

**Palestinian Christians  
Ongoing forcible  
displacement and dispossession...  
until when?**





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**Cover Photo:** Graffiti on Israel's Annexation Wall in Bethlehem. (Photo by BADIL/RW)

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# Introduction

For over 2000 years, the city of Jerusalem and the town of Bethlehem have held a deeply significant, enduring connection with one another. This connection is forged by cornerstone events of the Christian faith – those of the birth, crucifixion and resurrection of Christ – but also by virtue of geographical proximity and the strong relationships between the Christian communities there, and in the surrounding areas. However, the Israeli military occupation of Palestine and the accompanying construction of the illegal Annexation Wall and its associated regime have served to fracture this connection, with Jerusalem and Bethlehem now physically separated on opposing sides of a barrier which is impregnable to the majority of the Palestinian Christian community.

Recent research places the number of individuals within this community at a figure in excess of 51,000.

Regarding Christian localities in terms of concentration, the Bethlehem Governorate is home to the highest percentage of Christians in Palestine (43.4%), followed by the Ramallah Governorate (24.7%), and Jerusalem (17.9%).<sup>1</sup>

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<sup>1</sup> Kassis, Rifat; Al Qass Collings, Rania; Raheb, Mitri: *Palestinian Christians in the West Bank – Facts, Figures and Trends* (Second revised edition), Bethlehem: Diyar Publisher (2012) p.10.

*The earth is the LORD's, and everything in it, the world, and all who live in it (Ps 24, 1)*

This paper seeks to draw attention to the forcible displacement of the Palestinian people and the resulting human impact on the overall population, though with a particular focus on the Christian element. For this purpose, a general overview of the situation will be provided, alongside a series of case studies concerning the personal experiences of Christian families in Bethlehem and Jerusalem. Finally, the paper will present recommendations on the issue at hand. Each case study will seek to explore and explain a key issue, with each supported by powerful testimony from members of the Palestinian Christian population. These testimonies are drawn from extensive interviews conducted between August-October 2012 by Kairos Palestine and BADIL Resource Center for Palestinian Residency Rights and Refugee Rights. The names of the individuals who provided these testimonies have been changed, as in each case the participant fears that their involvement in this project may draw negative reprisals on behalf of the Israeli authorities. We thank each one for their courage.

## Theological Reflection

God created the earth and everything in it, and then, after creating the human beings in His image and resemblance, He said: “Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground”. God created the earth for benefit of men and women.

All human beings have the same dignity and rights, regardless of race, sex, nationality or religion. Denying individuals or groups their rights based purely on the fact that they are Palestinian is contrary to the plan of God for his creatures. Sacrificing the lives, rights and dignity of human beings for the land is contrary to the plan of God, as He created the land for the benefit of human beings, not the opposite. The prophets warn us against the “idolatry of the land”, as we read in Kings 21.



Palestinians and international supporters at a weekly vigil in solidarity with Cremisan Monastery whose lands are threatened by the Israeli Annexation Wall. (Photo by Kairos Palestine)

In 1 Kings 21, we read:

*“Naboth the Jezreelite had a vineyard, which was in Jezreel, hard by the palace of Ahab king of Samaria. <sup>2</sup> And Ahab spoke unto Naboth, saying, Give me thy vineyard, that I may have it for a garden of herbs, because it is near unto my house: and I will give thee for it a better vineyard than it; or, if it seem good to thee, I will give thee the worth of it in money.<sup>3</sup> And Naboth said to Ahab, The LORD forbid it me, that I should give the inheritance of my fathers unto thee. <sup>4</sup> And Ahab came into his house heavy and displeased because of the word which Naboth had spoken to him: for he had said, I will not give thee the inheritance of my fathers. And he laid him down upon his bed, and turned away his face, and would eat no bread.*

*<sup>5</sup> But Jezebel his wife came to him, and said unto him, Why is your spirit so sad, that you eat no bread? <sup>6</sup> And he said unto her, Because I spoke to Naboth, and said to him, Give me your vineyard... and he answered, I will not give thee my vineyard... <sup>7</sup> Jezebel his wife said to him...: I will give thee the vineyard of Naboth the Jezreelite.*

*<sup>8</sup> So she wrote letters in Ahab's name, and sealed them with his seal, and sent the letters unto the elders and to the nobles that were in his city, dwelling with Naboth. <sup>9</sup> And she wrote in the letters, saying, “proclaim a fast, and set Naboth on high among the people: <sup>10</sup> and set two men before him, to bear witness against him, saying, you blasphemed against God and the king. And then carry him out, and stone him, that he may die.<sup>11</sup> And the men of his city [did what Jezebel told them]. Then they carried him forth out of the city, and stoned him with stones, that he died... <sup>15</sup> When Jezebel heard that Naboth was stoned, and was dead, she said to Ahab: “Arise, take possession of the vineyard of Naboth: for Naboth is not alive, but dead. <sup>16</sup> When Ahab heard that Naboth was dead, he rose up to go down to the vineyard of Naboth to take possession of it.*

*<sup>17</sup> The word of the LORD came to Elijah the Tishbite, saying,<sup>18</sup> Go down to meet Ahab, the king of Israel: behold, he is in the vineyard of Naboth, whither he is gone down to possess it.*

(1 Kings 18, 17.20).

The king abused his power in order to dispossess Naboth from his land. Ahab used false accusations, killed Naboth and took a land that did not belong to him. The Bible calls this act “following idols”.

The story of Naboth tells our story as Palestinians. We are dispossessed of our land through the use of force and/or false documents; we suffer at the hands of an unjust juridical system, and we are driven from our lands. This is not only what happened in the past, but this sin of injustice continues today, violating the commands of the Bible.

## Forced Population Transfer

The Palestinian population is exposed to daily human rights violations by the Israeli

occupying power. Unfortunately, up to this very day Israel has never been held properly accountable for these systematic violations. This unacceptable situation within the overall international community must be brought to an end. This deliberate strategy of forcible displacement amounts to a policy and practice of forcible transfer of the Palestinian population that began in 1948 with the Palestinian Nakba where 750,000 Palestinians were made refugees. However, this process of forcible displacement is ongoing and has so far resulted in approximately 65% of the Palestinian population worldwide being made refugees and/or Internally Displaced Persons.<sup>2</sup>

<sup>2</sup> See BADIL, Palestinian Refugees and Internally Displaced Persons Survey of 2010 - 2012 (2012) p. 3.





Forced population transfer or forcible displacement can be defined as a practice or policy having the purpose or effect of moving persons into or out of an area, either within or across an international border. Forced population transfer is illegal and has constituted an international crime since the Allied Resolution on German War Crimes adopted in 1942. The strongest and most recent codification of the crime is found in the Rome Statute of the International Criminal Court, which clearly defines forcible transfer of population and implantation of settlers as war crimes as stipulated in Articles 7 and 8.

## Silent Transfer Policy

This forcible transfer, today, is carried out by Israel not by mass deportations as seen in 1948 or 1967, but through a wider, more subtle policy of silent transfer whereby Israel seeks to transfer Palestinians without drawing too much attention. The Israeli policy of silent transfer is evident in the State's laws, policies and practices. The most significant of these include: governance and enforcement of residency rights; land rights; regulation of natural resources; the application of justice; and law enforcement. Israel uses its power in such areas to discriminate, expropriate and ultimately forcibly displace the indigenous non-Jewish population from the area of Mandate Palestine. For instance, the Israeli land-planning and zoning system has forced 93,000 Palestinians in East-Jerusalem to build without proper construction permits because 87% of that area is off-limits to Palestinian use, and most of the remaining

13% is already built up.<sup>3</sup> As the Palestinian population of Jerusalem continues to grow steadily, it has had no option but to expand into areas not zoned for Palestinian residence by the State of Israel. All such homes are now under the constant threat of demolition by the Israeli army or police, which will leave their inhabitants homeless and displaced.

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3 OCHA-OPT, Demolitions and Forced Displacement in the Occupied West Bank (2012) p. 1.



House demolition in Sheikh Jarrah neighbourhood in East Jerusalem, January 2011. (Photo by Ridvan Yumlu)

# Case Studies



Photo Story by Mohammad Badarnah, Haifa, Submission to BADIL's al-Awda Award 2012.

## Family Unification

In 2003, Israel introduced the Nationality and Entry into Israel (Temporary Order) Law, 5763. Subsequently renewed in 2008, this legislation prohibits Israelis who marry residents of the occupied Palestinian territory from residing with their spouses within Israel, including illegally annexed Jerusalem. Applicable solely to those with spouses from the West Bank and Gaza Strip, this is a clear breach of an individual's right to family life and a poorly-disguised strategy to preserve a Jewish majority by curbing the Palestinian population. Israel's own Supreme Court, when petitioned by a coalition of human rights organizations challenging this law, acknowledged the attack on basic human rights which this legislation represents, and yet ruled that "...human rights are not a prescription for national suicide".

*"Reality is the separation between members of the same family, making family life impossible for thousands of Palestinians, especially where one of the spouses does not have an Israeli identity card."*

**Kairos Palestine Document, Chapter 1.1.4**

Boutrous, Greek Orthodox, 32 years and born in Jerusalem

*I was born in Jerusalem in the year 1980, and have lived here all my life. My wife is from Beit Jala, Bethlehem governorate. We began our relationship at Bethlehem University, but from the beginning we had many concerns about our future together, due to the family unification issue. As a Jerusalem permanent resident, I have the Jerusalem ID, while my wife has the West Bank ID [both of which are issued by the Israeli state]. Though we are both Palestinians, we have different ID's due to the partition of Palestine in 1948 [and the following occupation and illegal annexation of Jerusalem in 1967]. All we cared about was one thing: How can we live together afterwards?*

*Because of this, taking the final decision to get married took us a long period, but eventually we took the decision, we got engaged in March 2011, and got married in August 2011. I think at least it was our destiny to be together after all those years.*

*When we got married, she came to Jerusalem with a feast-permit, and then she stayed here in Jerusalem without a permit. After three or four months, she got a work permission as her new job started with the beginning of the year 2012. The work permission that she got meant that she was allowed to come to Jerusalem for certain hours, from five o'clock in the morning to seven o'clock in the evening, but this did not allow her to live in Jerusalem.*

*She therefore lived illegally in Jerusalem with me, and if she had been caught in Jerusalem after seven o'clock they would have taken her, opened a security file in her name and sent her back to Bethlehem. They would mark her file that she broke the law. This meant we could never stay long at the weddings, engagements or birthday parties of our friends and families. It was hard for us because we were under a lot of pressure and stress. We still face difficulties every day, but we are trying to overcome them.*

*I had to pay 1570 NIS (\$410) at the Ministry of Interior for starting my application – I can assure you, it is a very long and a very expensive process. I had to collect many documents and fill in two main applications with all the information about my wife and I, including details of her family members; about her mum and father, about her sisters and even about her brother-in-law.*

*I had a lawyer who guided me all the time. He is a friend of mine, so I didn't have to pay him, but I heard from a lot of people that many lawyers are asking for a fee of around three thousand Dollars just to start the application. A lawyer is necessary for certain stages of the process.*

*I then had to attend two interviews at the Ministry of Interior. They asked questions like when we got married, the address of my house, where do I live and so on. I answered the questions and in the same time I told them*

*that it is written also in the documents. You should never answer more than they are asking you; it is better not start explaining things. They try to make you feel insecure and uncomfortable with their questions. I was well prepared with all the documents, but I felt that they were trying to find a gap where they could catch me.*

*We are now waiting. It takes three to six months and sometimes even a year or more until they finish the process and decide. Even though it is such a hard process, the residency permit lasts only for one year, and must then be renewed yearly [since family unification is denied, and only this temporary permit is available].*

It should be noted that the difficulties regarding family unification are not limited to those Palestinians within Jerusalem, but also extends to those living in the OPT who seek to bring their spouses in from outside the OPT. This process has been under Israeli control since the 1967 occupation. According to MIFTAH<sup>4</sup>, over 150,000 applications for family reunification in the OPT were requested between 1973-2000 and only a few thousand of them were approved by Israel. Since 2000, the whole procedure has been officially frozen and only a few thousand more have been granted on the basis of “good will gestures.”

## **‘Centre of Life’ Doctrine**

In the 1967 War, Israel illegally annexed some 70 sq. km to the municipal boundaries of West Jerusalem, imposed Israeli law there and conducted a census in these areas giving permanent residency status, not citizenship, to the residents within the annexed areas. Israel treats Palestinian residents there as immigrants who live in their homes at the beneficence of the authorities and not by right.<sup>5</sup>

4 MIFTAH is a Palestinian non-governmental organization.

5 B’Tselem, Legal Status of East Jerusalem and its Residents (Jan. 2012).



For Palestinians the olive tree symbolizes heritage and a deep-rooted connection to their land. (Photo by BADIL)

*“Jerusalem is the heart of our reality. It is, at the same time, symbol of peace and sign of conflict. While the separation wall divides Palestinian neighborhoods, Jerusalem continues to be emptied of its Palestinian citizens, Christians and Muslims.”*

**Kairos Palestine Document, Chapter 1.1.8**

Boutrous, Greek Orthodox, 32 years and born in Jerusalem

*I feel Israel is making it so difficult for us because they want us to leave the country. If I leave the country with my wife, my wife will not face difficulties - she could return to Bethlehem again - but for me, I will eventually lose my Jerusalem ID, so I would come to my hometown and to my family as a visitor and tourist. Alternatively, if I would take the West Bank ID and live in the West Bank, I would live in a big prison, but I could live with my wife and family. It is really sad to say this but for me it would be easier than to be harassed with this long process and insecurities. Now you see why it took us so long to make this decision to stay together and to face this whole process with all its difficulties. It takes so much effort from us – socially, psychologically, financially, family-wise, but we are trying to have a better life.*

Between 1967-1995, the implementation of the residency revocation policy for the residents of East Jerusalem would typically take place in the event of a resident having left Jerusalem for a continuous stay of more than seven years without having renewed their exit permits. East Jerusalem Palestinian residents who moved elsewhere in the Occupied West Bank were not required to have permits to exit and enter Jerusalem. In December 1995, the Ministry started to revoke the residency status of East Jerusalem Palestinians who have lived several years outside the city's borders, alleging that their "center of life" or "Domicile"<sup>6</sup> was no longer in Jerusalem,

and that their permanent residency permits had "expired".

The latest statistics on the revocation of Jerusalem residency show that there were 14,526 revocations of residency rights between 1967-2010,<sup>7</sup> 79% of these happened between 1995-2011.

## Child Registration

According to Section 12 of the Entry into Israel Regulations, a child born in Israel receives the same legal status as that of the parents, and if the two parents have a different status, the child receives the status of the father. However, Israel considers any child born in the occupied Palestinian territory as being born abroad, for which there is no relevant provision of law. Instead, the registration is performed in accordance with the Interior Ministry's internal procedures. These procedures, in their current form and with no likely changes for the foreseeable future, stipulate that any child of East Jerusalem residents

6 The term "domicile" (or centre of life) was established in the 1988 Mubarak Awad case. Given the fact that Dr. Mubarak Awad resided outside Jerusalem (his hometown) for more than 10 years, moved to the USA, married an American and obtained American citizenship before he returned to Jerusalem and petitioned the Israeli Supreme Court, the court ruled that he had lost his right of permanent residency in Israel (i.e., in East Jerusalem) and thus, the Israeli minister of interior could revoke his right of residency. For more information about this case please see Usama, Halabi, "The Legal Status of Palestinians in Jerusalem." *Palestine-Israel Journal*, 1997 vol. 41.

7 Al-Maqdese, Israeli Violations in Jerusalem (Feb. 2012) p. 47-48.

born in the West Bank, for example, cannot be registered as a Jerusalem resident, and therefore cannot receive a Jerusalem ID. This applies even to children with siblings who have been granted Jerusalem ID, and can therefore result in the perverse situation whereby the children within a single family hold different residency statuses. This is an entirely arbitrary distinction, and one performed to assist Israel's project of silent transfer by way of fracturing the Palestinian family unit.

*“We ask God to bless all our children by giving them more power in order to contribute effectively in establishing and developing their community, while making it a community of love, trust, justice and peace.”*

**Kairos Palestine Document,  
Preamble**

Fida, Anglican, 16 years and born in Ramallah

*I have two brothers. One is older than me and one younger. When I think about my future I feel bad because I hope to study journalism or political science but I know I can't. I have a big problem. Here in Palestine there are two different ID-Cards, a blue card for Jerusalem and a green card for the West Bank. My father has the Blue ID and my mother has the Green ID. Both my brothers have the Blue ID but I have no Blue or Green ID. When my mother was pregnant with me, she didn't have a permission to go to Jerusalem so she gave birth to me in a hospital in the West Bank. Because my father has the Blue ID, I should get it too, but as I was born in the West Bank I was not registered, and according to the Israeli system, I was not even born. Because I have no ID, I can't travel to other cities in the West Bank because of the many Israeli military checkpoints where I need to present my ID card.*

*Additionally, I cannot take the final exams because in order to do so I would need to present my ID card, and therefore – ultimately - I cannot get my high school diploma, or move on to higher education. Also, because I don't have an ID card I cannot travel abroad. In the last few years my classmates and church group went to ten different trips abroad, but I could not participate in any of them. I still hope that one day I will receive my ID card because otherwise I will be imprisoned forever in my small home town here in the West Bank.*

The psychological impact of this Israeli policy is vast. Those individuals affected are deprived of one of the most fundamental tenets of human existence; that of an identity. Other than a birth certificate, they have no other form of identification and as a result are denied the ability to travel, to obtain high school diplomas (and by extension, higher education) or to access social benefits. Parents must therefore make the impossible decision between remaining as a family in Jerusalem and in doing so, subject their children to the hardships associated with having no identification, breaking up the family unit, or relocating as a family from East Jerusalem to another domicile.

## Checkpoints

A July 2011 report from United Nations Office for the Coordination of Humanitarian Affairs (OCHA) concluded that there were 522 permanent Israeli checkpoints within the West Bank with an additional, 495 temporary checkpoints<sup>8</sup> in operation each month.<sup>9</sup> These represent more than a mere everyday inconvenience, but are instead a direct attack on the Palestinian populace's freedom of movement. As noted by the OCHA report, 200,000 individuals from over 70 villages face *'...detours between two to five times longer than the direct route to their closest city due to movement restrictions'*.

8 A random checkpoint (also known as a flying checkpoint) is a military setup of a roadblock primarily by mobile truck-mounted infantry in order to restrict the movement in or out of a specific area.

9 OCHA, Movement and Access in The West Bank (Sep. 2011) p. 1.



A Palestinian boy scout holds a key (symbol for the Palestinian refugees' right of return), during a rally marking the *Naqba*, or "catastrophe", in the West Bank city of Ramallah, May 11, 2007 (Photo source: flickr.com).

***"Reality is the daily humiliation to which we are subjected at the military checkpoints, as we make our way to jobs, schools or hospitals."***

**Kairos Palestine Document, Chapter 1.1.3**

Israeli military checkpoint in the old city of Hebron, 2012. (Photo by BADIL/RW)



Rula, Lutheran, 38 years and born in Beit Sahour

*I used to leave from my home at 7.15 in the morning and if I was lucky, I would be at the office after 9.00, 9.20 or even 9.50 o'clock. But sometimes I was there at ten. And then I had to stay longer in the office to make my hours which were left from the morning. And also it was never easy for me to go back to Bethlehem; I was thinking how I could manage it in the best way. Busses, often the only possible transportation for Palestinians with permits, are stopped at flying checkpoints [temporary checkpoints] on their way to Jerusalem. I remember one day we had three flying checkpoints until we got to the old city of Jerusalem. They stopped us and checked our ID's, and every time it took between twenty minutes and half an hour.*

*As for the main Bethlehem checkpoint, or 'Checkpoint 300', you have to go through four stages. The first is outside, and you stand in a line until you get to the door, where a soldier screens your permit. And at this point - the second stage - you are either allowed to enter the checkpoint or you are not. Sometimes this first stage took me an hour or more. Sometimes I saw the long line and decided to work from home or come back later and try again, because it doesn't make sense to stay three hours at the checkpoint and to get to work tired. I used to feel every day that I spent my most productive energy at the checkpoint rather than at my office desk which was waiting for me.*

*So these were the first and the second stages. The third is to stand in a line for the x-ray-machine, like at the airport, and then you go through the machine. God help you if something is on your shirt or if there is anything metal on you. That's why I had a phobia of shopping for clothes. Many times I have seen people who had parts of their clothes made of metal, but these were parts which you cannot take off, for example buttons. I remember one time there was this woman wearing a jilbab<sup>10</sup> with metal buttons. The soldier was telling her to take off her jilbab. But we know that many woman wearing a jilbab do not wear a lot underneath. So imagine taking off the jilbab when this is what you should wear religiously? I remember her husband told her to take off the jilbab, because they had to go through the checkpoint, they had to go somewhere, so they had no other choice than to take off the jilbab. It was so humiliating for her. I remember, she took it off, ran through the x-ray-machine and put it on again.*

*The final stage, involves checking of your permit and your fingerprints. They started checking fingerprints in 2006 or 2007, and this was another drama. I mean, not only that you have to have your magnetic card, your ID and your permit with you, but also you must have your fingerprints verified. I had times when they said no, something is wrong with your fingerprint, and you can't go to*



*Jerusalem, despite the fact I have a valid permit, my ID and my magnetic card with me. You had gone through the three earlier stages and then, after so much time, you fail at the fourth stage and they deny you entry to Jerusalem.*

*So this was my daily journey. And every day there was a story. Everyone is treated in the same way. I remember at the beginning I was in a way naïve to think it would make a difference that I am working for the Church. I remember in the first days after I got my permission the checkpoint was closed, but I went to the soldier, who was yelling at me, and showed him my permission and told him that I am an employee of the Church – and he was yelling at me: “So what? Go home!” I remember this very well. I thought he would respect this and let me in but of course I was wrong.*

*So it affected me negatively, I was frustrated and when I got to the office I felt I had to write what I experienced. I spent the rest of the day frustrated and depressed. In the end it was too much for me. I had this job opportunity in Bethlehem, it was a lower salary, but also I loved my work in Jerusalem. But then I thought if I want to keep my sanity, if I want to be a healthier person, I have to stop doing this. So I gave up. Six years was more than enough.*

The hundreds of checkpoints within the West Bank - as well as the huge ‘terminals’ such as Bethlehem and Qalandia which regulate the human traffic passing between Jerusalem and the other parts of the West Bank - place a huge burden on Palestinians and greatly impacts upon their ability to lead a normal existence. At times, these obstructions can prove fatal, and according to a study published in *The Lancet* in July 2011, “10% of pregnant Palestinian women were delayed at checkpoints every year from 2000 to 2007, while travelling to give birth in hospital. These delays resulted in 69 births, and 35 infant and five maternal deaths at the checkpoints.”<sup>11</sup>

## **The Wall**

With a planned total route of 440 miles,<sup>12</sup> the construction of the illegal Israeli Annexation Wall began in 2002 and continues to this day. Its path is not restricted to the 1967 Green Line (internationally recognized as the border between Israel and future Palestinian state as part of a two-state solution), but instead strays deep into the West Bank, including Israeli Jewish settlements while entrapping Palestinian towns. In doing so, large swathes of land have effectively been annexed, thus vastly reducing the land available to Palestinians within the West Bank and also preventing their access to East Jerusalem and holy sites such as the Church of the Holy Sepulchre and the Al-Aqsa Mosque.

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<sup>11</sup> See Shoaibi, Halla, *Childbirth at checkpoints in the occupied Palestinian territory* (Jul 2011).

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<sup>12</sup> Al Haq, *The Annexation Wall and its Associated Regime* (2012) p. 13.

Sandra, Greek Orthodox, 28 years and born in Jerusalem

*I live with my parents in Al Ram area – just south of Ramallah - and have lived in the same house since I was born. My family has lived in this house since the early 1950's. The Israelis started building the wall in 2002, and in 2004 I went abroad for one year. When I came back in 2005 I was shocked to see how the wall was now completely surrounding our area.*

*I work with an organisation in East Jerusalem, and of course I now have to take a longer route to reach Jerusalem. This route takes me 45 minutes, sometimes even more. Before the Wall, it took just 15 minutes from my home to my work.*

*I now have to drive a completely different road, and before the Wall the street was for two ways, going to Jerusalem and coming back from Jerusalem. However, they built the wall directly on the street itself, dividing it in two. Now you have one lane on the West Bank-side, and one on the Jerusalem-side, with the wall in the middle. And of course there is Qalandia checkpoint, which I have to pass through every day. This checkpoint is really hard to cross.*

*There are two gates in the Wall before you reach the checkpoint, which both lead to Al Ram, but one is always closed; it is only for the Israeli military. The other gate, which is very close to the Qalandia checkpoint, is only open if they want to reduce the traffic in front of Qalandia. If they open this gate, I am lucky, because for me it is then easier to go back home, but for people who are going to Ramallah it is more difficult, because they have to go through the gate and then to find a way to Ramallah despite the traffic and the narrow roads. It has even become harder for us to reach Ramallah, as although Al Ram and Ramallah are on the same side of the Wall, we get stuck in the traffic that is trying to cross Qalandia. It takes time.*

In 2004, the International Court of Justice (ICJ) ruled by a majority of 13:1 that where its path regularly strays into occupied Palestinian territory, including East Jerusalem and the surrounding area, the Wall <...and its associated regime, are contrary to international law'.<sup>13</sup> In addition, the ruling highlighted Israel's '... obligation to cease forthwith the works of construction of the wall[,],...to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all

*legislative and regulatory acts relating thereto.'*

In the 8 years that have passed since this judgment was made, Israel has failed to act upon any of these internationally-recognized obligations. To the contrary, Israel's construction of the Wall nears completion, and its associated regime of discriminatory legislation and practices remain firmly in place. This represents an unmitigated tragedy for Palestinian citizens.

The Wall's path has resulted in the illegal annexation of 9.4% of the West Bank,<sup>14</sup> and consequently, many Palestinian farmers

13 ICJ Press Release, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (2004/28). Available at: <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6&ca>.

14 See Supra note 12.

Israel's Annexation Wall winds through Bethlehem in order to annex the site of Rachel's Tomb. (Photo by Mohammad al Azza)

*“The separation wall erected on Palestinian territory, a large part of which has been confiscated for this purpose, has turned our towns and villages into prisons, separating them from one another, making them dispersed and divided cantons.”*

**Kairos Palestine Document, Chapter 1.1.1**

now find themselves in the position whereby the Wall has completely separated them from their land. In theory, these farmers are permitted to access their land for the purposes of tending and harvesting crops. However, this is subject to a number of limitations. For example, the Israeli Civil Administration will often limit the frequency of access to the land based on significant moments within a crop's lifecycle, such as harvest. In response, many farmers have subsequently turned from the farming of fruit and vegetables to the growing of olives which require less maintenance throughout the year, but are far less profitable. As an example, in 2004 (one year after completion of the Wall in that area) fruit and vegetable production in the town of Jayous, near Qalqiliya, dropped from seven million kilograms to four million kilograms.<sup>15</sup>

To further compound the misery inflicted upon farmers, the human rights organization HaMoked has observed that fewer and fewer access permits are being issued, and their validity periods are becoming progressively shorter. For example, in the period 2006-2009, there was a 59% decrease in the number of farmers allowed beyond the Wall to cultivate their lands.<sup>16</sup>

15 OCHA & UNRWA, The Humanitarian Impact of the Barrier (Jul 2008) p.14-15.

16 HAMOKED, The permit regime in the seam zone: HCJ 9961/03 (2011). Available at: <http://www.hamoked.org/Case.aspx?clID=Cases0099>.



## Border Controls and Family Visits

Upon entering Israel, visitors are often asked a range of questions, including whether they intend to visit the “occupied territories”. Answering in the affirmative will lead to further intense questioning, and in some cases, immediate deportation. Travelers with Palestinian or Arab lineage - even if holding full citizenship from perceived ‘safe’ states such as the US or Europe - face the same response and may well be barred entry.

In addition, any individual seeking to enter or leave the occupied Palestinian territory (oPt) has no option but to pass through Israeli-controlled border crossings. These, in the case of the West Bank, may be the ‘terminals’ situated at Bethlehem, Qalandia or the Allenby Bridge (linking the West Bank with the Hashemite Kingdom of Jordan), or through one of a series of smaller checkpoints which dot the 1967 Green Line. As such, Israel enjoys complete control over all human movement into and out of a land it has occupied since 1967, and is free to restrict/cease this movement in any manner it chooses, entirely devoid of accountability.

*“It is God’s land and therefore it must be a land of reconciliation, peace and love. This is indeed possible. God has put us here as two peoples, and God gives us the capacity, if we have the will, to live together and establish in it justice and peace, making it in reality God’s land: “The earth is the Lord’s and all that is in it, the world, and those who live in it”.*

**Kairos Palestine Document, Chapter 2.3.1**

Reunion of Palestinians. (Photo by BADIL)



Yasmine, Roman-Catholic, 38 years and born in the West Bank

*I have been an American citizen since 1996. My husband, also an American citizen, and I have been married and living in Michigan for over 16 years. My son and daughter, ages 14 & 13, respectively, were both born in Michigan.*

*As a Palestinian-born American, I have returned to visit my family many times. However, my recent trip was very different. It was a nightmare! I arrived with my children at Ben-Gurion Airport in Tel Aviv, Israel, at 12:30am, already exhausted from my long travel. I knew what to expect. I had been through this routine many times. I have always been subjected to search, delay, investigation, detention and interrogation. However,*

*this time the harassment and terror went beyond anything that I ever could have imagined. As I approached the Israeli passport control, I was immediately escorted with my children into a detention room in which we were to wait until I was called for questioning. My children became tense and anxious. I tried my best to calm them, telling them that this was normal and they had nothing to fear. It was hard to explain to them why they had to go through this humiliation to visit our relatives.*

*Finally, I was called in for questioning. The officer on duty asked question after question about where I was born, who my parents were, when did I leave the country, why I am coming back, and where are my Palestinian identity card and passport? My answers were exactly the same as they had been in previous years; it's not like I could change where I was born and the names of my parents in their computer system!*

*I sensed that things were turning bad when the officer asked me in a sarcastic way, "Don't you know that you are Palestinian?" I was shocked by the tone of his question and terrified about where it was leading. "You cannot enter Israel through this airport," he continued. "As a Palestinian-born American, you are considered to be Palestinian in the State of Israel regardless of your American citizenship and therefore you cannot use this airport. You have to go back to the United States."*

*"I have done nothing different from the last few years that I have come to visit," I explained. "I was always given a three month visa after the security and passport control checks. You mean to tell me that they did not know I was Palestinian-born before?" Sarcastically again he said to me, "You just got lucky in the past and your luck just ran out". I was going to be deported back to the US as if I was some sort of a criminal!*

*I asked him about my underage children. He said that they would be allowed to go through on their own without me! My kids were still outside the room at that point. They heard what was taking place and became terrified. My daughter was crying hysterically. I was baffled, helpless, and weak. I did not know what to do or what to say.*

*Because I had my kids with me, the officer said he was going to check into my being allowed to buy a ticket to go to Amman, Jordan. He further explained that the Royal Jordanian plane was scheduled to take off at 8:00am and an Air France plane was leaving at 6:00 am. If the Royal Jordanian staff did not come in early enough to inquire about a space for me on that flight, then I would be deported back to the US on the Air France. Meanwhile, my kids could leave the airport to go with our family. I was to be escorted by the airport police to a room in which I could rest until morning.*

*I was instructed to go with a female soldier in order to be body searched in a different room. The soldier felt my body with her hands from head to toe. She then went over it with her magic wand. The surprise was when she told me to take off my clothes! "You have got to be kidding me?" I stammered. I was humiliated and felt as if every inch of me was being violated. After a quick and extremely emotional goodbye that was filled with instructions on what to do when my children got out of the airport, I was ready to be escorted to the police car in which I was to be driven to a nice room to get some rest whilst awaiting my fate.*

*Arriving at my destination, the building did not look welcoming at all. It was surrounded by a tall wall with metal wires on top and there were soldiers on guard. I fearfully asked the soldiers, "Where are we?" I was told that this was the prison! The soldiers checked me in, confiscated my personal belongings and escorted me to my jail cell. When a soldier opened that steel door, I just collapsed. "This cannot be happening to me? This is just a nightmare...Please take me back to the airport... Please, I want to see my children...I want my husband," I cried. Sometime around 6am, the cell door opened. "There is a seat for you on the Royal Jordanian flight; do you have cash to buy it?" the soldier inquired. "Yes, I do, thank God" I cried.*

*I eventually arrived at Amman, Jordan, at 10:00. I caught a taxi to the Allenby Bridge crossing linking Jordan with the West Bank [which is controlled by Israel]. There were hundreds of people waiting under the hot sun. Kids and babies were crying. People were shouting and screaming. My heart ached for the kids who were thirsty and tired. I actually realized that I was "lucky" my children did not have to go through all of this.*

*Finally, around 16:00, I got to the Israeli border. One of the security agents noticed my American passport and took it away to get it cleared with security. She came back with an officer who asked me for my Palestinian travel documents. I explained that I did not have any.*

*The security agent looked at me then and said calmly, "No, you cannot enter through here." Astonished, I had to ask him to say it again. I couldn't believe his words. "But your people at the airport told me I could enter through here," I begged. He further explained that I could only enter through the border if I had Palestinian documents. All I had to do was to contact my family in Bethlehem, ask them to make me those documents and send them to me in Amman, and then and only then could I enter. He also mentioned that these documents could take a few weeks to establish!*

*I lost all feelings in my legs and collapsed, crying hysterically. A*

*paramedic checked my blood pressure and asked me if I had had anything to eat and drink that day. I explained to her that I had not had anything to eat or drink for close to 3 days as that was how long I had been travelling. A captain took notice and started to ask me questions about my story. He looked at my passport and looked again. He asked me to please stop crying and to come with him to his office.*

*After checking my status extensively on his computer, he said to me, "Yasmine, I am going to be very honest with you. I send people back all the time from this border. But honestly, I do not know and cannot find a reason why this was done to you." I felt so relieved.*

*I was placed in a taxi that would take me to my family. As soon as I took my first glance at my mother, my two sisters, and brother, I smiled for the first time in three days.*

In adopting such a highly discriminatory approach, Israel turns a simple visit to family or friends into a potentially grueling experience, both physically and psychologically. This, in turn, deters individuals of Palestinian descent from visiting their homeland and disenfranchises the Palestinian Diaspora from their compatriots who still reside

within the borders, eroding Palestinian culture in the process. Furthermore, this strategy - which Israel seeks to justify on security grounds - is in fact an entirely cynical move designed to prevent foreign nationals from reaching the oPt and thus witnessing firsthand the catalogue of human rights abuses perpetrated there by the State of Israel.

Graffiti on Israel's Annexation Wall in Bethlehem. (Photo by BADIL/RW)



# Recommendations

- **Share this information with your church leaders and congregations.**
- **Share this information with your political representatives.**
- **Pray for justice in our region.**
- **Raise awareness about the root causes of the conflict, the rights of Palestinians, and the need to build a rights-based political vision for peace-making.** Study and educate others about Israel's system of occupation which prevents the self-determination of the Palestinian people and constitutes the root cause of Israel's systematic and protracted policy of forcible population transfer; likewise, seek to correct erroneous and prejudicial misconceptions of the Palestinian reality.
- **Encourage your community to engage in concrete measures of solidarity with the Palestinian people and in concrete initiatives toward peace with justice.** Join the global Boycott, Divestment and Sanctions Campaign (BDS) and undertake practical measures that put pressure on Israel and other decision-makers until they respect their legal obligations to the Palestinian people, including the refugees. Likewise, urge communities in which you participate (church-related, business-related, academic or otherwise) to support the BDS campaign by divesting from companies that directly or indirectly support the illegal Israeli occupation.
- **Expand community-led advocacy work that intensifies public pressure toward Israel's accountability to international law.** Churches, church-related organisations and civil society, particularly human rights organisations and legal experts, should continue efforts toward investigating and prosecuting Israeli perpetrators of international crimes and other complicit individuals/institutions. Promote the application of universal legal principles and best practice to foster robust mechanisms that will bring Israel into compliance with international law.
- **Promote accountability of Israeli suspects of international crimes in domestic courts.** States parties to the Fourth Geneva Convention have a legal obligation to investigate and prosecute perpetrators of war crimes in the territory under their jurisdiction. All states should facilitate the prosecution of international crimes in their domestic courts and ensure that appropriate legislation is adopted for universal jurisdiction. Courts should be allowed to investigate and prosecute without undue political interference by the government or interested parties.



**Please make appeals to:**

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**Israeli Ambassador** in your respective country  
[list of Israeli diplomatic missions worldwide];

Your **church leader**  
Your **elected representative**

And please copy any emails to:  
info@kairospalestine.ps



### Kairos Palestine – A moment of truth

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Kairos Palestine is a group of Palestinian Christians who authored "A moment of Truth" – Christian Palestinian's word to the world about the occupation of Palestine, an expression "of faith, hope and love from the heart of Palestinian suffering", and a call for solidarity in ending over six decades of oppression. The document was published in December 2009.



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BADIL is an independent, community-based non-profit human rights organization mandated to defend and promote the rights of Palestinian refugees and Internally Displaced Persons. Our vision, missions, programs and relationships are defined by our Palestinian identity and the principles of international law, in particular international human rights law. We seek to advance the individual and collective rights of the Palestinian people on this basis.





Palestinians and international supporters at a weekly vigil in solidarity with Cremisan Monastery whose lands are threatened by the Israeli Annexation Wall. (Photo by Kairos Palestine)