

Seam Zones



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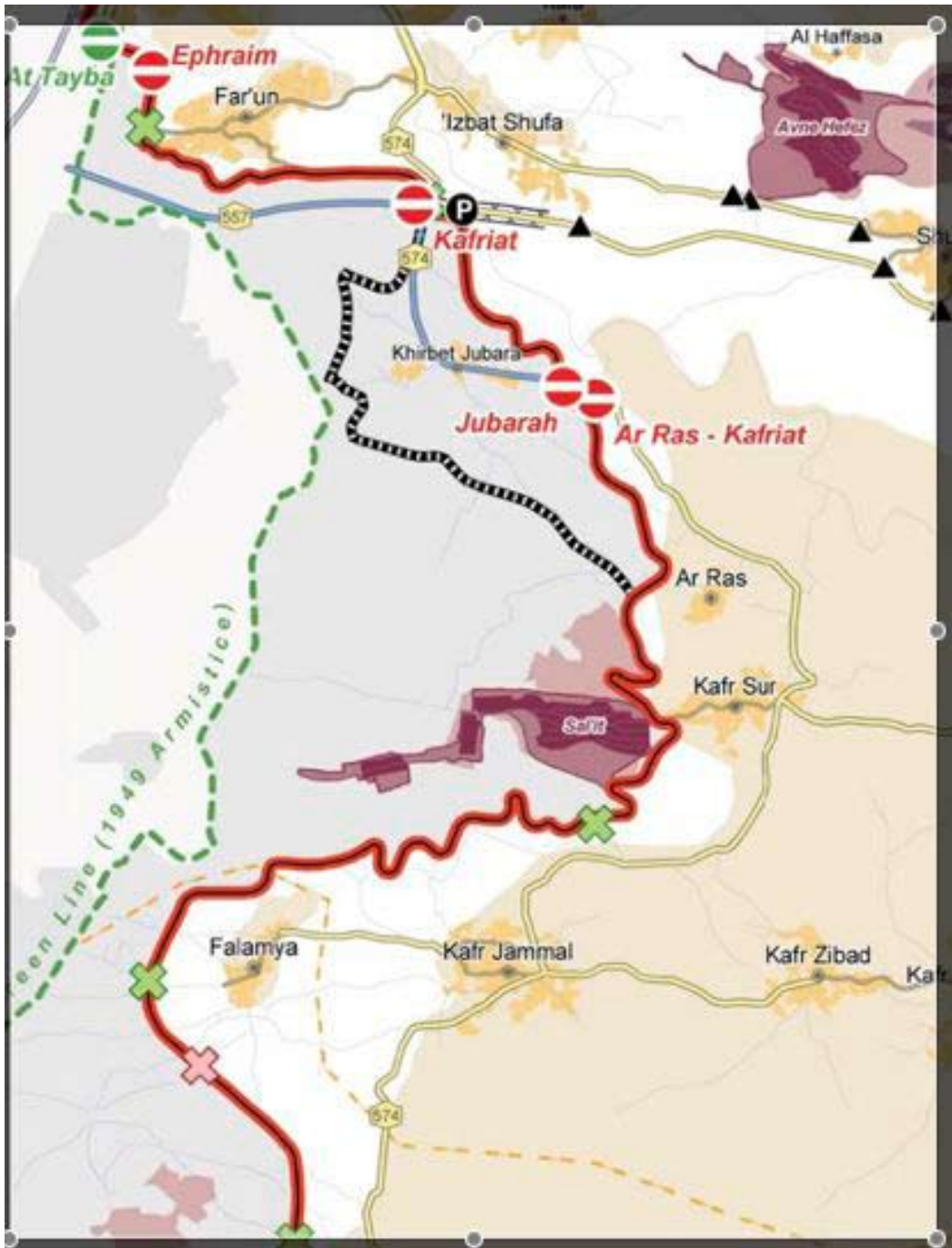
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Cover photo: workers pass through Qalqilya checkpoint, occupied west Bank, at 6am to get to work in Israel. 12 january 2011. (© EAPPI)

Definition and Background

Seam zones are sections of Palestinian land within the occupied Palestinian territory (oPt) which have been isolated as a result of the erection of the illegal Israeli Apartheid Wall, with their location falling in-between the Wall and the 1949 Armistice Line (The Green Line). These pieces of land have been designated by Israel as closed military areas. As a result, Palestinian access to these isolated areas is severely restricted and subjected to an Israeli-controlled permit regime. Statistics suggest that approximately 50,000 Palestinians live in 57 communities within these so-called seam zones.¹ These people are defined internationally as Internally Stuck Persons.²



Seam Zone: Khirbet Jubarah.³

Residency

Those who live within seam zones must apply to the Israeli Civil Administration for a «permanent resident ID» in order to remain on their own land. Their movements are tightly controlled through the use of checkpoints and a permit regime, which in turn intrudes upon all aspects of their day-to-day activities and greatly compromises the quality of life available. Since it was established, the State of Israel has been relentlessly expanding the restrictions which it imposes on Palestinian movement. Currently there exist 101 different types of permits ‘governing’ Palestinian movement, whether within the West Bank, between the West Bank and Israel, West Bank and other parts of the oPt, or beyond internationally recognized borders.⁴ These restrictions serve to cripple local Palestinian economies, generating growing levels of poverty which is further compounded by the inadequate or non-existent health, education and sanitation amenities. This is particularly true within seam zones, and as such, life for many seam zone residents has become unbearable with many forced to relocate east of the Apartheid Wall. All of these factors combine to represent a direct contravention of basic human rights perpetrated against Palestinian seam zone residents by the Israeli occupying power.

However, the human impact of seam zones is not limited purely to those who reside within such areas. A report from the World Bank estimates that 170,000 Palestinian inhabitants of the West Bank are affected directly and indirectly by the seam zone policy as they are either living in seam zones, are encircled by the Apartheid Wall or have land and/or relatives on the other side of the Wall.⁵

Access

To obtain an access permit, Palestinians are required to meet at least one of the Israeli civil administration’s qualifying criteria. As such permits are, in theory, to be granted to:

Those able to prove ownership of a residential property within the zone.

Those who live within the West Bank but own agricultural land within the zone, or have a «linkage» to the land.

Those who have businesses located within the zone.

Palestinians who fail to meet the above are not legally entitled to access seam zone land for any reason, whilst applications for a permit can take weeks to process. Even in the event of an individual meeting one or more of the above criteria, there is no guarantee of success.⁶ Applications are commonly rejected on the grounds of «security» or insufficient proof of «connection to the land», with no further information or clarification forthcoming. In addition, due to the often unregistered nature of the land, applicants can also encounter difficulty when seeking to prove ownership.⁷ This is despite Israel not contesting that the land in question is Palestinian-owned.



The Checkpoint upon leaving a seam zone area (Khirbet Jubarah).⁸

Visitation

For those Palestinians residing within the West Bank but seeking to visit seam zone land, they must first satisfy the entry requirements as stipulated by the Israeli occupying authorities (i.e. they must provide proof of a first degree relative within the zone or demonstrate their employment with a business within the zone). Documents outlining these familial or employment ties must be provided to the satisfaction of the local Israeli commander.⁹ Again, the individual in question is also required to have the requisite level of security clearance, and entry is often arbitrarily denied on these grounds. Only residents of the zones are permitted to stay overnight, with the permits of visitors typically outlining the details of when and for how long they may stay.¹⁰

Farming

Those who own agricultural land within the seam zones but reside within other parts of the West Bank are, in theory, permitted access to their land for the purposes of tending to crops and harvesting. 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 although less profitable, requires less maintenance of the crop throughout the year. 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 kilograms¹¹.

In addition, farmers are required to enter seam zones on foot and are rarely permitted to bring with them farm machinery or additional labourers. This again impacts heavily on a farmer's ability to adequately tend to the land, and will have a great influence on the crops that are sown, and therefore the profitability of the venture. This, along with the difficulty of bringing external

labourers to the land has a detrimental effect on employment throughout the area. To further compound the misery inflicted upon farmers, 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 into the seam zone to cultivate their lands¹². In more general terms, the research of the Internal Displacement and Monitoring Centre has witnessed an 87% decrease in the number of permits issued overall between 2007 and 2012¹³.

Permit for work

In theory, Palestinians can apply to the Israeli occupying authorities for a so-called work permit, but in practice he/she will not be successful unless an Israeli company or employer backs the application, supported by official documents. Furthermore, proof of Palestinian land ownership within seam zones is not considered a supporting document. The majority, i.e. Palestinians who own only small pieces of land and as such are considered de facto farmers, typically are not even registered as such (they have no official records to prove their career) and are unable to provide authorities with the requisite supporting documents. It is therefore impossible for these individuals to “justify” or legalize their request for external workers. As a result, these smaller farmers find themselves unable to derive full benefit from their land. A report published by Human Rights Watch in April 2012 shed further light on the difficulties associated with proving any form of entitlement to the land, observing that “...applications were rejected on the basis that Palestinian applicants could not, as required, meet a burdensome test of proving a “connection to the land” rather than for specific security concerns”¹⁴.

Access to Water



First prize in Al-Awda Award 2012 (photo category) by Mohammed Al-Azza.

A number of factors limit the ability of seam zone residents to consistently access adequate water supplies. Firstly, Israeli Jewish settlements take priority with the Israeli water network regarding the supply of water.¹⁵ As such, inhabited areas of the seam zone often experience insufficient water supply for most of the summer, and this issue is compounded by the permit regime which prevents charities from providing aid to these areas in a timely and efficient manner.¹⁶ Finally, the building of water cisterns in farm land or inhabited areas is prohibited by Israeli planning restrictions enforced by the Israeli army,¹⁷ creating further difficulty for the irrigation of crops.

Construction

The construction of any building or significant structure within seam zones is prohibited without the relevant permit, issued by the Israeli army. The application process for such permits is lengthy, with very limited success rates. This results in a situation whereby it is almost impossible for Palestinian families to live together as their family unit expands beyond what the

family home can reasonably support. As far as farm lands are concerned, no construction is permitted at all.

Discrimination on National/Ethnic Grounds

It should be noted that illegal Israeli Jewish settlers and foreign tourists are not subject to the permit regime, and as such are free to travel through these areas without restriction. This two-tiered rights system formed the basis of an amended petition submitted to the Israeli High Court in 2006 by the Israel-based human rights organization, HaMoked. HaMoked asserted such distinctions were «...based on national and civil identity...[and therefore]...stand in glaring contradiction to international humanitarian law, human rights law, and Israeli administrative law.»¹⁸ This petition was consolidated with a petition from the Association for Civil Rights in Israel (ACRI), originally filed in 2004.

The state rejected the consolidated petition, insisting that the permit regime was sufficiently well-conceived to allow for freedom of movement in and out of seam zone areas. It added that respect for the «fabric of life» on either side of the Wall was a key consideration in the overall Wall project, and furthermore, that the tight restrictions that govern Palestinian movement in these areas are «...a legitimate distinction based on security reasons.»¹⁹

In 2009, Israel announced that further action would be taken to improve the situation of Palestinians affected by seam zones. However, it reasserted its position that the existing permit system was fit for purpose, and allowed those with a legitimate claim to the land to continue their lives as normal. Joint research by ACRI and HaMoked contradicted this position, and found that «...as time progressed, the harm to the population worsened, fewer and fewer permits were being issued and their validity periods progressively shorter, at the same time, the area of the seam zone was spreading progressively.»²⁰

Furthermore, the hardships experienced by those residing within, or with direct ties to, seam zones are a tool utilized by the Israeli occupying authorities to effect forced transfer of Palestinians out of these areas and into other parts of the West Bank, thereby enabling easy acquisition of this relinquished land. Again, such actions are in direct contravention of international law.

Case Study: Life in the Seam Zones

K.B. 22 years old from a seam zone village nearby Ramallah:

"I joined Birzeit University (located in Ramallah City) in 2008. Movement was easier before the Wall and the installation of the gate which split the village in two. Before I was arrested I had a permit valid for 3 months. I used to live in Ramallah as it was a long way to go back home but now this is no longer practical. Ramallah is just 10 minutes by car and yet it now takes me one hour to get to Birzeit. One day in 2010, on my way back home, I stopped at the gate to have my documents checked. The Israelis took my ID and my "one-time" permit and told me to wait. 20 minutes later, I was taken away by an army car as I was required for investigations. I was held in administrative detention –without charges- for 6 months, and lost one year of university.

2 days before my release, I told the administration of the prison that I needed a permit to be able to get into my village. They brought me a permit granting entry to the village for 1 month. I overstayed the permit and didn't apply for another one. I stayed without a permit in the village for about 2 months, but then had to return to Birzeit University to register for the new semester. I applied for a permit but I was denied for security reasons, so I left the village without a permit. I was called for

investigations with the Israeli occupying authorities over 5 times and every time I went, they told me that they would not let me back to the village until I give them information about the political activities in the university. I refused. During that time my family would visit me in Ramallah but I was not able to go to the village. In December my father contacted a lawyer in Jerusalem who was able to remove my security denial and got me a permit for one month last January. My second permit this year was for 3 months, but I don't know about the coming one. All I know is that now, I will have to spend an extra year at university due to being held for 6 months by the Israeli occupying authorities, maybe more if I get arrested again, who knows?"

He adds about the life in the village:

"The village is kind of empty now. At least 1000 people just preferred to leave, especially those who hold Jerusalem ID as it now takes them more than 2 hours to reach Jerusalem. The street which used to get us to Jerusalem in 10 minutes has been closed, and people who want to go there now use a route which takes them around Ramallah, entering from the Qalandia checkpoint which stands on the northern entrance of Jerusalem. All those who work in Ramallah prefer to live in Ramallah, and maybe return to the village once a week. It is very hard for relatives to visit here, and land owners from other villages or those who live in Ramallah or Jerusalem are not able to get a permit to reach their lands. Sometimes, if we can access a piece of land where the owner does not reside, they pay us to go dig it or pick the olives and the fruits. We (the family) also take care of my uncle's lands."²¹

Concluding remarks

The human impact of seam zones and accompanying permit system can thus be summarized as follows:

- 1. Social Life:** Family members are separated from one another and residents of seam zones are isolated from the surrounding communities.
- 2. Economic Situation:** The reduction in the number of permits granted to farmers allowing them access to work their lands, coupled with the limited nature of such permits in terms of the frequency and duration of permitted access, has resulted in a significant reduction in crop production, as well as forcing farmers to focus their efforts on crops which require less maintenance but produce a lower financial yield. These restrictions, together with the tightly-controlled movement of goods/machinery and labour in and out of the seam zones, therefore pose a direct threat to farmers' livelihoods.
- 3. Rigid Restriction of Movement:** The tight control of Palestinian movement in and out of seam zones serves to control all aspects of life for those affected, to the extent that entry is often only allowed on foot, with farmers prohibited from bringing with them the tools they require to tend the land.
- 4. Health:** Though inhabited areas within seam zones may have a basic medical clinic, for all but the most minor of ailments the patient is required to visit facilities within other parts of the West Bank. Ambulances from Israel will not attend to cases within the seam zones, whilst ambulances from the West Bank are held up at the checkpoints through which all human movement must pass. These delays can result in deliberate human suffering, and at times, death.
- 5. Education:** Students and teachers who reside within seam zones (or study/teach at schools located within them) encounter daily difficulties when seeking to pass through Israeli checkpoints. As a result, children may be late, or classes may not start on time due to the absence of teachers.
- 6. Water:** The low priority given to seam zone residents regarding the distribution of water,

along with the movement restrictions faced by aid organizations and the difficulties encountered when seeking to erect water cisterns in seam zone areas represents a direct attack by Israel on one of the most basic of human rights.

7. **Construction:** The tight controls applied to construction within seam zones have a direct impact on the ability of Palestinians to live in comfort and to maintain the family unit. Forcing this unit apart represents a direct attack on a key aspect of Palestinian life and culture.
8. **Land Confiscation:** The majority of seam zone land has been confiscated by the Israeli occupation administration on the grounds of «security» or for military purposes. Other legal rationales used to effect this land acquisition include a lack of evidence regarding the ownership of the land, or application of the 1950 Absentee Property Law whereby Palestinians prevented from accessing their land are deemed to have acquiesced on their rights to it. In addition to this express confiscation, Israel's conduct in preventing Palestinians from accessing their land also amounts to de facto land annexation. This form of confiscation requires no military order, but is instead effected by virtue of the permit regime.
9. **Displacement:** Highly restricted access to land, a deeply compromised social life and a crippled local economy are just some of the factors which contribute to unbearable conditions for Palestinians within seam zones. These factors are artificially created and maintained by the Israeli occupying authorities with a view to forcing Palestinians from the land and effecting further land acquisition.

In conclusion, Israel's policy regarding seam zones is just one part of a wider regime to colonize the area of Mandate Palestine; that is, to exert control over the maximum area of Palestinian land, whilst keeping the number of Palestinian residents to an absolute minimum. It exceeds the concept of merely restricting freedom of movement – a fundamental right – and instead regularly results in the complete denial of access to land, which in turn makes human life virtually impossible.

In light of this, the array of hardships faced by the inhabitants of seam zones (separation of families, limitations on frequency of access to the land, restricted access to water etc) are purposely created by the Israeli-administered permits regime and should not be seen as isolated incidents, but rather as representing a systematic pattern of discrimination by the occupying power which seeks to make life so difficult for those Palestinians present that they are left with little option but to relocate to other parts of the West Bank. This forced population transfer constitutes a direct contravention of multiple international laws, including Article 49 of the Fourth Geneva Convention and Article 7 of the Rome Statute of the International Criminal Court, but has so far received very little attention from the international community, and has seen even fewer positive steps to satisfactorily redress the situation and uphold Palestinian rights. Whilst such a status quo is maintained, Palestinians within seam zones will continue to have their quality of life grievously eroded by the State of Israel, and the ethnic cleansing of these areas will continue unchecked.

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