

BACKGROUND: THE WALL AND ITS CREATION OF CLOSED AND UNVIABLE ENCLAVES OF PALESTINIANS



While all facets of Israel's "Wall of Shame" are destructive and oppressive, it is perhaps the "walled enclaves" which best reveal the appalling impact of the Wall. A "walled enclave" is a small area – usually containing a few thousand people – that has been literally surrounded by the Wall. These communities are among the hardest hit. Many of them have been totally isolated from basic services such as health care; schools; electricity; water; etc. Because they are so small, and so totally isolated, the economy comes to a standstill as goods and services cannot pass in or out of the enclave. With the unpredictable opening and closing of the access gates by the Israeli army, these enclaves become almost prison-like. (It is interesting to note that some Canadian prison grounds are actually larger than some of the "walled enclaves" that Israel has created.) The references below present a sampling of third-party witnesses to the oppressive conditions imposed by the Wall, especially within the "walled enclaves."

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

"Palestinians living in enclaves are facing some of the harshest consequences of the Barrier's construction and route. For example, the Barrier surrounds the town of Qalqiliya, with the only exit and entry point controlled by an Israeli military checkpoint. This has isolated the town from almost all its agricultural land, while surrounding villages are separated from its markets and services. A United Nations hospital in the town has experienced a 40 per cent decrease in caseloads. Further north, the Barrier is currently creating an enclave around the town of Nazlat Issa, whose commercial areas have been destroyed through Israel's demolition of at least seven residences and 125 shops."

Human Rights Watch, Human Rights News, "Israel: West Bank Barrier Endangers Basic Rights," October 1, 2003

"Under Article 12 of the International Covenant on Civil and Political Rights (ICCPR), freedom of movement can be restricted for security reasons - but the restrictions should be limited to what is necessary and proportionate. As defined by the U.N. Human Rights Committee, the authoritative human rights body interpreting the ICCPR, the restrictions should not make movement the exception rather than the norm. The barrier [Wall], however, is creating walled-in enclaves confining tens of thousands of people. It will institutionalize a system in which all movement is sharply curtailed except to a handful of permit-holders, and endanger Palestinians' access to basic services like education and medical care."

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

"Approximately 157,800 acres – or about 11.5 percent – of West Bank land (excluding East Jerusalem) will lie between the Barrier and the Green Line, according to the revised route..."

"This will include 38,500 acres enclosed in a series of enclaves and 119,300 acres in closed areas between the Green Line and the Barrier, excluding East Jerusalem. An additional 4,000 acres are already located in two semi-enclaves, where land is encircled by the Barrier but access via one route is unrestricted.

"This land, some of the most fertile in the West Bank, is currently the home for more than 93,200 Palestinians living in 63 villages and towns, excluding the communities in east Jerusalem.

"Of these people, 16,300 will live in closed areas – areas between the Barrier and the Green Line. Another 76,900 will live in enclaves – totally surrounded by the Barrier. In the semi-enclaves, an additional 15,400 Palestinians live in areas encircled by the Barrier, but they can enter and exit these areas via one route..."

“The Barrier not only runs inside the Green Line but folds in on itself to create 11 separate enclaves – areas where people are totally surrounded by the Barrier. An additional two semi-enclaves - Habla and Az Zawiya - with a total population of 15,400 are also totally surrounded by the Barrier. However, movement in and out of these areas, is currently unrestricted along one route.”

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*,” September 8, 2003, paragraph 9

“In some places the winding route [of the Wall] creates a barrier that completely encircles Palestinian villages while at many points it separates Palestinian villages from the rest of the West Bank and converts them into isolated enclaves. Qalqiliya, a city with a population of 40,000, is completely surrounded by the Wall and residents can only enter or leave through a single military checkpoint open from 7 a.m. to 7 p.m. Palestinians between the Wall and the Green Line will effectively be cut off from their land and workplaces, schools, health clinics and other social services. Much of the Palestinian land on the Israeli side of the Wall consists of fertile agricultural land and some of the most important water wells in the region.”

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, paragraphs 19, 41

“If all 788 km of the Wall are completed, more than 43.5 percent, or 2,541 square km, of the West Bank will be located outside the Wall. This will leave 56.5 percent of the West Bank as enclosed Palestinian areas. Of this figure, 2 percent of the West Bank will be inside walled enclaves or double-walled areas. In and around Jerusalem, approximately 336 square km will be outside the Wall over a length of approximately 145 km. The number of Palestinians who will be located outside of the Wall or who will have lost land to the other side of the Wall will be 865,000, or 37.5 percent of the Palestinian population of the West Bank. This amounts to de facto annexation by Israel, coupled with the forced displacement of the occupied population...”

“By the creation of Palestinian enclaves, the discrimination against and humiliation of the Palestinian population, and the creation of unbearable economic conditions, the Wall is having the clear and foreseeable effect of the forced displacement of the Palestinian population into increasingly limited areas regarded as safe and livable for Palestinians. The Wall is part of a policy of reducing and parceling out the territorial sphere over which the Palestinian people are entitled to exercise their right to self-determination, establishing non-contiguous Palestinian areas similar to Bantustans, prohibited by international law.”

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 13

“Enclaves within the Closed Zone between the Green Line and the wall cannot be explained in terms of security. What conceivable security goal does the enclave enclosing the village of Ras-A-Tira achieve? Is it not easier to explain enclaves of this kind as a measure to isolate villages so that their inhabitants will ultimately withdraw to the eastern side of the Wall, leaving more vacant land to Israel? And is not this the fate intended for villages like Jubara in the Closed Zone? How is the Wall separating Palestinians at Abu Dis in Jerusalem to be justified on security grounds? If the purpose of the Wall is to prevent Palestinian suicide bombers from crossing into Israel, why is Israel unconcerned about the security risk posed by the thousands of Palestinians who are situated in villages on the Israeli side of the Wall (between Green Line and Wall)? Or is the final aim to compel them to relocate to the West Bank side of the Wall? These are questions that must be satisfactorily answered by Israel if it is to persuade the international community that the latter is confronted with a good faith attempt to provide security for its people rather than forcible territorial expansion.”

