

UNHRC #54

Written Statement under Item 7

Israeli Colonial-Apartheid Policies in the Jordan Valley Violate the Right to Self-Determination

The Israeli colonial-apartheid regime's goal to achieve the forcible population transfer of Palestinians for the subsequent replacement of them with Jewish-Israeli colonizers is especially clear in the case of the Jordan Valley, in which the Israeli regime has been enforcing policies of land confiscation and home demolitions, segregation, fragmentation and isolation, control of and denial of access to natural resources, deprivation of basic services, and state-backed non-state actor violence. All of these policies and practices are implemented and enforced in order to create a coercive environment that deliberately causes life to be so unbearable that individuals and entire communities are forced to leave.

Land Confiscation and Home Demolitions

The Israeli colonial-apartheid regime's policies of land confiscation in the Jordan Valley are directly related to its strategic annexation schemes, such as the Allon Plan, the Sharon Plan, and the Drobles Plan, all of which fall within and serve the Israeli strategy of colonization – that is, acquiring the maximum amount of land with the minimum number of Palestinians. Despite making up more than 80 percent of the total population of the Valley, Palestinians are confined to small areas that comprise of only 5 percent of the Valley.¹ The Israeli regime has illegally declared more than 85 percent of the areas in the Valley as state land, firing zones, nature reserves, closed military zones, and national parks.² Furthermore, Israeli authorities routinely issue demolition and eviction orders under false pretenses of homes and infrastructure being built without permits that have been made impossible to attain. Through these measures, hundreds of communities in the Jordan Valley have faced forcible displacement, with many of them being displaced multiple times.³

Denial of Access to Natural Resources

The denial of access to natural resources is one of the primary Israeli policies of forcible displacement, aimed at expropriating the land for its colonial profit while depriving

¹ Ghazi Falah *et al.*, 'Israel's spatial and a-spatial strategy of dispossessing the Jordan Valley's Palestinian Inhabitants' (2023) 88 *GeoJournal*, 4505 <https://doi.org/10.1007/s10708-023-10876-9>.

² Samia Al-Botmeh, 'Implications of the Kerry Framework: The Jordan Valley' (2013) 43(3) *Journal of Palestine Studies*, 49 <https://doi.org/10.1525/jps.2014.43.3.49>.

³ Falah (n 1), 4513-4515; For recent examples, see Jordan Valley Solidarity, 'March 2023: Human rights violations in the Jordan Valley' (*Jordan Valley Solidarity*, 2 April 2023) <https://jordanvalleysolidarity.org/news/march-2023-human-rights-violations-in-the-jordan-valley/>.

Palestinians of their own natural resources that they are entitled to and that they would otherwise be able to easily access themselves. Israeli authorities prohibit Palestinians in the Jordan Valley from building necessary infrastructure and deliberately does not connect Palestinian communities to existing water and power systems. The Israeli regime denies Palestinians of their right to access water from the Dead Sea and Jordan River, and allocates nearly all of the groundwater pumped from the Eastern Aquifer to the 30 colonies in the Jordan Valley at a highly discounted price.⁴ In addition, the Israeli regime has destroyed hundreds of Palestinian water pumps and agricultural water projects and has prevented Palestinians from drilling their own wells, all while drying up the Palestinian wells that do exist.⁵ As a result, Palestinian communities in the Jordan Valley have been forced to buy their water from the Israeli company Mekerot, which also directly participates in the destruction of Palestinian water infrastructure, at prices so high that the average Palestinian household has to spend nearly half of its monthly income on water. Palestinian Bedouin communities in the Jordan Valley are especially targeted by this policy, with the Israeli army having made it common practice to confiscate their water tanks, particularly at the height of summer when they and their flocks need it most.⁶

Deprivation of Services

The Jordan Valley exemplifies some of the worst service deprivation in the West Bank. The Valley contains very few health clinics, all of which are in poor condition and run on very limited hours, as Israel's prohibition on construction has prevented their maintenance and replacement. Similarly, the few schools that exist in the Jordan Valley have been unable to deliver adequate education services due to a lack of supplies, infrastructure, and classroom space. All of the Palestinian Bedouin localities in the Jordan Valley are prevented from accessing water, electricity, roads, phone lines, and waste and sewage disposal. The deprivation of basic services, including access to transportation and freedom of movement, additionally serves the Israeli colonial-apartheid regime's strategy of keeping Palestinian communities segregated, fragmented, and isolated.⁷

State-Backed Non-State Actors

The Israeli colonial-apartheid regime additionally facilitates the forcible displacement of Palestinian communities through the mobilization of colonizer violence, which the state oversees, encourages, and directly participates in. These colonizers routinely raid Palestinian areas in the Jordan Valley, destroying private property, stealing and killing livestock, setting fire to crops and agricultural machines, and violently attacking Palestinian residents. For example, on 4 August, Israeli colonizers raided Ein al Hilwa in the Jordan Valley – where BADIL is implementing one of its projects – and destroyed livelihood structures, animal shelters,

⁴ Falah (n 1); Negotiation Affairs Department, 'Palestine's Denied Potential: Israel's Annexation Policies in the occupied Jordan Valley' (NAD, 23 June 2020) <https://www.nad.ps/sites/default/files/062220.pdf>.

⁵ BADIL, *Forced Population Transfer: The Case of Palestine - Denial of Access to Natural Resources and Services* (Working Paper No. 20, BADIL 2017), 75-77 https://www.badil.org/cached_uploads/view/2021/04/19/wp20-danrs-1618823866.pdf.

⁶ *Ibid.*

⁷ *Ibid.*

crops, and homes, and stole and damaged water tanks and livestock.⁸ These attacks, combined with the frequent raids carried out by the Israeli military in which Palestinians are attacked, killed, or imprisoned, have created an atmosphere of fear and anxiety, further pressuring Palestinians to flee.⁹

Recommendations

The numerous policies explained above, supplemented by the construction of the Apartheid Wall, the seam zones, and the network of bypass roads have entrenched full Israeli control over the land and have effectively cut Palestinian towns and communities off from each other and from the rest of the Jordan Valley. Israeli policies of forcible transfer of Palestinians in the Jordan Valley, especially the theft of land and natural resources and the fragmentation and isolation of Palestinian communities, complemented with the implantation of colonizers clearly demonstrate the colonial-apartheid component of the Israeli regime imposed upon Palestinian people. These policies constitute and result in international crimes, and should be understood as a breach of the Palestinian people's right to self-determination. Furthermore, the right to self-determination is binding *erga omnes*: its violation thus triggers third party responsibilities. Indeed, the Israeli regime's actions are only possible due to the inability and unwillingness of the international community to hold Israel accountable, thus promoting further Palestinian transfer and deepening Israeli domination and impunity.

BADIL, therefore, calls on:

1. The UNHRC and its member states to recognize the urgent need to dismantle the Israeli colonial-apartheid regime through addressing the root causes of the continuous Israeli war crimes and crimes against humanity; namely: colonization, apartheid, and the ongoing forcible displacement and transfer of Palestinians.
2. The UNHRC and its member states to take all measures available within international law, including severance of diplomatic relations, as well as economic, military, and cultural and athletic sanctions to hold Israel accountable for its policies and practices of colonization and apartheid.
3. The UNHRC and other UN bodies to utilize all available legal mechanisms that obligate third states to refrain from supporting and/or investing in infrastructure and services that reinforce Israel's colonial-apartheid strategy and to cut all investment ties with Israel and its companies as well as international companies involved in the Israeli colonial-apartheid regime.
4. In line with HRC resolution A/HRC/53/L.24/Rev.1 "allocate the financial and human resources and expertise necessary to enhance the capacity of the OHCHR to ensure

⁸ OCHA, 'Protection of Civilians Report | 25 July – 7 August 2023' (OCHA, 11 August 2023)

<https://www.ochaopt.org/poc/25-july-7-august-2023>.

⁹ For examples, see Jordan Valley Solidarity (n 3); Jordan Valley Solidarity, 'Khirbet Al Deir under threat from Israeli settlers' (Jordan Valley Solidarity, 7 April 2023) <http://jordanvalleysolidarity.org/events-action-call-outs/khirbet-al-deir-under-threat-from-israeli-settlers/>.

that the mandate given by the Human Rights Council in its resolution 31/36 is fully implemented”, including through annual updating of the UN database of businesses involved in Israel’s colonial enterprise.