

BACKGROUND: THE WALL'S DEVASTATION OF FAMILY AND COMMUNITY LIFE IN PALESTINE



In addition to the many direct impacts of the Wall – reduced access to health services, education, and jobs, among others – the Wall imposes a harsh and inhumane toll on the community life and fabric of Palestinian society. The ability to maintain extended family ties, to observe religious practices, and to establish healthy community life and institutions has been all but robbed of hundreds of Palestinian communities impacted by the Wall. The references below present a sampling of third-party witnesses to the collective punishment Palestinians suffer – due directly to the Israeli Wall – with the devastation of their community life and support structures.

United Nations General Assembly, “*Report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/13*,” November 24, 2003, paragraph 23

“The Barrier, in both completed and planned sections, appears likely to deepen the fragmentation of the West Bank created by the closure system Israel imposed after the outbreak of hostilities in September/October 2000. The main component of the closure system is a series of checkpoints and blockades that severely restrict the movement of Palestinian people and goods, causing serious socio-economic harm.”

UN Commission on Human Rights, Report of the Special Rapporteur of the Commission on Human Rights, John Dugard, “*Question of the Violation of Human Rights in the Occupied Arab Territories, including Palestine*,” February 27, 2004, paragraph 22

“Family life is a victim of the Wall. Within the Closed Zone not all members of a family are granted permits to reside within the Zone. In some localities, such as Jerusalem, married couples are divided by their identity documents. The husband may have a West Bank identity document, the wife a Jerusalem identity document. Such couples will either have to move to the West Bank or face separation. Moreover, the quality of family life suffers from unnecessarily long journeys to reach checkpoints to work or to school. Visits to family members resident on the other side of the Wall are subject to the usual uncertainties of the permit system.”

B’Tselem, “*Behind the Barrier: Human Rights Violations as a Result of Israel’s Separation Barrier*,” April 2003, p. 18

“The difficulties in moving from one place to another that will result from the barrier are also expected to impair the social and family life of hundreds of thousands of residents. In an attempt to justify the creation of one of the enclaves west of the barrier, [Israeli state officials] argued before the [Israeli] High Court of Justice that it is prevented from setting the route along the Green Line between Nazlat ‘Issa, which lies in the West Bank, and Baqa al-Gharbiya, which is situated within the Green Line, because it would “break the social fabric” between the two communities. Without going into the specific details of the case before the court, [Israel’s] declaration indicates that it is well aware of the harm that the barrier will cause to the relations between the residents living on opposite sides of the barrier.”

Report of the Mission to the Humanitarian and Emergency Policy Group (HEPG) of the Local Aid Coordination Committee (LACC), “*The Impact of Israel’s Separation Barrier on Affected West Bank Communities*,” May 4, 2003, Annex II, II-1

“A core issue concerning the Wall is the isolation of affected communities resulting from reductions of access and mobility for residents in the impacted areas. In aggregate, the first phase of the Wall raises the following potential concerns: The creation of pockets of very isolated and vulnerable population clusters with a highly inadequate social infrastructure, compounded by a thin local distribution of NGO and UNRWA service providers as compared to other areas of the West Bank.”

Oxford Public Interest Lawyers (OXPIIL) for the Association of Civil Rights in Israel (ACRI), International Law Opinion, “Legal Consequences of Israel’s Construction of a Separation Barrier in the Occupied Territories,” February, 2004, paragraph 203

“The erratic opening of gates in the Barrier, and the subjective issuance of permits for closed military zones, also amount to arbitrary interference, by denying Palestinians access, when they so choose, to their families and homes. Procedures at the gates themselves may constitute arbitrary interference, where the honour, reputation or dignity of Palestinians is impugned by mistreatment, humiliation or denigration at the hands of some Israeli soldiers. The permits themselves may further interfere with the right to privacy and residency.”

International Commission of Jurists, Geneva, “Israel’s Separation Barrier: Challenges to the Rule of Law and Human Rights,” July 6, 2004, p. 44

“The construction of the Barrier within the Occupied Territories causes severe hardship to family life. It should also be noted that the family plays a particularly important role in the Palestinian society as the principle societal structure in the Occupied Territories. As in relation to other violations, it is the present and planned route that results in the separation of families and makes movement for family purposes dependent on a complicated permit system which leads to an arbitrary interference into one’s home and family life as protected under articles 17 and 23 ICCPR. The system of gates and permits itself carries a serious potential for arbitrariness and abuse.”

Oxford Public Interest Lawyers (OXPIIL) for the Association of Civil Rights in Israel (ACRI), International Law Opinion, “Legal Consequences of Israel’s Construction of a Separation Barrier in the Occupied Territories,” February, 2004, paragraph 212

“Arab Israeli citizens living in Israeli territory constitute a demographic minority within Israel. By hampering free movement between Israel and the Occupied Territories, the Barrier limits the right of Arab Israelis to enjoy their own culture with other members of their broader social group – Palestinians living on the eastern side of the Barrier. It also separates them from close association with the territory associated with Arab culture and religion, particularly in relation to sacred Islamic sites located in the Occupied Territories.”

Palestine, Executive Summary of Written Statement to the International Court of Justice, “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory,” January 30, 2004, paragraph 20

“As detailed in a number of United Nations reports, the Wall creates pockets of isolated and vulnerable population clusters that are severed from basic social services and networks. The Wall is leading to massive internal displacement and migration of the Palestinian population. The Wall is having a significant impact on the social fabric of communities in the OPT, separating communities and detrimentally affecting traditional and kinship ties, marriage, social and religious activities, and further obstructing freedom of movement, especially for women and children.”

UN Office for the Coordination of Humanitarian Affairs, “Preliminary Analysis of the Humanitarian Implications of Latest Barrier Projections,” July 31, 2004

“The Barrier also fragments communities and isolates residents from social support networks. Even where the Barrier route does not encircle an area as an enclave, its presence may still impact a community. For example, the Barrier route surrounds on three sides approximately 43,900 Palestinians residing in communities between At-Tira and Beit Sira northwest of Jerusalem. Access for these communities through the fourth side to the north is blocked by Highway 443 – a four-lane highway on which Palestinians are not allowed to travel unless they hold a specific permit.”