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## Brutal, ugly & illegal: 9 things you need to know about the Israeli occupation of Palestine

The Boycott, Divestment and Sanctions movement is gaining new ground by the day.  
Here's why

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As this story goes to press, the American Anthropological Association is voting on an academic boycott resolution in solidarity with the Boycott, Divestment, and Sanctions movement. If it passes the resolution, it will become the largest academic association in the world to do so, joining dozens of professional academic organizations, unions, and student unions in the United States and Europe. The AAA boycott resolution has now also just received an endorsement from twenty-two Israeli anthropologists, whose letter reads in part:

“We agree that we have reached a crisis point, where under certain international conditions, another mass expulsion of Palestinians could occur—or worse... We believe it is possible to take a positive stand against this reality. The Palestinian call for BDS is at its core an anti-colonial, non-violent form of international protest against an enormously violent occupation.”

The Occupation is at the forefront of the U.S. political scene as well, even when politicians dance around the issue. Recently, four candidates for president, including Hillary Clinton and

Donald Trump, made it a point to voice their ardent support for Israel at the American Israel Public Affairs Committee (AIPAC) convention. The title of an article in Haaretz says it all: “The Candidates at AIPAC: Pandering by Numbers: Clinton or Trump? What does it matter? The AIPAC conference was Benjamin Netanyahu’s victory lap.” The article summarizes the sorry spectacle thusly:

## ADVERTISING

The word “pandering” doesn’t even begin to describe it. Throughout the night, all four candidates courted applause by prating of sanctions on Iran — even Clinton, who had been forced to embrace the Iran deal by virtue of her affiliation with Obama, all but shied away from it.

All the candidates admonished the Palestinians for fostering a “culture of hatred and death,” but not one mentioned the occupation of the West Bank, or the unremitting humanitarian crisis that is Gaza. It was Jewish pandering by numbers, and it won them all uproarious applause and standing ovations.

Bernie Sanders alone had the courage to buck the tide and actually insert a modicum of truth, ethics, and reality, though as usual the mainstream media did not mention it. As The Intercept reported:

In a speech from Salt Lake City, which had been offered as a telecast to AIPAC — an offer that was denied — the Vermont senator reiterated his support for Israel’s security. He also insisted that “peace also means security for every Palestinian. It means achieving self-determination, civil rights, and economic well-being for the Palestinian people.”

Sanders called it “absurd” for Israel to pursue more settlements in response to violence. “Peace will also mean ending the economic blockade of Gaza,” he said. “And it will mean a sustainable and equitable distribution of precious water resources so that Israel and Palestine can both thrive as neighbors.”

Also in stark contrast to the non-debate on this essential element of U.S. foreign policy is the recent news that Senator Patrick Leahy and 10 House members have written a letter to Secretary of State John Kerry asking him to investigate claims that Israeli and Egyptian security forces have performed “gross human rights violations.” As Politico explains, “Leahy’s signature is particularly noteworthy because his name is on a law that conditions U.S. military aid to countries on whether their security forces are committing abuses.”

Despite the fact that Israel’s illegal Occupation and its persistent violations of human rights in the Occupied Palestinian Territory have gained wider and wider condemnation both here and internationally, most Americans still know very little about the exact nature of the Occupation, its deep historical roots, and its deadly impact on the lives of common Palestinians. This is not surprising, given the virtual media blackout of the term. As the Foundation for Middle East Peace points out, at the AIPAC conference none of the participants dared utter the word, “Occupation,” which has clear and legitimate legal meaning. The Foundation asks, why?

“This is hardly a radical word. It’s one whose applicability has been affirmed by the High Court of Justice in Israel, and has been used by Prime Ministers such as Ehud Barak and even Ariel Sharon. It also has the merit of describing the situation on the ground in the West Bank, and legally still applies to Gaza as well. The fact that Palestinians in the West Bank and Gaza are governed under military law, rather than civil law, is evidence that Israel itself recognizes the legal fact of occupation, despite what its right wing politicians might claim.”

It is precisely because the Occupation is illegal by international law that Israel cannot tolerate its iron-fisted control and exploitation of Palestinian land being given that name. It is also why none of the presidential candidates that spoke at AIPAC dared utter the word—to do so would have laid bare the fact that by shouting out their support for Israel they were at the same time declaring their support for an illegal Occupation that the even the U.S. State Department decries.

Given all the weight placed on the term “Occupation,” we need to know exactly what that term means and why it is become the focal point of so much energetic and committed human rights work here and internationally. Here are 9 core reasons why you should care about the Occupation, and know what our mainstream political leaders and even some educators do not want you to know.

## **1. The Occupation is illegal.**

What do we mean by the “Israeli Occupation”? In 1967 Israel seized what is now termed the Occupied Palestinian Territory (OPT) in an act of war. The United Nations condemned this action, and expressed that condemnation in Resolution 242 (November 1967), which emphasizes “the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security.” The UN document sets forth principles calling for “withdrawal of Israel armed forces from territories occupied in the recent conflict; termination of all claims or state of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.” This is a precise statement that insists on the inviolable right of the Palestinians to a state.

Instead of Israel acting in accord with this resolution, which was passed unanimously by the UN Security Council—of which the United States is a member—what we have is an unbroken history of Israel denying Palestinians their rights and land stretching back decades. What is more, not only has there been no the reduction in the appropriation of Palestinian land, Israel has also persistently expanded its illegal acquisition of land and its building of illegal settlements. As UN Secretariat Ban Ki-Moon has noted, these actions have contributed to the rise in violence in the OPT. He called the settlements an “affront to the world.”

Human Rights Watch describes Israel’s numerous violations of international law and human rights conventions:

Israeli settlements in the West Bank violate the laws of occupation. The Fourth Geneva Convention prohibits an occupying power from transferring its citizens into the territory it occupies and from transferring or displacing the population of an occupied territory within or outside the territory. The Rome Statute, the founding treaty of the International Criminal Court, establishes the court’s jurisdiction over war crimes including the crimes of transfer of parts of the

civilian population of an occupying power into an occupied territory, and the forcible transfer of the population of an occupied territory. The ICC has jurisdiction over crimes committed in or from the territory of the State of Palestine, now an ICC member, beginning in June 13, 2014, the date designated by Palestine in a declaration accompanying its accession.

Israel's confiscation of land, water, and other natural resources for the benefit of settlements and residents of Israel also violate the Hague Regulations of 1907, which prohibit an occupying power from expropriating the resources of occupied territory for its own benefit. In addition, Israel's settlement project violates international human rights law, in particular, Israel's discriminatory policies against Palestinians that govern virtually every aspect of life in the area of the West Bank under Israel's exclusive control, known as Area C, and that forcibly displace Palestinians while encouraging the growth of Jewish settlements.

U.S. State Department spokesperson John Kirby plainly states:

“Our long-standing position on settlements is clear. We view Israeli settlements activity as illegitimate and counterproductive to the cause of peace. We remain deeply concerned about Israel's current policy on settlements including construction, planning and retroactive legalisations.”

When U.S. Ambassador to Israel Daniel Shapiro drew attention to the double legal standards applied in the Occupied Territory—“At times it seems Israel has two standards of adherence to rule of law in the West Bank – one for Israelis and one for Palestinians”—he was dismissively called a “little Jew boy” by an aide to Israeli Prime Minister Benjamin Netanyahu.

Given all this, it is more than strange to hear Hillary Clinton and others defend a regime that continues practices that our own State Department has condemned as illegal and highly problematic for U.S. and world interests, and, in Clinton's case, even promise to increase military aid to this regime so it can act even more effectively against international law and US policy.

## **2. It violates human rights, and Israel acts with impunity.**

Along with dismissing the slew of international human rights listed above, Israel has so blocked any inspection of the Occupied Palestinian Territory by human rights inspectors that Makarim Wibisono, UN Special Rapporteur on the situation of human rights in the Palestinian territories, tendered his resignation in January. He stated: “Unfortunately, my efforts to help improve the lives of Palestinian victims of violations under the Israeli occupation have been frustrated every step of the way.”

More from the UN:

The Special Rapporteur stressed that upon taking up the mandate in June 2014, he was assured that he would have access to the Occupied Palestinian Territory. “I took up this mandate with the understanding that Israel would grant me access, as an impartial and objective observer,” he said.

Repeated requests for access, both written and oral, have been unsuccessful. “With no reply from Israel to my latest request, in October 2015, to have access by the end of 2015, it is with deep

regret that I accept the premise upon which I took up the mandate, which is to have direct access to the victims in the Occupied Palestinian Territory, will not be fulfilled,” the Special Rapporteur said.

Mr. Wibisono said that that throughout his tenure, the Government of the State of Palestine cooperated fully with the mandate.

The Special Rapporteur voiced deep concern at the lack of effective protection of Palestinian victims of continuing human rights violations and violations of international humanitarian law.

Wibisono’s predecessor as UN Special Rapporteur, Richard Falk, had this to say in 2013: “Neither Israel nor its proxies can justify the facts on the ground in occupied Palestine, so they distract, distort and defame to allow the violations to go on.”

Per the UN:

In a news release, Mr. Falk underlined that “irresponsible and dishonest smear campaigns to discredit those who document these realities do not change the facts on the ground after Israel launched the war that began its occupation of Palestine.”

According to Mr. Falk, Israel is actively confiscating Palestinian water and land, having seized an additional 60,000 square meters of land near Nablus just this week.

“Israel continues to annex Palestinian territory; Israel persists in demolishing Palestinians’ homes and populating Palestine with Israeli citizens; Israel maintains a policy of collectively punishing 1.75 million Palestinians through its imposition of a blockade on the Gaza Strip; and Israel prosecutes its occupation with impunity, refusing to accept the world’s calls to respect international law,” he said.

In its Overview of the situation in the Occupied Palestinian Territory, Amnesty International echoes precisely these concerns:

In the West Bank, including East Jerusalem, Israeli forces committed unlawful killings of Palestinian civilians, including children, and detained thousands of Palestinians who protested against or otherwise opposed Israel’s continuing military occupation, holding hundreds in administrative detention. Torture and other ill-treatment remained rife and were committed with impunity. The authorities continued to promote illegal settlements in the West Bank, and severely restricted Palestinians’ freedom of movement, further tightening restrictions amid an escalation of violence from October, which included attacks on Israeli civilians by Palestinians and apparent extrajudicial executions by Israeli forces. Israeli settlers in the West Bank attacked Palestinians and their property with virtual impunity. The Gaza Strip remained under an Israeli military blockade that imposed collective punishment on its inhabitants. The authorities continued to demolish Palestinian homes in the West Bank and inside Israel, particularly in Bedouin villages in the Negev/Naqab region, forcibly evicting their residents. They also detained and deported thousands of African asylum-seekers, and imprisoned Israeli conscientious objectors.