed to be part of a block of settlements that extends east from the Jerusalem city limits, all the way to the outskirts of Jericho. The block is some 70 square kilometers - fifteen times larger than the built-up area of the settlements within it - and this entire area has been declared

a closed military zone, off-limits to Palestinians without special permits. Thus the Ma'ale Adumim block effectively divides the northern part of the West Bank from the southern part.

Dissecting the Territories

Jerusalem has traditionally been the economical, religious and cultural center of the West Bank. East Jerusalem lies in the middle of an urban continuum, stretching from Ramallah and its surrounding villages in the north, through to Bethlehem and its surrounding villages in the south.

Today the city is almost completely isolated from its West Bank environs. Because Israel considers East Jerusalem to be part of the State of Israel, Palestinians from the West Bank and Gaza are not allowed in without special permits. These permits are very difficult to obtain, and are cancelled during Jewish holidays or in response to security alerts.

Since West Bank Palestinians are prohibited from entering Jerusalem, all north-south traffic in the West Bank has been diverted to an alternative route. Today, in order to reach Ramallah from Hebron or Bethlehem, one needs to travel windy roads, and switch between several taxis or buses in order to pass through the checkpoints scattered along the way. The route of the Separation Barrier will block this road in two places, making even this arduous alternative unavailable. It is unclear how the 2.3 million residents of the West Bank will be able to travel between the north and the south once the Barrier is completed.

The construction of the Separation Barrier is the final step in the almost-complete isolation of East Jerusalem. It finalizes the division of the West Bank into easily controlled portions, and renders social, commercial and family life untenable for Palestinians in Jerusalem and its environs.



Freedom of Movement

International human rights law requires Israel to respect the right of residents of the Occupied Territories to move about freely. This right is recognized both in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Furthermore, international humanitarian law requires Israel, in its capacity as occupier, to ensure the safety and well-being of the local residents.

Freedom of movement, crucial to daily existence in and of itself, is also an essential prerequisite to the exercise of other rights, among which are the right to pursue a livelihood, the right to health, the right to education and the right to protection of family life. The protection of these rights is necessary in order to ensure human dignity at the most minimal level.

Israel is entitled to protect itself through various means, including restrictions on movement when necessary. However, the sweeping and prolonged restrictions it has imposed, and the grave harm these restrictions have caused to the local Palestinian population in all aspects of life, cannot be considered a legitimate response to security threats.

The sweeping restrictions are imposed on the entire Palestinian population, without regard to the actual threat any given individual might present. This appears to be a collective punishment, which is prohibited under international law. The IDF has explicitly admitted that the restrictions on movement imposed on all Palestinians are intended to ensure the free movement of Jews in the Occupied Territories. Thus, Israel's policy violates the right to equality, which is incorporated in human rights conventions to which Israel is a party.

Religious Freedom



Ronen Zvulun, Reuters



Eliana Aponte, Reuters



Ammar Awad, Reuters

Jerusalem is a holy city to hundreds of millions of people around the world from different faiths. For Jews it is the site of Solomon's Temple, and the Jewish bond with Jerusalem has been maintained throughout the generations. Three times each day, Jews turn to face the Western Wall of the Temple when they pray. For Christians, Jerusalem is the city of Jesus' last days, the city of his trial, passion, crucifixion and resurrection. Christians from around the world dream of praying at the Holy Places in Jerusalem. Muslims worldwide yearn for a pilgrimage to Jerusalem, second in importance only to the pilgrimage to Mecca. The Dome of the Rock marks the site of the prophet Mohammad's ascent to heaven. Local Muslims make a special effort to attend Friday prayers at the al-Aqsa Mosque in Jerusalem, particularly during the holy month of Ramadan.

Today, however, Jerusalem is inaccessible to many who wish to worship there. Muslims from a few miles down the road are prevented from praying at the al-Aqsa mosque. During the most recent Ramadan, religious Muslims knelt in prayer at the checkpoints around Jerusalem, after being denied access to the city itself. Palestinian Christians are also prevented from entering the city to pray in the Church of the Holy Sepulcher, the holiest site for Christians. During the most recent celebration of Easter, many Palestinian Christians were refused entry permits. The checkpoints and Barrier around the city also hinder access to neighboring Bethlehem. In fact, once the Barrier is completed, the little town of Bethlehem will be almost entirely surrounded by barbed wire and a concrete wall.

Whatever the resolution to the political and diplomatic issues surrounding Jerusalem, all states have an obligation to ensure freedom of access for all Jews, Christians and Muslims to the Holy Places of the three religions within the city.

Present & Future

Israel's policies in Jerusalem have far-reaching implications: on the rights of all those who live in the city and on the possibility of resolving the conflict, so that Palestinians and Jews can live in peace and security.

All Israeli governments since 1967 chose to compromise the city residents' needs, and to implement measures enhancing inequalities. The Barrier's route, allegedly intended to prevent the deadly terror attacks, is in fact dictated by the same political considerations guiding all other aspects of Israel's policies in the city. The result undermines the very rationale of the Barrier as a security measure, and severely violates basic rights. Furthermore, given the centrality of East Jerusalem for Palestinians, both as the social and economic hub of the West Bank and for its religious significance, this route is a further blow to any chance of resolving the conflict through negotiations and agreement.

Despite the myth that Jerusalem is the "united eternal capital" of the State of Israel, reality shows that the urban fabric is extremely divided. Instead of meeting the common interests of Jerusalem's residents and promoting a culture of cooperation, government policies create segregation, dispossession and mutual distrust.

Help Us Ensure Human Rights in Jerusalem

Regardless of the political future of Jerusalem, the basic rights of the city's residents must be respected. Everyone in Jerusalem must be free to live in dignity and without fear.

What can you do?

1. Learn more about Jerusalem and the Separation Barrier: visit B'Tselem's website to see our comprehensive reports, testimonies and video.

2. Write to the following officials, urging them to ensure basic human rights to all residents of Jerusalem:

Your Foreign Minister or Secretary of State
Your nearest Israeli consul or ambassador
Israeli Prime Minister Ehud Olmert:
pm@pmo.gov.il
fax: 972-2-5664838

Israeli Defense Minister Amir Peretz:
pnior@mod.gov.il
fax: 972-3-697-6218

3. Organize educational forums, speak out and distribute this publication in your community. Contact us for more ideas.

4. Contribute to B'Tselem's efforts to advance human rights in Jerusalem.

Checks may be sent in any currency to B'Tselem
(P.O. Box 53132, Jerusalem 91531).
Please indicate that the contribution is to advance human rights in Jerusalem.

In the U.S., tax deductible contributions may be made through PEF Israel Endowment Funds (317 Madison Ave. Suite 607 New York, NY 10017), and marked as "recommended for B'Tselem." (Minimum contribution is \$25).





For the past 17 years, B'Tselem has worked to promote human rights in the West Bank and Gaza Strip. The organization conducts research, serves as a resource center, and engages in public education to generate greater commitment to human rights principles among the Israeli public. B'Tselem works extensively with Israeli law enforcement officials to investigate individual cases, and to improve policy. As an Israeli organization, B'Tselem is committed to ensuring that our own country respects its international legal obligations, and lives up to the highest ethical standards.

Visual on front cover: Miki Kratsman | Editor: Lin Chalozin-Dovrat | Designer: David Moscovitz ★ EURO TEL AVIV



Sarit Michaeli, B'Tselem

Poster inside Bethlehem checkpoint, 2005

B'Tselem's name is derived from the creation story (Genesis 1:27), according to which God created human beings "in the image of God" (*b'tselem elohim*). In modern Hebrew **b'tselem** is used as a synonym for human dignity, echoing Article 1 of the Universal Declaration of Human Rights which states that "All human beings were born free and equal in dignity and rights."

For more information
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