

## **The Blair Plan Plans by the Quartet's Special Envoy Could Render States Liable for the Construction of the Wall**

### BADIL COMMENTARY

More than 3 years ago, the International Court of Justice (ICJ) ruled that all states are under an obligation not to render aid or assistance in maintaining the situation created by the construction of the Wall in the Israeli-occupied West Bank. In a recent report to donors, the World Bank reiterated that the comprehensive restrictions on movement and access in the OPT imposed by Israel, including the Wall, checkpoints and the associated regime of restrictive policies and administrative procedures comprise the primary obstacle to Palestinian economic recovery. (Two Years After London: Restarting Palestinian Economy Recovery) These restrictions cut Palestinians off from their lands, deny access to other forms of employment and impede trade.

Economic development plans for the OPT announced by the international Quartet's Special Envoy Tony Blair include the construction of industrial parks to provide much-needed employment opportunities for Palestinians in the West Bank. The first such park is supposed to be built at the Tarkumiyah checkpoint in the southern West Bank. The Blair plan was announced on the same day that UNRWA Commissioner General Karen AbuZayd warned donors that Israel's implementation of new restrictions on movement and access comprised of six 'terminals' in the West Bank could lead to a more than three-fold increase in the cost of service delivery to Palestinian refugees in the OPT next year and a further scaling down of humanitarian assistance and a reduction in the quality of services.

The construction of industrial parks in West Bank enclaves, insofar as they enable Israel to maintain the restrictions on movement and access created by the construction of the Wall and its associated regime, would contravene the international court's ruling calling upon states to refrain from rendering aid or assistance that maintains the illegal situation created by the construction of the West Bank Wall. In other words, states that fund the construction of these parks would also become liable for the illegal situation created by the construction of the Wall. The most effective way to revive the Palestinian economy, as the World Bank notes, is to end the comprehensive restrictions on movement and access in the OPT that necessitate the construction of such parks like the ill-fated Gaza industrial estate that was built after Israel walled-off the Gaza Strip in the 1990s.

Future development plans being explored by the Quartet's Special Envoy reportedly include 'massive housing projects' in the OPT, including the construction of new city near Ramallah to resettle Palestinian refugees, reminiscent of a plan drafted by the US-based Rand Corporation several years ago. Blair subsequently denied that such plans were under consideration, however, the Special Envoy's carefully-crafted language on the refugee issue leaves little doubt that in his view the primary solution for Palestinian refugees is resettlement in a Palestinian state. When asked about the right of return in a recent interview, Blair indicated that "once you accept a two-state solution, once you actually internalize that, the consequences in terms of the ultimate negotiation are fairly clear." (Jerusalem Post, Nov. 8, 2007)

Any solution to the long standing Palestinian refugee question must uphold the fundamental principles of equality and non-discrimination. Among the rights that states must protect and guarantee against discrimination is the right of all refugees and displaced persons freely to return to their homes of origin under conditions of safety, the right to have restored to them property of which they were deprived in the course of the conflict and to be compensated appropriately for any such property that cannot be restored to them, and the right to participate fully and equally in public affairs at all levels and to have equal access to public services and to receive rehabilitation assistance. There is no reason why Palestinian refugees should be discriminated against or treated differently than any other refugees.