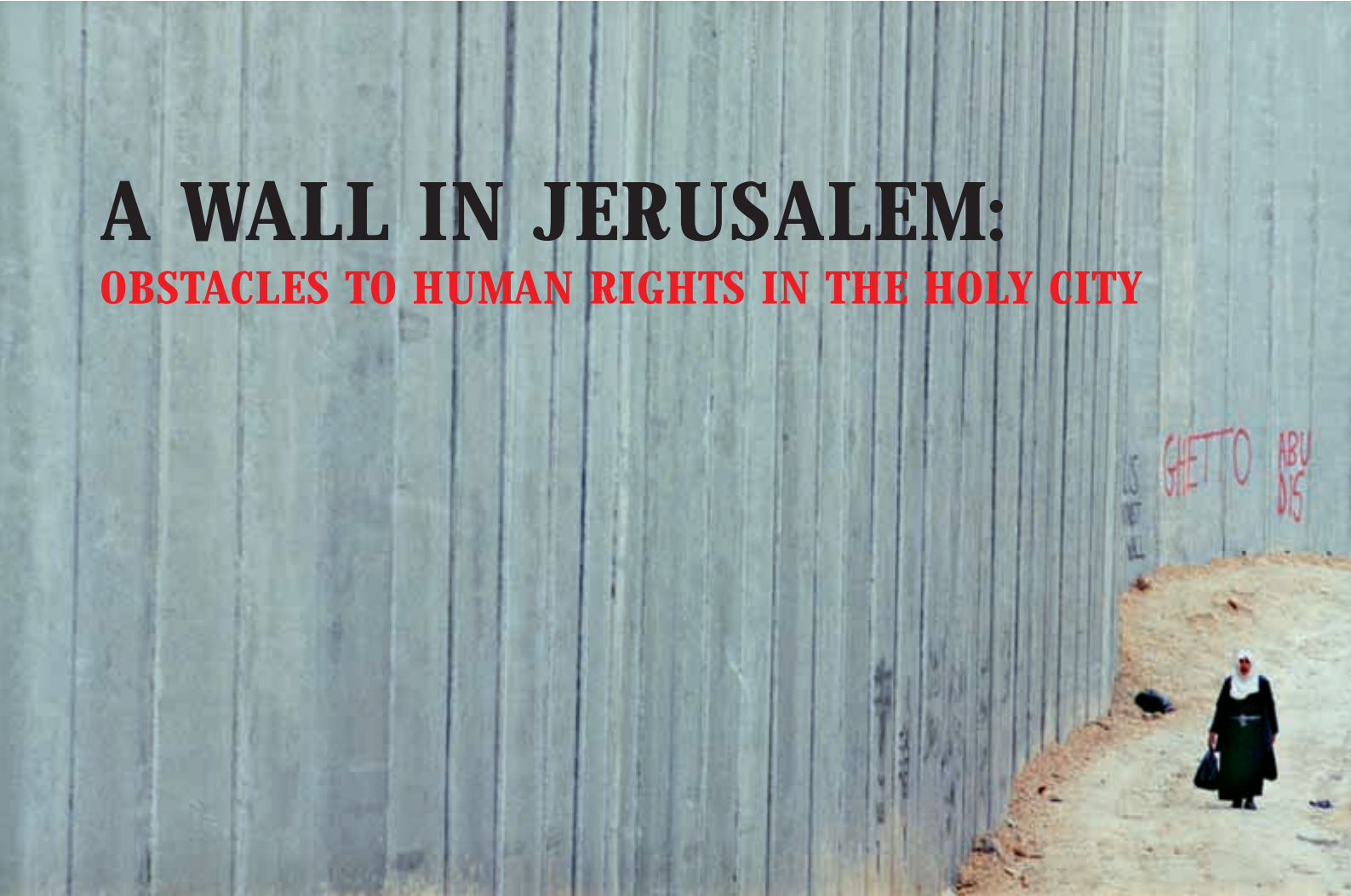


A WALL IN JERUSALEM:

OBSTACLES TO HUMAN RIGHTS IN THE HOLY CITY



S u m m e r 2 0 0 6

B'TSELEM

The Israeli Information Center
for Human Rights in the Occupied Territories

Human Rights

**Jerusalem, a center for faith and a symbol of hope,
presents a sad reality: segregation,
discrimination and deprivation of basic human needs
are the daily lot of an entire community.**



Lior Mizrahi, Bau Bau



in the Holy City

It is difficult to speak about Jerusalem in an indifferent manner. Discussions about Jerusalem - a holy city for Judaism, Christianity and Islam - are loaded with symbolism, religious sentiment and nationalist rhetoric. To quote **Yehuda Amichai**, one of Israel's finest poets:

The air above Jerusalem is filled with prayers and dreams
Like air above cities with heavy industry
Hard to breathe
From time to time a new shipment of history arrives

Nevertheless, Jerusalem is not just a symbol, but also a living city, and the latest shipment of history - Israel's 1967 occupation of East Jerusalem - is not a history of prophets and profound truths. It is a history of dispossession, systematic discrimination and an ongoing assault on the basic rights of the Palestinian residents of the city.

It doesn't have to be this way. Instead of exacerbating social divisions, Israeli policy could advance Jerusalem's standing as a vibrant, prosperous and beautiful city of pluralism and tolerance. This publication is intended for those who want Jerusalem to be a city of justice, a city where all its residents can live in safety and dignity. The focus of the publication is the Separation Barrier that Israel is currently constructing around the city, which is a source of great suffering for those who live along its route. But the Barrier cannot be seen in isolation. The harm caused by the Barrier can only be understood in the broader context of Israel's policies since 1967 regarding East Jerusalem.

All those who care about Jerusalem must strive to ensure that the daily reality accords with the city's designation as the City of Peace.

In the words of the prophet **Isaiah** (62:1):

"For the sake of Zion, I will not be silent.
For the sake of Jerusalem, I will not be still."

Re-drawing the Borders

In order to create a large capital for the Israeli State, extensive areas of the West Bank were annexed to Jerusalem.

During the 1967 war, Israel took control of the West Bank and East Jerusalem. While the West Bank remained under military occupation, Israel annexed East Jerusalem and applied Israeli law there. The annexed area included, however, not only the 6 square kilometers of East Jerusalem prior to 1967, but an additional 64 square kilometers that were part of the West Bank.



In its re-drawing of the Jerusalem borders, one of the factors Israel took into account was demographic: ensuring a large Jewish majority in the city. This was accomplished by including sparsely populated Palestinian areas in the territory annexed, while attempting to exclude the more populated areas. As a result, several villages and neighborhoods were divided in two. In other cases, farmlands belonging to a village were annexed to Jerusalem, while the village itself remained in the West Bank.

This transformation, and Israeli measures to maintain Jewish demographic superiority, exacted a heavy toll on local Palestinians.

Immediately following the occupation of the West Bank, Israel's Parliament passed the "Jerusalem Law", annexing the area within the newly determined municipal boundary, and proclaiming Israeli sovereignty over it. Israel conducted a population census, and Palestinians residing inside what was now under municipal jurisdiction, were granted the status of "permanent resident" and the option of becoming Israeli citizens.

East Jerusalemites found themselves in an awkward situation. In order to become citizens they were obliged to pledge allegiance to Israel. Thus, most declined citizenship, opting to be permanent residents instead. This status resembles the one granted to non-Jewish immigrants: it allows Palestinian Jerusalemites to work in Israel, and enjoy health insurance and social welfare benefits provided to all Israeli residents. However, residents lack political clout and are subject to a variety of measures intended to ensure a Jewish majority in the city. The result is an inequality between Jewish and Palestinian Jerusalemites that is present in all aspects of daily life in the city.



An Isolated Capital



Damascus Gate, 1964

Eli Kahvejian, Elia Photo Service

Prior to 1967, Palestinians could move freely between Jerusalem and its environs. Their familial, economic and cultural bonds extended throughout the entire West Bank. East Jerusalem served as the center for the entire area, including Bethlehem and Ramallah. No barriers, implicit or explicit, obstructed the flow of people and commercial goods or social engagement and exchange. Since 1967, with the occupation of the city, Palestinian reality has undergone a profound transformation. The city is now almost completely severed from the surrounding Palestinian areas, disrupting the social, economic and cultural infrastructure of the entire area. Within the city itself, a range of official policies have exacerbated the marginalization and neglect of Palestinians.

Unilateral Annexation

The status of East Jerusalem and the West Bank are identical under international law. Both are occupied territory subject to the relevant provisions of International Humanitarian Law. Among other things, this law requires Israel to ensure the welfare of the local population. International law also prohibits unilateral annexation of occupied territory. For this reason, Israel's decision to annex East Jerusalem has not been recognized by the international community, including the United States. Only a diplomatic agreement between the parties can lawfully change the status of East Jerusalem.





Celebrations marking Jerusalem Day, the unification of the city under Israeli rule

Ammar Awad, Reuters

Demographically Imbalanced

Since annexation, Israel has implemented policies aimed at reducing the number of Palestinians in the city. These take the form of legislation, measures limiting services granted by law, and discriminatory law enforcement.

Residency and Social Rights

Unlike citizenship, residency status expires after seven years of absence. A Palestinian resident of East Jerusalem, therefore, cannot leave the city for an extended period of time. Jerusalemites whose life circumstances have led them to live abroad, risk permanently losing their status as Jerusalem residents and all accompanying rights.

A Palestinian Jerusalemite applying for social security benefits will be subjected to a thorough, police-like investigation by the Israeli National Insurance Institute (NII), to prove that he has not moved outside the city's boundaries. In fact, in 70% of the cases it investigates, the NII eventually concludes that the person is indeed entitled to the benefit. In the meantime, families wait months without receiving their disability, unemployment or pension payments.

Families Divided

In 2003, Israel completely halted the process of family unification, which enabled Palestinian Jerusalemites to apply for residency status for their non-resident spouses. This has resulted in tremendous hardship for thousands of families in which one spouse is from Jerusalem and the other from the West Bank. The family cannot legally live together inside Jerusalem. In many cases, the West Bank spouse remains illegally in Jerusalem, in constant fear of arrest. The children are frequently not registered as Jerusalem residents, and may not receive health coverage.



'Ali Sarasreh,
36, father of three children,
merchant from Bethlehem

For ten years, I have been married to Sanaa, who holds a Jerusalem ID card. My wife's request for family unification was rejected the first year of our marriage, and in order to maintain her Jerusalem residency status and national insurance rights, she wandered between our home in Bethlehem and her parents' house in Jerusalem. In the first years we were married, we didn't have any problem going between Jerusalem and Bethlehem. After five years of marriage and the birth of two children, the situation changed completely. My wife wanted our children to have Israeli birth certificates, and benefit from health insurance. In early 2005, we registered the two oldest children in Jerusalem schools. This was the time when they were building the separation wall in the area north of Bethlehem, making movement between Jerusalem and Bethlehem difficult. Two months ago, the checkpoint became like a huge border crossing, with cameras and metal-detectors. We had to disrupt the whole family in order for the children to study in Jerusalem schools. There is no way for us to all live together like a normal family. So I live in Bethlehem, while my wife and two children live in Jerusalem. Since they don't have school on Friday, my wife returns to our house with the children only once a week, on Thursday night. They return to Jerusalem Friday afternoon. I cannot see my wife and children in the middle of the week to see how they are doing and to help them. Although they are only a few miles down the road, I feel as if I am distant from them. I know nothing about their problems, and am unable to follow their development, except for the little bit that I see them during their day off from school.

Suha Zeid, B'Tselem



"There is no way for us to all live together like a normal family. So I live in Bethlehem, while my wife and two children live in Jerusalem."

Discrimination in Access to Housing

Segregation and discriminatory policies make it extremely difficult for Palestinians to find housing solutions.

Massive tracts of land were expropriated from Palestinians in order to build for Jews. Intentional lack of urban planning, prohibitions on construction, overcrowding and the constant fear of house demolitions are a daily reality for one third of Jerusalem's residents.

Rather than addressing the welfare of its residents, urban planning in the city of Jerusalem is first and foremost aimed at maintaining the Jewish majority in the city. This is achieved by massive investment in Jewish neighborhoods in East Jerusalem, coupled with the prevention of the expansion of Palestinian neighborhoods.

One third of the area annexed in 1967 was expropriated, mostly from individual Palestinian land-owners, and was used exclusively to build Jewish neighborhoods. Today there are 12 Jewish neighborhoods in East Jerusalem, populated by some 192,000 people. According to international law, the status of these neighborhoods is identical to the settlements throughout the West Bank.

At the same time, virtually all construction is prohibited in Palestinian neighborhoods. There are various means to implement this policy. Over a third of East Jerusalem lacks outline plans, making construction impossible. Plans for the remaining areas define vast tracts of land as Green Areas, where building is

forbidden, allegedly for ecological reasons. Jabal Abu Ghaneim, a hilltop amongst neighboring Palestinian villages, was defined as a "Green Area" until 1999, when it was turned into the Jewish settlement of Har Homa, inhabited today by over 2,000 people.

As a matter of fact, Palestinian building is only allowed in 7% of East Jerusalem, mostly in existing Palestinian neighborhoods. Even within these neighborhoods, Palestinians will generally not get permits to expand their houses.



Mahtouz Abu Turk, Reuters

Demolished Palestinian home, Har Homa in the background, 2002

Severe overcrowding and no hope of obtaining a building permit - even to build a house on land they own - lead many Palestinians to build without permits. They do so knowing they will forever live in fear that, after investing their life savings to build, their home may be demolished.

In fact, both Jews and Palestinians build illegally. Yet the response of the authorities is not equal. Palestinians account for about 20% of illegal construction, yet more than 75% of the demolitions are carried out on Palestinian homes. While demolitions carried out in Jewish neighborhoods target either commercial buildings or additions to a house, in Palestinian neighborhoods such demolitions leave entire Palestinian families homeless. The rate of house demolition has increased dramatically since Israel began constructing the Barrier.

The lack of housing solutions drove many East Jerusalem Palestinians to the suburbs, even at the risk of losing social security benefits. Following the construction of the Barrier, which cuts off the suburbs, many of these same people are moving back into the city. Thus, the Barrier is only exacerbating the housing shortage for Palestinians in Jerusalem.

Mahfouz abu Turk, Reuters



Beit Hanina, East Jerusalem, 2006

Who Builds Illegally? Whose Houses Are Demolished?



*Data provided by the head of the department of construction administration in Jerusalem Municipality.

A Pervasive Insecurity



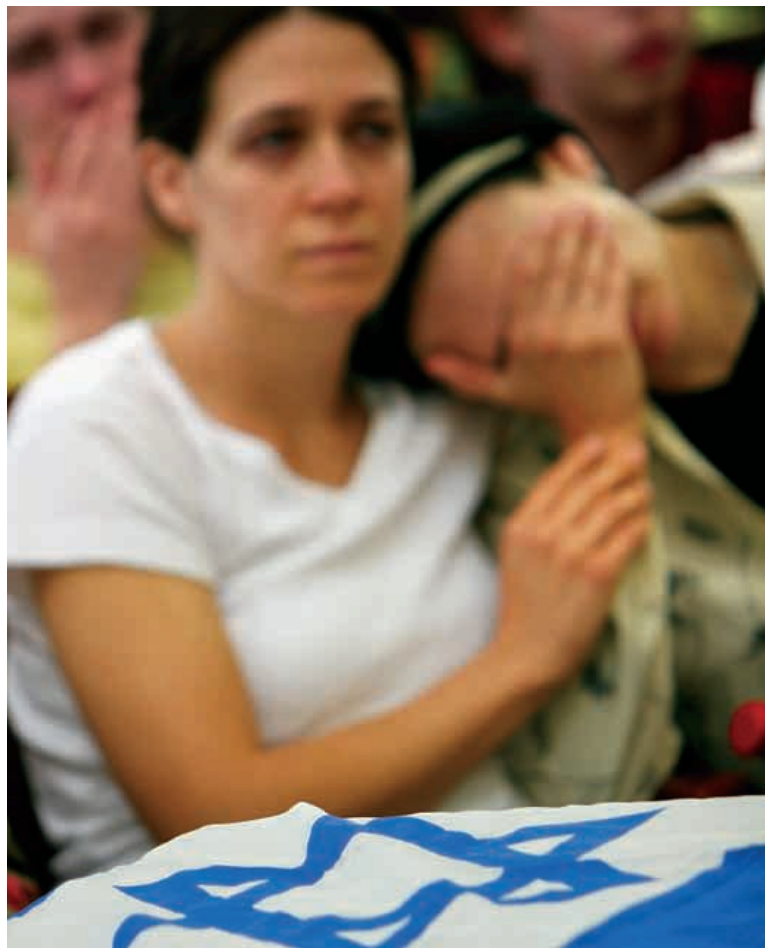
Amnar Awad, Reuters

All Jerusalemites know that sense of dread. The hesitation, as you choose your seat on the bus or your table at a restaurant, the suspicious glances at the people around you.

In the past six years, 171 people have been killed in 38 suicide bombings in the city of Jerusalem. The random nature of these deadly attacks means security concerns are paramount. No Israeli city has been harder hit by terrorism. The city's inhabitants, regardless of their ethnic and national identity, have learned to fear for the worst.

Attacks aimed at civilians undermine all rules of morality and law. Whatever the circumstances, the intentional killing of civilians is considered a grave breach of International Humanitarian Law. It is in fact a war crime. Israel must protect its citizens from future attacks; the Palestinian Authority has a legal obligation to prevent such unjustifiable acts and to prosecute those involved in past attacks.

Mourners beside coffin
of suicide bomb victim,
Jerusalem, 2006



Jonathan Weitzman, Reuters



Nati Shohet, Flash 90

A Wall Cuts Through It

In 2002, the Israeli government decided to construct a Separation Barrier in order to prevent terrorists from entering Israel. In urban areas, the Barrier is a row of 25-foot high concrete slabs; other sections are comprised of an electronic fence, with electronic surveillance devices, a trench, barbed wire and a patrol road.

The route of the Barrier, however, defies all security logic and appears politically motivated. In Jerusalem, the Barrier roughly follows the municipal boundary, set when Israel annexed East Jerusalem. This boundary ignores urban planning considerations; it cuts through Palestinian neighborhoods, at times literally running down the middle of busy, urban streets. Leaving 220,000 Palestinian Jerusalemites on the Israeli side of the Barrier, it is hardly consistent with the State's own security logic: does the State of Israel consider Palestinians living on one side of the street dangerous, but not those on the other side?

The Barrier cuts East Jerusalem off from the rest of the West Bank, obstructing access to the city's hospitals and other services, separating families and disrupting normal social life. In addition, because of the geographic centrality of Jerusalem, the Barrier also makes travel between different parts of the West Bank extremely difficult.

Will this new reality actually achieve the longed-for sense of security, or will it only create additional suffering?

The Separation Barrier, allegedly designed to defend Jerusalem residents from deadly terror attacks, is built along a route that lacks all security logic and seems motivated primarily by political considerations.

Abu Dis



A Case Study

One continuous urban fabric of Palestinian neighborhoods connects the walls of the Old City to the town of Abu Dis. In fact, about one third of Abu Dis' 13,000 residents have Jerusalem resident status, but left the city due to the lack of housing solutions. Before 1967, Abu Dis was part of the Jerusalem district. When Israel annexed East Jerusalem in 1967, part of Abu Dis was included within the new city limits. Most of the town, however, was not annexed and is now considered part of the West Bank. It remained connected to Jerusalem in all aspects of daily life with strong commercial, social and familial ties. All of this has been disrupted by the Barrier.

Abu Dis is a commercial center for the surrounding areas. Now many shops have closed, as they are inaccessible to shoppers from Jerusalem. The Barrier has also caused high unemployment in the town, as many of those who worked in Jerusalem are now unable to reach their jobs. The hospitals of East Jerusalem, within walking distance from the town, are now out of reach. The one small clinic in Abu Dis cannot meet the needs of town residents. Women in labor and those requiring advanced medical care now drive all the way to the Jericho hospital. Many children from Abu Dis were enrolled in schools inside Jerusalem and teachers from the town worked inside the city. The Husni al-Ashab school, for example, employed 80 teachers from Abu Dis. Al-Quds University has its main campus in Abu Dis, with additional campuses in Jerusalem. Students and faculty - both those in Jerusalem and those in the West Bank - have now lost access to many university departments.

All of the hardships that result from the Barrier route have created a mass migration from Abu Dis and dozens of houses stand empty, as most of those with Jerusalem residency status have moved back into the city.



Mahfouz Abu Turk, Reuters

Moussa Al-Kunbar,

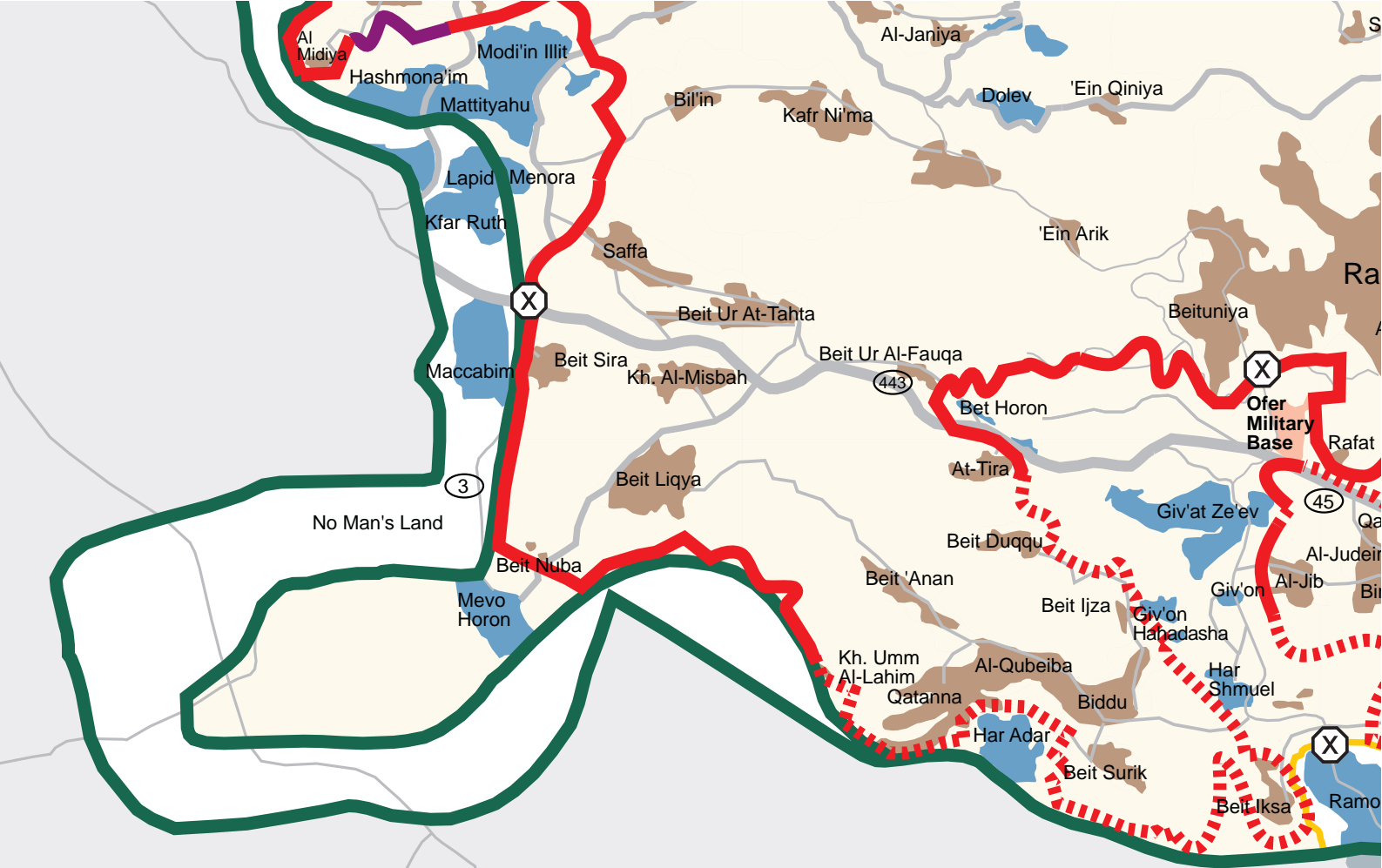
47, father to 14 children, unemployed,
resident of A-Sawakhra

My extended family lives in a neighborhood of 14 houses, 150 people altogether, just next door to Abu Dis. We have lived in this area for generations. Although we are considered to be inside the city limits, we did not receive Jerusalem residency status in 1967. Now Israel has built the Barrier between our neighborhood and Abu Dis, causing us great hardship. The water pipes were damaged during the construction and now we rely on our small reserves. My children study in Jerusalem schools, but I cannot enter Jerusalem to take them. Only my wife has Jerusalem residency, so she takes them to school. Just recently, they closed the only opening in the Barrier, so now we are basically confined to our homes. We can no longer enter Abu Dis freely, which is a blow to work and trade. The only road open leads up the hill to Jerusalem, but it is forbidden for me to use it. I have a spine injury, and the only place I can get treatment is the Al-Makassed hospital in Jerusalem. Every time I need treatment, I spend hours waiting in line to get a special permit to cross the Barrier to visit the hospital. A week ago, my son was detained and fined for being in Jerusalem illegally - he was just 600 feet from home. I am afraid that the Israelis are trying to push us out in order to build the new settlement of Kidmat Zion.

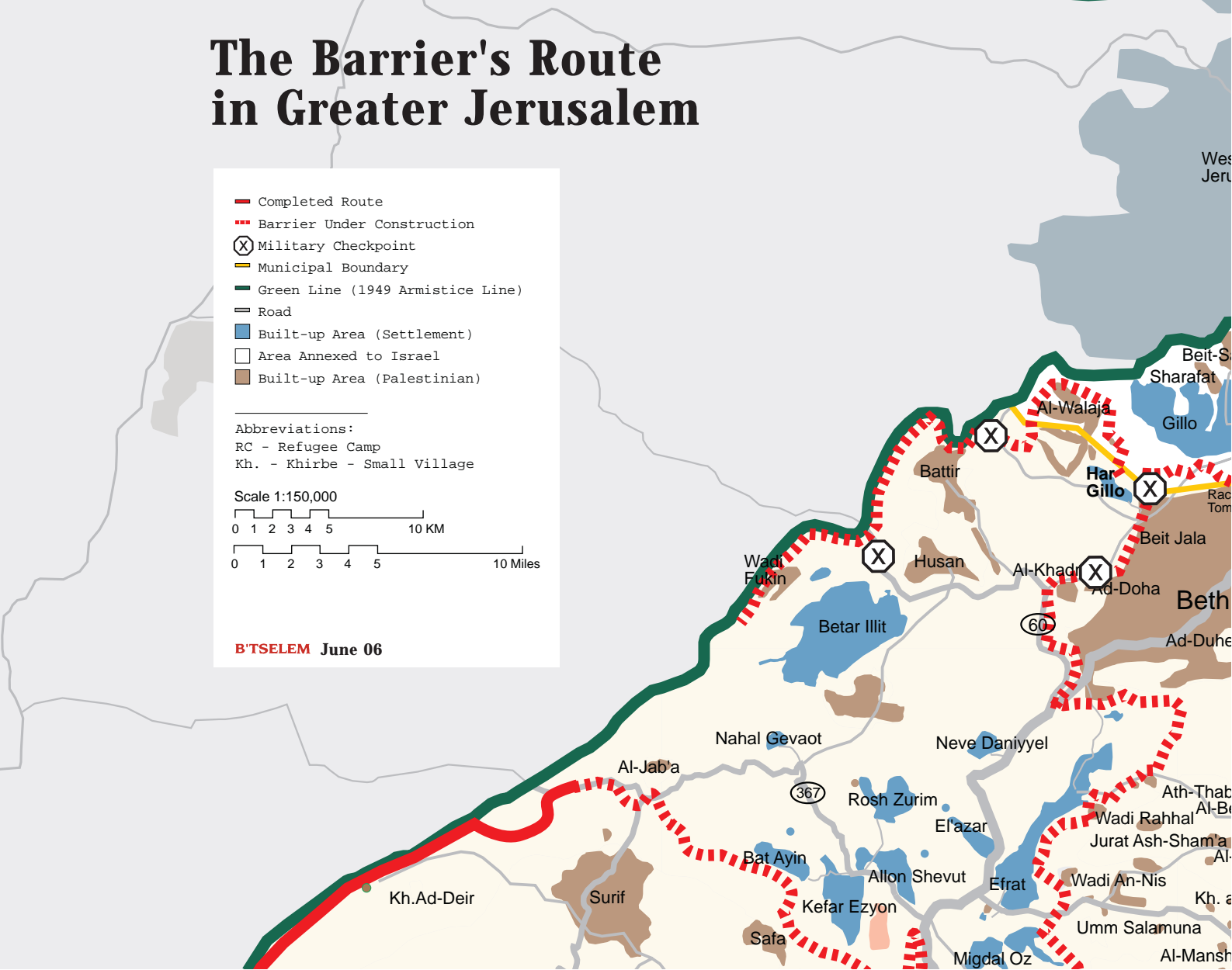
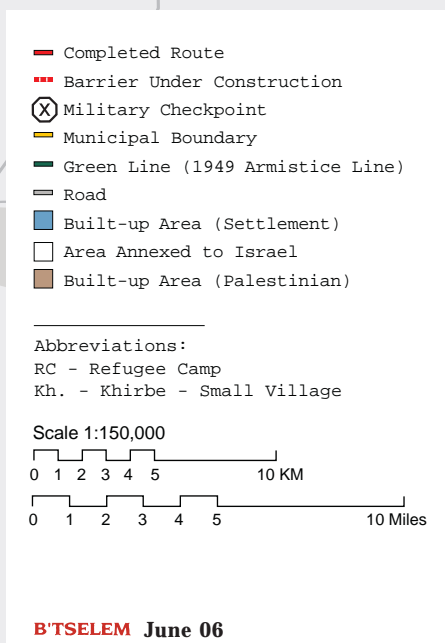
Kareem Issa Jubran, B'Tselem

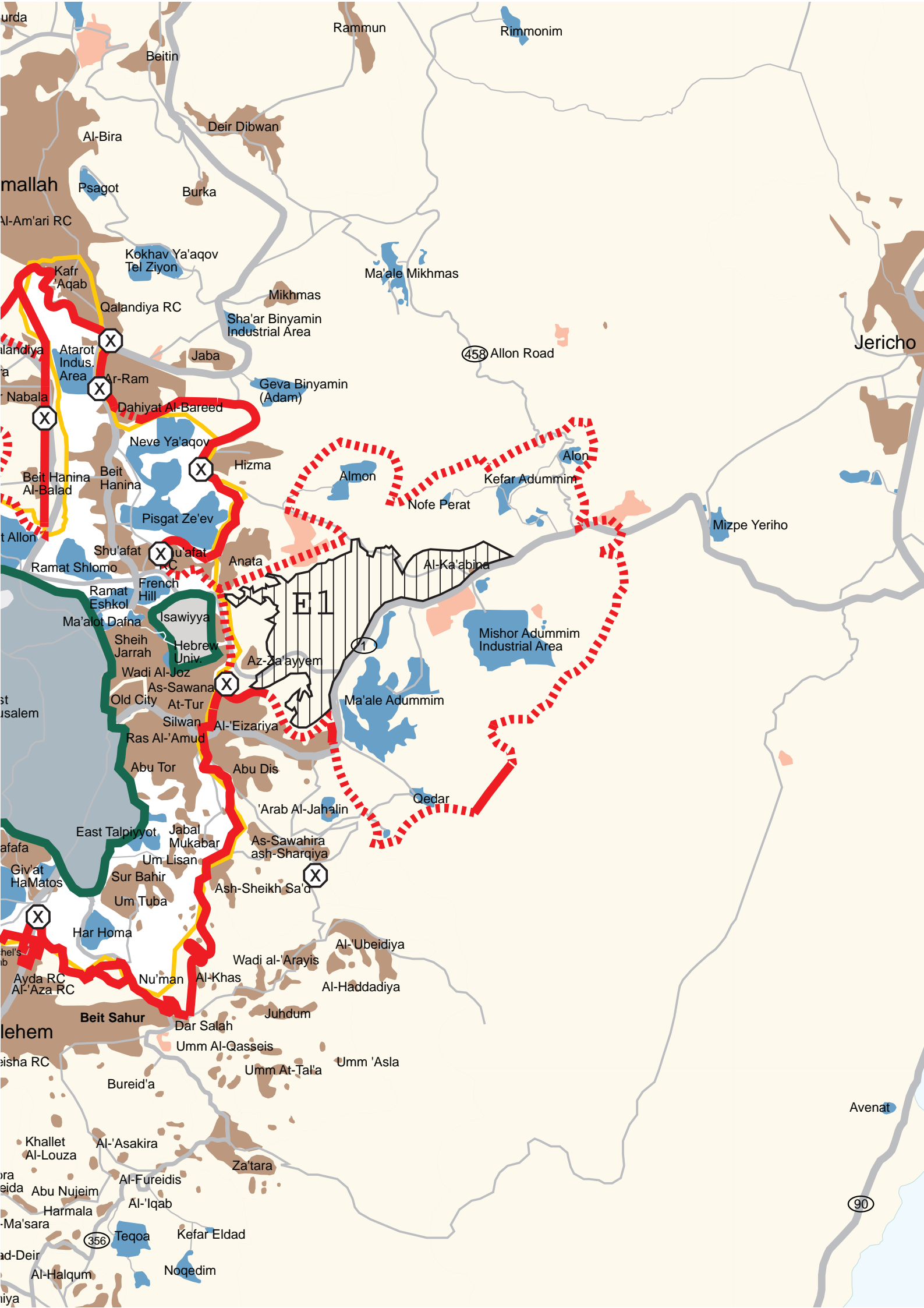


"Every time I need treatment for my spine injury, I spend hours waiting in line to get a special permit to cross the Barrier to get to the hospital."



The Barrier's Route in Greater Jerusalem







Peace neighborhood, East Jerusalem, 2006

Gil Medalsy

Communities Divided in a City 'United'

Municipal budgets exacerbate social inequalities. Although Palestinians are required to pay taxes like all other residents of Jerusalem, the city invests meager sums in services and infrastructure in Palestinian neighborhoods.

In contrast to the claim that Jerusalem is the united capital of Israel, ethnic divisions in the city have remained largely unresolved. Israel has invested vast resources to build new Jewish settlements in areas of East Jerusalem expropriated from Palestinians. At the same time, Palestinian villages and neighborhoods incorporated into the city have turned into its new slums. Palestinians and Jews may now live side-by-side, yet inequality keeps them completely alienated from one another.



Independence Park, West Jerusalem, 2006

Ofir Feuerstein, B'Tselem

Inequality in the Distribution of Resources

Municipal Service*	Palestinian neighborhoods	Jewish neighborhoods
Public parks	12	1,423
Public libraries	3	36
Sport facilities	27	258
Overcrowding (more than 3 persons per room)	17.5%	2%
Cases per social worker	250	100

* Data is based on the Statistical Yearbook of Jerusalem, No. 20 - 2002/2003, and B'Tselem research.

"I wouldn't be exaggerating if I said that the Salam neighborhood has been completely forgotten by the municipality. The city only remembers us on two occasions: the first is when they want to demolish our houses, and the second is when they come in a very organized manner to hand out the bills for municipal taxes. We pay thousands of shekels a year, without receiving even the most basic services."

Adel Taha,
unemployed father of three
from the Salam ('Peace') neighborhood,
Anata

Anata & Shuafat

A Case Study



In North-East Jerusalem, the municipal boundary runs between the Shuafat Refugee Camp and the town of Anata. Shuafat is part of Jerusalem; Anata is divided in two, with the Salam ('Peace') neighborhood annexed to Jerusalem and the rest of the town in the West Bank. Shuafat's 20,000 residents have Jerusalem residency status. However, most of the 5,000 residents of the part of Anata that is inside Jerusalem carry West Bank identity cards. This has created an absurd situation, whereby while in their own homes, they are considered by Israel to be illegally present in Jerusalem.

Most of the streets in Shuafat and the Jerusalem part of Anata are unpaved. There are no sidewalks and no streetlights. In some cases, having given up hope that the municipality would pave the streets, residents collected money to pave their own street. The city does not supply garbage dumpsters in the neighborhood. Instead, residents are given plastic garbage bags, which are piled up at the side of the street for collection, leaving garbage strewn along the streets.

The neighborhood has no post-natal clinic, no community center, no park or playground. The city has not built a single school or established a kindergarten. Instead, residents must attempt to enroll their children in the already-overcrowded schools in Shuafat and other East Jerusalem neighborhoods.

The Barrier in this area is planned to run west of Shuafat, separating it and the Salam neighborhood from the rest of Jerusalem. To access the city, residents now must pass through a military checkpoint. A long line of cars forms each morning, and residents wait hours to get to work or take their children to school.



Kareem Issa Jubran, B'Tselem

Separate and Unequal

A walk through Jewish and Palestinian neighborhoods in Jerusalem reveals striking inequalities. Jewish neighborhoods enjoy all the amenities of a modern western city. Most Palestinian neighborhoods lack even the most basic infrastructure, such as sidewalks and street lamps. Many are not connected to a sewage system. An examination of the municipal budget reveals that the disparities are not an accident; they are clearly the result of official policy. In each section of the municipal budget, the Jewish population receives the lion's share of investment, while the Palestinian population is allocated much less than its fair share. Palestinians constitute a third of the city's population, yet in no budget item do they receive a third of the allocations. The discrimination is even more severe when you consider that in some spheres, Palestinians should receive more than a third of city investment: 42% of Jerusalem's children under the age of 10 are Palestinian; 67% of Palestinian families in Jerusalem live below the poverty line (compared with 29% of Jewish families).

Loay Abu Haykel, Reuters



The Municipality's Health Department invests only 20% of its budget in services to Palestinians. The allocations for Culture, Art and Neighborhood Renewal are even more skewed: none of these departments allocate more than 2% of their budget to Palestinians. While government officials proclaim their commitment to Jerusalem as a unified city, the budget allocations only perpetuate the divisions.

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

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.



Loay Abu Haykel, Reuters

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, MACHSON WATCH



Qalandiya Checkpoint, 2004



2005. Construction of Ma'ale Adumim settlement block

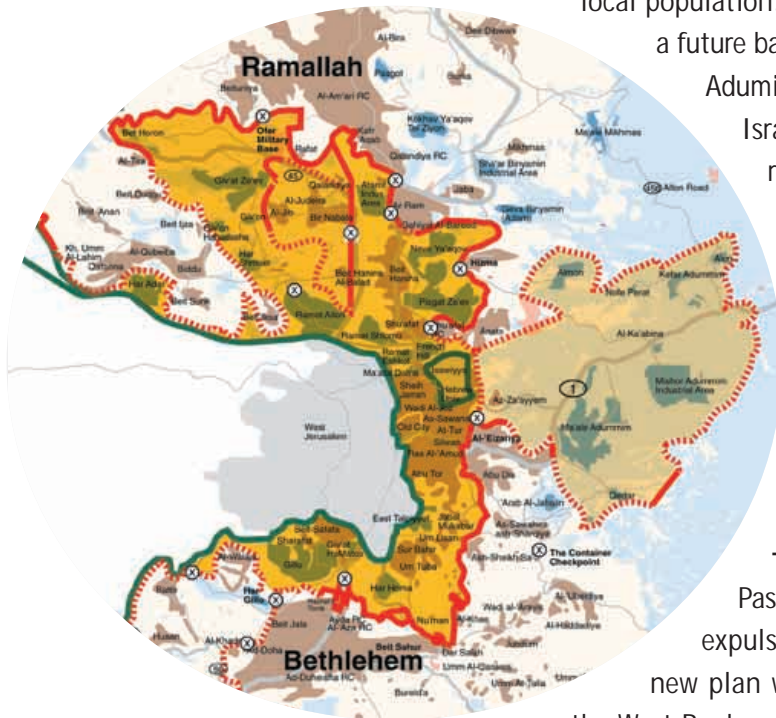
Blocking the Road to a Better Future

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





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.

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.

Religious Freedom



Ronen Zvulun, Reuters



Elana 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:

pniot@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).

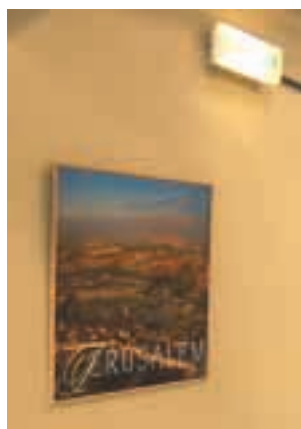
Please indicate that the contribution is to advance human rights in Jerusalem.

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.



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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