



PRESS PACKET

SEGREGATION, APARTHEID, AND EQUAL RIGHTS

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SEGREGATION, APARTHEID AND EQUAL RIGHTS

More than 5 million Palestinians are denied equal rights by the state of Israel.

- Four million Palestinians in the Occupied Territories lack the right to vote for the government that controls their lives through a military occupation. In addition to controlling the borders, air space, water, tax revenues, and other vital matters pertaining to the Occupied Territories, Israel alone issues the identity cards that determine the ability of Palestinians to work and their freedom of movement.
- About 1.2 million Palestinian Arabs, who make up 20 percent, or one-fifth, of Israel's population, have second-class citizenship within Israel, which defines itself as a Jewish state rather than a state for all its citizens. More than 30 provisions of Israel's Basic Laws, which substitute for a written constitution, explicitly discriminate against non-Jews.
- Millions of Palestinians remain refugees in Jordan, Lebanon, Syria, and elsewhere, unable to return to their former homes and land in present-day Israel, even though the right of return for refugees is enshrined in the Universal Declaration of Human Rights. Palestinians make up the oldest refugee population in the world, having been exiled since 1948.

These conditions have parallels to the situation of the black majority in old South Africa, and may fairly be described as apartheid: a deliberate policy of racial or ethnic segregation.

Former U.S. president Jimmy Carter was the first prominent figure in this country to apply the term apartheid to Israel's occupation of the Palestinian territories—East Jerusalem, Gaza, and the West Bank. Israel's apartheid system, however, also affects Palestinian Arabs who make up 20 percent of the population within Israel itself. It is a central feature of the Zionist state that proclaims it is exclusively for Jews.

The word apartheid originated to describe the rigid system of legal segregation imposed by the white supremacist South African government against people of color in that country from 1948 to 1990. The word itself is from the Afrikaner language and means "separateness" or "apart." Afrikaners were Dutch settlers who denied basic democratic and human rights to that nation's black majority and other people of color. In 1948 they formalized racial segregation by making it the law of the land, a policy they called apartheid.

Israeli apartheid is both like and unlike the system of segregation that existed in South Africa. It is also similar and dissimilar to the system of legal segregation that existed in the American South for many decades. The word apartheid could easily be used to describe the system of legal segregation that existed in nine U.S. Southern states from the end of the Reconstruction Period to the mid-1960s when the civil rights movement achieved some of its greatest victories. It could also describe the de facto segregation that existed outside the U.S. South and resulted in the creation of black ghettos in nearly all U.S. cities.

In 2008, the South African government commissioned a study by leading legal scholars and human rights experts to determine if Israel was practicing apartheid in the Occupied Palestinian Territories according to the parameters of international law. After a 15-month investigation, the study concluded that “Israel, since 1967, is the belligerent Occupying Power in occupied Palestinian territory, and that its occupation of these territories has become a colonial enterprise which implements a system of apartheid.”

How exactly does apartheid work within Israel and in the Palestinian territories? It can readily be described as a two-tiered system of favoritism and privilege for Jews compared with deprivation and discrimination against Palestinian Arabs. It covers many facets of political, social, and economic life, including standard of living, education, housing and development, access to water and roads, an unequal system of justice, land ownership, and freedom of movement. In addition, it has many special features, such as the absolute control that the Israeli military ultimately exercises over all Palestinians in the Occupied Territories and the recent construction of a Separation Barrier or Apartheid Wall. This wall is meant not only to confiscate land from Palestinians to expand illegal settlements but also to make it impossible for Palestinians to have a contiguous and viable state of their own.

The documents that follow detail Israel’s system of segregation and apartheid.

ISRAEL'S SEGREGATED TOWNS

Since 1967 the Israeli government has imposed a system of segregation and discrimination against the Palestinian residents of the West Bank, Jerusalem, and Gaza, the areas known as the Occupied Territories. It has illegally established 121 settlements in the West Bank that are exclusively for Jews. These settlements are in violation of Article 49 of the Geneva Conventions which prohibits an Occupying Power from transferring "parts of its own civilian population into the territory it occupies." In addition successive Israeli governments have sanctioned the creation of 100 "unofficial outposts" of Jewish settlers in the West Bank by supporting and assisting their creation, and they have established 14 Jewish-only neighborhoods on land in Jerusalem that was illegally annexed to Israel. Until 2005, Israel had also established illegal settlements in the Gaza Strip.

As the Israeli human rights organization B'Tselem described it: "Israel created in the Occupied Territories a regime of separation and discrimination, with two separate systems of law in the same territory. One system, for the settlers, de facto annexes the settlements to Israel and grants settlers the rights of citizens of a democratic state. The other is a system of military law that systematically deprives Palestinians of their rights and denies them the ability to have any real effect on shaping the policy regarding the land space in which they live and with respect to their rights. These separate systems reinforce a regime in which rights depend on the national identity of the individual.

Moreover, Israel created these segregated communities on land stolen from Palestinians. Life for Jewish residents of the settlements consists of special privileges and favoritism denied to Palestinians, including special subsidies for housing and education, unequal consumption of precious water resources, a segregated road system, and the building of a Separation Wall that cuts off Palestinians from their land, their schools, their hospitals, and towns in a way that has nothing to do with Israel's security needs. The Israeli government purposely located the settlements so that it would be impossible for Palestinians to have a contiguous and viable state of their own.

Israel's system of discrimination is designed not only to segregate Palestinians from Jews but also to encourage the ethnic cleansing of Palestinians from the Occupied Territories. According to the Israeli organization, Peace Now, government statistics showed that from 1996 to 2001, 82 percent of building violations in Jerusalem were in Jewish neighborhoods while 18 percent were in Palestinian areas. However, the Israeli government took enforcement actions against only 20 percent of violations in Jewish neighborhoods, compared with 80 percent in Palestinian areas. According to the Israeli Committee Against House Demolitions (ICAHD), Israeli officials are 10 times more likely to demolish Palestinian homes due to building violations than they are to demolish Jewish homes with building violations. Numerous Palestinian villages and neighborhoods have lost population due to these measures, including one Palestinian village that declined from a population of 25,000 to 5,000 by the beginning of the 21st century.

Segregation is commonplace within Israel itself where 20 percent of the population is Palestinian. Although Israel's High Court has recently ruled against the creation of Jewish-only communities, in practice Palestinians are barred from many Jewish-only communities. Since

1948 the Israeli government has allowed the creation or expansion of Jewish-only communities within Israel, mostly on land confiscated from Palestinians, but it has not allowed the building of a single new Arab town. In March 2011 Israel's parliament, the Knesset, passed a law that makes it easier for rural Jewish communities to refuse Palestinians the right to live in those communities.

The government also refuses to recognize hundreds of Palestinian towns and villages that existed prior to Israel's formation in 1948. Because they are not officially recognized, almost all of the housing in these towns is subject to demolition, and none receive services from the state, such as schools, roads, or sewer systems. More than 100,000 Palestinians or about 10 percent of Palestinian Israelis live "off the grid" as a result.

Sources:

"Separate and Unequal," a report by Human Rights Watch.

Palestine Inside Out: An Everyday Occupation by Saree Makdisi.

Israel's Occupation by Neve Gordon.

"Inequality Report: The Palestinian Arab Minority in Israel," by the Adalah Legal Center for Arab Minority Rights.

[The Fourth Geneva Convention](#)

Sacred Landscape: The Buried History of the Holy Land Since 1948 by Meron Benvenisti

["Land Expropriation and Settlements."](#) a report by B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories.

Lords of the Land: The War Over Israel's Settlements in the Occupied Territories, 1967-2007 by [Idith Zertal](#) and Akiva Eldar

ISRAEL'S SEGREGATED SCHOOLS

Inside Israel, Palestinian students are channeled into a segregated school system from first grade through high school. Segregation for Israel's Palestinian students, who make up roughly 20 percent of the country's student population, is largely a result of rigid geographic and residential segregation. Palestinian Israelis live mostly in Arab villages or neighborhoods and rarely mix with Jewish Israelis until they begin working or until they attend university. Israeli governments have never tried to promote integration in Israel's public school system. Despite the fact that Jewish Israelis and Palestinian Israelis increasingly live in greater proximity in Israel's major cities, only one state-run school in Israel—an elementary school serving about 350 children in Jaffa—has ever been integrated, and it is often threatened with closing if the Arab student minority appears poised to become the majority.

In the United States, we call this *de facto*, rather than *de jure* (legal) segregation. However, our democracy has recognized the harm that results from *de facto* segregation and has tried to address it in many ways to promote equal opportunity. These efforts followed the famous 1954 U.S. Supreme Court decision, *Brown v Topeka Board of Education*, which ruled against the so-called “separate but equal doctrine.” The Supreme Court found that segregation was inherently unequal because it isolated black students from the dominant white culture and therefore put them at a disadvantage in a competitive workforce.

Israel's education budget is rarely reported in detail. However, in 2004 the government released statistics showing its system was not only separate but also unequal. The statistics revealed that Israel spent 3 times as much on schools for Jewish students than it did for Palestinian schools, according to an analysis by Adalah: The Legal Center for Arab Minority Rights in Israel. The same 3 to 1 ratio in spending occurred in schools in Jerusalem, where Jewish schools in West Jerusalem received three times more funding than schools in the largely Arab East Jerusalem, according to a separate study by the Association for Civil Rights in Israel.

Further evidence of inequality can be found in decisions by the Israeli government to designate certain communities for “high-priority status” to improve the local educational system. In recent years Israel has designated 553 Jewish communities for high-priority status, compared with just 4 Palestinian communities.

Discrimination against Palestinian Israelis carries over into higher education as well. The discrepancies are especially apparent there. Forty-five percent of Palestinian applicants are turned down for admission to Israeli universities, compared with 16 percent of Jewish applicants. Among Israeli undergraduates, only 10 percent are Palestinian, even though Palestinians make up 20 percent of the population. Palestinians make up only 3 percent of Israeli doctoral students and only 1 percent of university lecturers.

The Israeli government also attempts to control the curriculum to prevent Palestinian and Jewish students from learning about the Nakba (Arabic for “catastrophe”), the 1948 expulsion of Palestinians from their homes and land within present-day Israel. The Israeli parliament, the Knesset, recently passed a law that forbids commemoration of the Nakba in school curricula or textbooks in an effort to prevent all Israeli students from learning the truth about the country's origins as an apartheid state founded on ethnic cleansing.

Moreover, curricula and readings for Jewish students emphasize racist stereotypes of Palestinians and Arabs in general, according to a five-year-long study by the Israeli Jewish professor Nurit Peled-Elhanan of Hebrew University of Jerusalem. Peled-Elhanan found that Israeli textbooks for Jewish students routinely depict Palestinians “as vile and deviant and criminal, people who don't pay taxes, people who live off the state, people who don't want to develop. The only representation is as refugees, primitive farmers and terrorists. You never see a Palestinian child or doctor or teacher or engineer or modern farmer.”

Progressive Jewish and Arab citizens of Israel have attempted to defy Israel’s de facto segregation in recent years, creating five mixed Arab-Jewish alternative schools in defiance of the segregated system, according to the Israeli Jewish historian Ilan Pappé. Successive Israeli governments, however, have consistently opposed any effort to establish equal rights for all by insisting that Israel can only be a Jewish state, rather than a state for all its citizens.

Within the Occupied Territories, Palestinian schools are underfunded compared with the generous subsidies given to Jewish schools in the illegal settlements. Israeli military authorities frequently close Palestinian schools or subject them to curfews. Many Palestinian students must pass through Israeli military checkpoints just to get to school, and the military uses these checkpoints to harass and delay students.

In response to Palestinian uprisings, the Israeli military often takes reprisals against Palestinian schools and students in the Occupied Territories. From 2003 to 2005, there were more than 180 assaults on Palestinian schools, resulting in the deaths of 180 students and teachers. During that period more than 1,500 school days were lost due to Israeli closures. A study by the United Nations agency, UNESCO, found that the Israeli military caused \$5 million in damages to Palestinian schools.

Sources:

The Forgotten Palestinians: A History of the Palestinians in Israel by Ilan Pappé.

Palestine Inside Out: An Everyday Occupation by Saree Makdisi.

Israel’s Occupation by Neve Gordon.

“Institutionalized Arab Inequality in Israel,” by *Stephen Lendman*.

“Inequality Report: The Palestinian Arab Minority in Israel,” by *the Adalah Legal Center for Arab Minority Rights*.

“Education Under Attack 2010,” a report by *UNESCO*.

“Jewish parents in multicultural school demand parity in the classroom,” by *Ilan Lior, Haaretz, July 1, 2011*. <http://www.haaretz.com/print-edition/news/jewish-parents-in-multicultural-school-demand-parity-in-the-classroom-1.370523>

“Academic claims Israeli school textbooks contain bias,” by *Harriet Sherwood, The Guardian, August 7, 2011*. http://www.guardian.co.uk/world/2011/aug/07/israeli-school-racism-claim?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+imeu+%28IMEU+%3A+Institute+for+Middle+East+Understanding%29&utm_content=FaceBook

ISRAEL'S SEGREGATED ROADS

One of the most blatant examples of the segregation imposed by Israel on Palestinians is the system of roads built in the West Bank exclusively for Israeli Jewish settlers. West Bank Palestinians are denied the right to travel on these segregated roads. The separate road system for Palestinians is often unpaved and in some cases is little more than a trail, rather than an actual road.

Meanwhile, a modern freeway system designed to link illegal Jewish settlements to each other and to Israel proper has been built for Jewish Israelis. Vehicles with Palestinian licenses are completely prohibited from traveling on approximately 105 kilometers of West Bank roads, according to the Israeli human rights organization B'Tselem. Palestinians can travel on the remaining 180 kilometers of Israeli-built roads in the West Bank only if they can obtain a special permit or if they travel in an ambulance. The Israeli road system crisscrosses the West Bank in a way that seems designed to prevent the formation of a contiguous and viable Palestinian state.

Within Israel itself, Palestinians from the West Bank or Gaza are prohibited from driving on Israeli roads. Israeli citizens also cannot bring Palestinians into Israel through passages designated for Israelis only.

Sources:

“Separate and Unequal,” a report by Human Rights Watch.

An Israeli in Palestine, by Jeff Halper.

"Restriction of Movement," by B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories.

http://www.btselem.org/freedom_of_movement/checkpoints_and_forbidden_roads

SEGREGATION BY THE NUMBERS

- Percentage of Palestinian population of Israel living in poverty: 48
- Percentage of Jewish population of Israel living in poverty: 15
- Average Palestinian family income in Israel as percentage of average Jewish income: 57
- Percentage of state investment devoted to Jewish areas: 90
- Number of localities inside Israel granted priority development status: 429
- Number of those that are Palestinian: 4
- Number of towns in Israel with unemployment rates higher than 10%: 32
- Number of those that are Palestinian: 25
- Ratio of state funding per capita for Jewish vs. Palestinian towns: 159:100
- Infant mortality rate among Palestinians in Israel: 8.4 per thousand
- Infant mortality rate among Jews in Israel: 3.6 per thousand
- Number of religious sites in Israel granted state protection and funding: 135
- Number of those that are not Jewish: 0
- Proportion of Israeli population that is Palestinian: 20
- Number of child-care centers in Israel for children aged 0-3: 1,600
- Number of those in Palestinian towns: 25
- Number of Israeli children age 0-3 who attend state-subsidized day care: 80,000
- Number of whom are Palestinian: 4,200
- Percentage of Jewish Israeli children age 3 with access to state-subsidized kindergarten: 100
- Percentage of Palestinian Israeli children age 3 with access: 66
- Israel's annual investment per Jewish student age 5-15: \$428
- Israel's annual investment per non-Jewish (i.e., Palestinian) student age 5-15: \$128
- Number of Israeli communities granted the highest-priority status for education in 2007: 553
- Number of those that were Palestinian: 4
- Number of art schools for Jewish students in Israel: 25
- Number for non-Jewish (i.e., Palestinian) students: 0
- Percentage of Jewish students in Israel who make it to high school: 85
- Percentage of non-Jewish (i.e., Palestinian) students who make it to high school: 61
- Percentage of Jewish applicants to university in Israel who are rejected: 16
- Percentage of non-Jewish (i.e., Palestinian) students who are rejected: 45
- Percentage of undergraduates in Israel who are Palestinian: 10
- Percentage of doctoral students in Israel who are Palestinian: 3
- Percentage of university lecturers in Israel who are Palestinian: 1
- Number of university lecturers in Israel who are Palestinian women: 1

From *Palestine Inside Out: An Everyday Occupation* by Saree Makdisi

UNEQUAL UNDER THE LAW

Israel is the only country in the world that distinguishes between nationality and citizenship. Israeli nationality is guaranteed only to those determined to be of the Jewish religion. Only Jews have full rights in the state of Israel, which is defined as a Jewish state under the Basic Laws that substitute for a written constitution.

WITHIN ISRAEL: Under the Basic Laws, more than 90 percent of the land is state-owned. Israel's Basic Laws prohibit access or the lease of state land to non-Jews.

The Law of Return of 1950, another of Israel's Basic Laws, guarantees Israeli nationality to Jews everywhere and grants them automatic citizenship if they seek it in Israel. Palestinians, however, have Arab nationality and are denied the right of return.

Palestinian Israelis who marry Palestinians living in the Occupied Territories cannot reside with their spouses in Israel, although Jewish Israelis can legally reside with their spouses in a settlement in the Occupied Territories.

An amendment to one of Israel's Basic Laws, passed in 1985, states: "A candidates' list shall not participate in elections to the Knesset if its objects or actions, expressly or by implication, include one of the following: (1) negation of the existence of the State of Israel as the state of the Jewish people. . . ."

This provision effectively rules out the participation of Palestinian Israeli political parties that believe Israel should be a state of all its citizens, including the 20 percent who are Palestinian. Any political party with this belief or program is not allowed to run candidates for election to the Knesset, Israel's parliament.

Altogether, according to Adalah: The Legal Center for Arab Minority Rights in Israel, more than 30 of Israel's principal laws discriminate directly or indirectly against Palestinians.

UNEQUAL TREATMENT IN CRIMES OF VIOLENCE

Crimes of violence committed by Israeli Jews against Palestinians are rarely punished. The Israeli human rights organization B'Tselem examined 119 cases in which Israeli civilians killed Palestinians. The organization found that in only 13 cases were Israelis sentenced to prison. Only six were convicted of murder, and of those, only one received life imprisonment. The seven others were convicted of manslaughter, but most drew light sentences. Israeli soldiers convicted of killing Palestinian civilians are even more likely to receive either mild punishment or no prison time at all. In one notorious case an Israeli soldier convicted by a military court of killing a 95-year-old Palestinian woman received a 65-day prison sentence.

On the other hand, Palestinian crimes of violence against Jews are harshly punished, including by means of extrajudicial assassinations. In addition, the Israeli military often demolishes the house where a Palestinian accused of violence against Israelis resides, depriving an entire family of shelter. At the same time the Israeli military routinely "looks the other way" when Jewish

settlers carry out acts of violence, harassment, and property damage against Palestinians and Palestinian-owned property. The Israeli organization, Yesh Din, found that from 2005 to 2009 Israeli police failed to indict a single settler for the destruction of Palestinian olive trees in nearly 70 separate incidents.

Even acts of nonviolent civil disobedience earn Palestinians long prison terms, compared with similar actions by Israeli activists opposed to the Occupation. In one recent case a Palestinian who led nonviolent protests against the Separation Wall in the village of Bilin received a 1.5 year prison sentence, compared with an Israeli Jewish activist with Anarchists Against the Wall who received a 3-month prison sentence. Palestinians in the Occupied Territories can be punished for what they read, what they write, and what organizations they belong to.

MILITARY COURTS FOR PALESTINIANS, CIVILIAN COURTS FOR JEWISH SETTLERS

Under Israeli occupation, Palestinians live under Israeli military law and face military tribunals, having no recourse to a civilian court system. Israeli settlers in the Occupied Territories are considered Israeli citizens and are brought before civilian courts if they are charged with a crime. Even after the 1993 Oslo peace accords granted the Palestinian Authority (PA) limited self-rule in the Occupied Territories, the Israeli military maintained police and judicial authority in much of the Occupied Territories. The Israeli military also reserves for itself the right to intervene even in areas where the PA was supposed to have full authority over police matters.

In Israeli military courts:

- There is no presumption of innocence, and the military courts do not adhere to international standards of due process.
- Palestinian defendants are not informed of the charges against them until their first court hearing and their attorneys are not given time to study the indictment.
- Court decisions can be based on “secret evidence” not provided to the defendant or his attorney.
- Military judges are not required to have a legal background or education.
- Palestinian children can be prosecuted as adults at age 12, whereas children of Jewish settlers cannot be prosecuted as adults until age 18.
- Palestinians are heavily pressured to plea bargain and can face more severe penalties if they do not. As a result more than 95% of convictions are the result of plea bargains.
- In 2006 the acquittal rate for Palestinian defendants in military courts was 0.29 %.

As a result of harsh sentences, more than 650,000 Palestinians have served time in prison since 1967 when the Occupation began. This figure represents about 40 percent of today’s male population. A large percentage of Palestinian prisoners have been tortured, according to several human rights organizations.

INEQUALITIES IN WEALTH

In the Occupied Territories, two-thirds of Palestinians live in absolute poverty, defined as income of \$2 or less per day. By contrast, Israelis enjoy an average per capita income of nearly \$60 per day. Worse yet, 80 percent of Palestinians in Gaza are dependent on international aid, and 33 percent of all Palestinians in the Occupied Territories are dependent on international aid.

The unemployment rate in the West Bank hovers around 19 percent while the unemployment rate in Gaza is about 40 percent.

Within Israel, 48 percent of Palestinian Israelis live in poverty, compared with a poverty rate of 15 percent for Jewish Israelis. Of the 32 towns within Israel that have unemployment rates higher than 10 percent, 25 of those are Palestinian towns.

Palestinian Israelis face discrimination in employment, wages, and working conditions. Although they make up 20 percent of the population, Palestinian Israelis represent only 6 percent of public employees in civil service jobs.

UNEQUAL ACCESS TO WATER

WATER

Water is a scarce resource in Israel and **the Occupied Territories**. Israel has controlled water resources in the West Bank and Gaza since its occupation began in 1967. The World Bank estimates that Palestinians have lost more than 100,000 agricultural jobs because Israel has denied Palestinians access to water resources that were diverted to illegal Jewish settlements. All of the 149 illegal Israeli settlements in the West Bank have access to running water, whereas 200 Palestinian communities in the West Bank have no running water, according to a study by international legal experts.

The World Health Organization (WHO) found that Israelis consume 4 times more water than Palestinians in the Occupied Territories. In one area alone, the Jordan Valley, 9,000 Jewish settlers consume 25 percent of the water used by the entire Palestinian population in the West Bank, which totals 2.5 million people. According to the United Nations, 60,000 West Bank Palestinians lack access to running water and must pay one-sixth of their income to have water trucked into their communities.

The WHO recommends a minimum of 100 liters of water consumption per day per person for adequate sanitation, food preparation, personal consumption, and other uses. The average Palestinian in the West Bank receives 50 liters of water per day, compared with 200 liters per day for the average Israeli, including settlers.

The water situation in Gaza is especially critical. About 40 percent of the houses in Gaza have no running water. About 95 percent of the water pumped into the Gaza Strip is polluted and unfit for drinking, according to the United Nations. Israel's Operation Cast Lead military offensive that worsened groundwater pollution in Gaza's lone aquifer, according to the Israeli human rights organization B'Tselem. Furthermore, Israel's blockade of Gaza prevents repair to wastewater treatment facilities.

WITHIN ISRAEL, more than 170 Palestinian communities, mostly in small villages, are not recognized by the state. As a result, none are provided with running water, and the state does not subsidize the cost of water in those communities.

FACTS ON ISRAEL'S OCCUPATION

- Number of Gaza homes demolished by Israel, 2000-2004: 2,540
- Number of Palestinians made homeless as a result: 23,900
- Number of Palestinian homes demolished by Israel since 1967: 18,000
- Number of Palestinians stripped of Jerusalem residency, 1967-2006: 8,269
- Number in 2006 alone: 1,363
- Number of Palestinians from occupied territories working in Israel or settlements, 1987: 180,000
- Number in 2000: 110,000
- Number in 2007: 68,000
- Unemployment rate in West Bank, 1999: 9.6
- Unemployment rate in West Bank, 2006: 18.6
- Unemployment rate in Gaza, 1999: 17
- Unemployment rate in Gaza, 2006: 34.8
- Private sector unemployment rate in Gaza, 2007: 85
- Percentage of people in Gaza living in poverty, 2006: 80
- Proportion of people in Gaza dependent for food aid for day-to-day survival, 2007: 80
- Percent increase in rates of chronic disease in occupied territories, 2005-7: 30
- Number of Palestinian children killed by Israeli army, 2000-2007: 854
- Percentage of Palestinian children living in fear, according to 2003 USAID study: 93
- Percentage who have personally experienced violence: 48
- Percentage displaced from home due to violence: 21
- Percentage who feel their parents can't protect them: 52
- Percentage who value their education as a means of improvement: 96
- Number of Palestinian schools closed due to Israeli curfews and closures, 2002: 580
- Number of Palestinian schoolchildren affected: 226,000
- Number of Israeli assaults on Palestinian schools, 2003-5: 180
- Number of students and teachers killed as a result: 181
- Schooldays lost due to Israeli closures in West Bank and Gaza, 2003-5: 1,525
- Number of university-age people in Gaza: 400,000
- Capacity of Gaza's university system: 70,000
- Percentage of university-age Gazans denied the right to an education: 75
- Number of Gazan students attending Birzeit University in West Bank, 2000: 350
- Number in 2005: 35
- Number in 2007: 15
- Number of those who are there with permits from Israel: 0
- Number who can visit their families and then return to university: 0
- Number who can freely move around the West Bank: 0
- Number of registered physically disabled people in Gaza: 24,000
- Number of educational courses addressing physical rehabilitation in Gaza: 0
- Percentage of disabled Gazans barred by Israel from studying in West Bank: 100
- Length of closure imposed on Hebron universities by Israeli army, 2002-3: 8 months

LAND OWNERSHIP AND PROPERTY CONFISCATION

WITHIN ISRAEL, more than 500 Palestinian towns and villages were either destroyed or depopulated of Palestinians in 1948 when the state of Israel was founded. Israel has never paid compensation to the 700,000 Palestinian refugees who were forced to abandon their land and homes under threat of massacre or due to military force. From 1948 to 1953, the Israeli government created 370 new Jewish towns. Of those, 350 were built on land taken from “absentee” Palestinian owners.

These owners were “absentees” because Israel refused to allow Palestinian refugees to return to their homes even though the right of return is established in one of the founding documents of the United Nations known as the Universal Declaration of Human Rights. Instead, the Israeli government enacted the Law of Return as one of its Basic Laws, which guarantees the right of “return” only to Jews. Before 1948 Jews legally owned only about 7 percent of the land in what was then Palestine. After the founding of Israel in May 1948, the government claimed 93 percent of the land as state land.

Israel has granted illegal settlements control of 43 percent of **occupied West Bank land**. It has designated 18 to 20 percent of the West Bank as closed military zones and another 10 percent as park land. The total amount of private and public land thus removed from Palestinian control amounts to about 73 percent of the occupied West Bank, according to Human Rights Watch. Under international law, property can be confiscated only in cases of urgent military necessity.

More importantly, Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring its civilian population to an occupied area. It reads in part, “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”

The settlements are thus illegal under the Geneva Conventions, and the confiscation of land to build the settlements is illegal. Under international humanitarian law it is also illegal to confiscate private property without compensation and in a way that discriminates.

The Israeli organization Peace Now found that 40 percent of the West Bank settlements were built on privately-owned Palestinian land. Because the settlements are Jewish only and no compensation was paid to the Palestinian owners, the confiscation of Palestinian land for settlement construction is also illegal under international human rights law. Even under Israeli law the construction of settlements on privately owned land is illegal.

In East Jerusalem, Palestinians are confined to just 13 percent of the land area even though they make up 35 percent of Jerusalem’s population. Illegal settlements in East Jerusalem have access to 25 percent of the land area of East Jerusalem that is zoned for settlement construction. A Jewish settler has access to 3 times more land than a Palestinian resident of East Jerusalem. Israel also illegally annexed land from more than 28 Palestinian towns and villages to make it part of Jerusalem’s municipal borders. In many cases, it confiscated only the farmland belonging to Palestinian farmers living in those villages, but excluded the Palestinian population.

THE SEPARATION WALL AND FREEDOM OF MOVEMENT

Following the 2nd intifada, or uprising, against Israeli oppression, the Israeli government announced that it would build a “security fence” or barrier between Israel and the Occupied Territories. The announced reason was to prevent suicide bombings within Israel. As construction of the “fence” began, however, it quickly became apparent that the Separation Wall had little to do with security. Instead, it had much to do with confiscating more land from the Palestinians, controlling their movements within the Occupied Territories, and making the creation of a viable Palestinian state impossible.

The route of the wall did not follow the so-called Green Line, the armistice line that delineated the border of Israel from the West Bank and Gaza prior to the 1967 war. Instead, in numerous places, the wall sharply veered into the West Bank, cutting off Palestinian villages from adjacent farmland, land that Palestinian farmers had cultivated for generations. Israeli authorities proclaimed that farmers would be able to access their land only if they could prove land ownership. Otherwise, they would not receive a permit to cross the Separation barrier. But in many cases, traditional farming practices meant that land was owned by families rather than individuals and documented “proof of ownership” was not required as land was passed from one generation to the next. Israel has granted permits to only 18 percent of farmers who have been cut off from their land by the Separation Wall.

In addition to separating Palestinians from their farmland, the Separation Wall also intersected Palestinian towns and cities. Instead of separating Palestinians from Israelis, it separated Palestinians from Palestinians. Merely to go to work, to school or to a hospital, Palestinians must pass through military checkpoints, where Israeli soldiers routinely harass and intimidate them or simply delay their passage, including people seeking emergency medical treatment. What was formerly a routine commute to work or school became an onerous trip requiring several hours of delays. The World Bank estimated that the Gross Domestic Product (GDP), a measure of goods and services produced, in the Occupied Territories declined 60 percent on a per capita basis from 1999 to 2008 due to restrictions imposed on Palestinians’ freedom of movement.

In 2004 the International Court of Justice issued an advisory opinion ruling that Israel was obligated to halt construction of the wall, to dismantle it where it interfered with Palestinians’ freedom of movement, and to compensate Palestinians for lost income. The Court found that the Separation wall interfered with Palestinian’s “right to work, to health, to education, and to an adequate standard of living as proclaimed by the International Covenant on Economic, Social and Cultural Rights and in the United Nations Convention on the Rights of the Child.”

In 2006 the Israeli government openly admitted in a case before Israel’s supreme court that the wall was designed to ensure that Israel’s illegal settlements would be annexed to Israel, rather than being built for security purposes. Israel’s supreme court rebuked the government for misleading it, according to Human Rights Watch. It ruled that the Separation barrier in certain areas must be rerouted, such as the area around the village of Bilin, because it “disproportionately harmed” Palestinians. But five years later, the wall that cuts through Bilin has not been rerouted and land has not been returned. In fact more land has been confiscated as the Separation Wall continues to be built.

The impact of the Wall on many Palestinian communities has been devastating. According to United Nations reports, about 15,000 Palestinians were forced to move elsewhere due to the Wall's impact on their ability to work and live. A UN report on the West Bank village of Jubara found that the Wall's impact on a once-thriving economy that featured 10 poultry plants had led to 90 percent unemployment and the impoverishment of 1,800 farming families cut off from their land.

Even without the Separation Wall, Palestinians must still pass through myriad military checkpoints. According to a World Bank report, "on any given day the ability to reach work, school, shopping, healthcare facilities and agricultural land is highly uncertain and subject to arbitrary restriction and delay."

Gaza also is enclosed by fences on both the Israeli and Egyptian borders. Israel maintains complete control of Gaza's borders, making it the largest open-air prison in the world. Palestinians cannot travel outside Gaza without special permits from Israel. Israel restricts the movement of Gaza's students to and from the West Bank. In 2000, about 350 Gaza students attended Birzeit University in the West Bank. After Israel imposed its blockade, fewer than 15 Gaza students were able to attend Birzeit.

HOW MUCH MILITARY AID DOES THE U.S. GIVE TO ISRAEL?

According to the Congressional Research Service, Israel received \$58.6 billion in military aid from 1949-2008[1]

On August 16, 2007, a Memorandum of Understanding (MOU) signed by Israel and the United States promised \$30 billion in military aid to Israel during the following decade (2009-2018). [2] This \$30 billion of military aid represented a more than 25% increase over pre-existing military financing to Israel.[3]

What additional military aid appropriations have been made in the past twelve months (FY 2010)?

\$205 million as the U.S. contribution to Iron Dome: short-range rocket defense. Originally this project was to be entirely Israeli funded.[4]

· \$202 million: for Arrow, Arrow II, Arrow III: an anti-missile system co-managed and co-funded for Israeli use;[5] AN/TPY-2 X-Band Radar: an U.S. Satellite Early Warning System U.S. staffed and funded, mutual use,[6] David's Sling (Magic Wand): very short-range rocket defense.[7]

How does U.S. military aid to Israel rank in relation to military aid to other countries?

In early 2010, the Department of State reported Israel receiving more military aid than the rest of the world combined.[8]

IN WHAT FORM IS THIS AID GIVEN?

1) Money. Of the \$30 billion promised by the U.S. to Israel in foreign military financing (FMF) from 2009-2018, about 25% of that funding can be used by Israel for purchases made directly from its own domestic defense industry. (\$670.65 million in FY2009). Israel is the only country allowed to use FMF monies on its own domestic defense industry. [9]

2) Weapons. The other 75% of FMF funds is used to purchase U. S. defense equipment. This equipment consists of weapons purchased from the U.S. government, and of weapons produced by private U.S. manufacturers and sold by those manufacturers directly to Israel, with the approval of the U.S. government.[10]

WHAT IS ISRAEL'S ACCOUNTABILITY FOR ITS USE OF U.S. MILITARY AID?

John Mearsheimer and Stephen Walt argue in their book, *The Israeli Lobby and U. S. Foreign Policy* that because "Israel is the only recipient of U. S. economic aid that does not have to account for how it is spent ... this exemption makes it virtually impossible for the United States to prevent its subsidies from being used for purposes it opposes.[11]"

The authors quote Clyde Mark in his Congressional Research Service study, "Israel: U. S. Foreign Assistance": "Because U. S. economic aid is given to Israel as direct government-to-government budgetary authority without any specific project accounting, and money is fungible, there is no way to tell how Israel uses U.S. aid." [12]

WHAT IS THE PROCESS BY WHICH MILITARY AID IS APPROVED?

FMF grant assistance to Israel for FY2009-2018 is grounded in the Memorandum of Understanding signed by R. Nicholas Burns, U.S. Undersecretary of State, and Aaron Abramovich, Director General, Ministry of Foreign Affairs of Israel, dated August, 2007.

Each annual FMF grant must be approved by Congress. For example, "for FY2009 the Administration requested \$2.55 billion in FMF and \$30 million in Migration Assistance for Israel. P.L. 111-8, March 11, 2009, the Omnibus Appropriations Act, 2009, provides \$2.38 billion in FMF, of which \$670,650,000 may be spent in Israel, and \$30 million in migration and refugee assistance for Israel." [13]

Since the funds have to be appropriated yearly, this provides an opportunity for U.S. citizens and taxpayers to mobilize to oppose this disastrous policy.

HOW DOES U.S. MILITARY AID TO ISRAEL FUEL THE GLOBAL ARMS MARKET?

THE FACTS SPEAK FOR THEMSELVES. HERE ARE A FEW:

“Israel is among the world’s leading arms exporters. Between 2001 and 2008, Israel was the seventh largest arms exporter to the world with sales (value of agreements not deliveries) worth a total of \$9.9 billion”[14]
US military aid to Israel also destabilizes the political climate in other troubled areas of the world. In 2001, Israel made \$2 billion in arms sales to India, including Israeli missile systems that were developed with US tax dollars. Tensions are as high as ever between Pakistan and India. Contributing to an arms race between the two nations will only bring South Asia closer to war.[15]

WHAT OTHER COMMITMENTS HAS THE U.S. MADE FOR ONGOING MILITARY AID?

In addition to the Memorandum of Understanding, the U.S. taxpayer has been committed to a unique and potentially unlimited source of continuing military aid.

The U.S. further aids Israel by guaranteeing its Qualitative Military Edge (QME). This means that any other aid to the Middle East is conditioned upon whether it affects Israel’s military superiority over its neighbors.”[16]
The Naval Vessel Transfer Act, signed into law by George Bush on October 15, 2008, states: “[T]he term ‘qualitative military edge’ means the ability to counter and defeat any credible conventional military threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damages and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition of states or non-state actors [17].

[1] Sharp, Jeremy. U.S. Foreign Aid to Israel. CRS Report RL33222, 12/2009, p. 21

[2] Israel Ministry of Foreign Affairs: Signing of Memorandum of Understanding between Israel and the United States. August 16, 2007

[3] Ruebner, Josh. Mock Congressional Hearing Report, 2010, p.19

[4] Ruebner, Josh, p. 5

[5] Sharp, Jeremy. pp. 8-9

[6] Sharp, Jeremy. pp. 9-10

[7] Sharp, Jeremy. p. 8

[8] Department of State, Military Financing Account Summary, accessed 3/22/2010

[9] Sharp, pp. 2-4

[10] Sharp, p. 4

[11] Migdalovitz, Carol. Israel: Background and Relations with the United States. April 2, 2009. Congressional Research Service RL33476: p. 29, 2007, p. 28.

[12] Mark, Clyde R., “Israel: U.S. Foreign Assistance,” Congressional Research Service Publications, p. 7

[13] Migdalovitz, Carol. Israel: Background and Relations with the United States. April 2, 2009. Congressional Research Service RL33476: p. 30

[14] Sharp, Jeremy. U.S. Foreign Aid to Israel. CRS Report RL33222, 12/2009, p. 4

[15] “Ten Reasons to Oppose US Aid to Israel,” Global Exchange. Web.

[16] Sharp, pp. 1-2

[17] Naval Vessel Transfer Act of 2008, Wikisource. Web

MILITARY AID DIVERTS TAX MONEY WE NEED HERE AT HOME.

The unprecedented amount of aid Israel receives—\$30 billion over 10 years, including \$3 billion in the 2011 budget pending Congressional approval—drains tax money that is badly needed here at home. According to Josh Ruebner, the National Advocacy Director of the U.S. Campaign to End the Israeli Occupation, “this same \$3 billion earmark for Israel could be used instead to provide more than 364,000 low-income households with affordable housing vouchers, or to retrain 498,000 workers for green jobs, or to provide early reading programs to 887,000 at-risk students, or to provide access to primary health care services for more than 24 million uninsured Americans.” [1]

Not only that, but about 25 percent of that \$3 billion is “spent in Israel on Israeli defense products” instead of here in the U.S. Israel is the only recipient of U.S. military aid that gets to spend part of the money in its own industries, according to former U.S. Ambassador Charles W. (Chas) Freeman, Jr. “American taxpayers fund between 20 and 25 percent of Israel’s defense budget (depending on how you calculate this),” he said. And, he went on, “In many ways, American taxpayers fund jobs in Israel’s military industries that could have gone to our own workers and companies. Meanwhile, Israel gets pretty much whatever it wants in terms of our top-of-the-line weapons systems, and we pick up the tab.” [2]

UNCRITICAL SUPPORT FOR ISRAEL CONTRIBUTES TO ANTI-AMERICAN SENTIMENT WORLDWIDE AND MAY ENDANGER AMERICAN SERVICE MEMBERS.

President Jimmy Carter, the only U.S. president to have succeeded in brokering Arab-Israeli peace, sees the negative impact of misguided U.S. policy on our international standing and the security of U.S. troops and civilians. In his book *Palestine: Peace Not Apartheid*, Carter writes: “The United States has used its U.N. Security Council veto more than forty times to block resolutions critical of Israel. Some of these vetoes have brought international discredit on the United States, and there is little doubt that the lack of a persistent effort to resolve the Palestinian issue is a major source of anti-American sentiment and terrorist activity throughout the Middle East and the Islamic world.” [3]

Vice President Joe Biden was humiliated during his March 2010 visit to Israel by the government’s announcement that 1,600 new homes would be built in Arab East Jerusalem. The Israeli daily *Yedioth Ahronot* reported that in a private exchange with Israeli Prime Minister Benjamin Netanyahu, Biden commented: “This is starting to get dangerous for us.” “What you’re doing here undermines the security of our troops who are fighting in Iraq, Afghanistan and Pakistan. That endangers us and it endangers regional peace.” [4]

In their book *The Israel Lobby*, John J. Mearsheimer and Stephen M. Walt conclude: “Backing Israel may have yielded strategic benefits in the past, but the benefits have declined sharply in recent years while the economic and diplomatic costs have increased. Instead of being a strategic asset, in fact, Israel has become a strategic liability for the United States. Backing Israel so strongly is making Americans more vulnerable - not less - and making it harder for the United States to achieve important and urgent foreign policy goals.” [5]

Israel has repeatedly gone against the interests and policies of several administrations without suffering serious consequences of aid reduction. Examples, according to Mearsheimer and Walt, include refusing to sign the Non-Proliferation Treaty, building settlements in the Occupied Palestinian territories, annexing

conquered territory such as the Golan Heights and Jerusalem, and selling U.S. military technology to potential enemies like China. [6]

ISRAEL USES U.S. MILITARY AID IN CONTRAVENTION OF AMERICAN LAW, IMPLICATING OUR COUNTRY IN HUMAN RIGHTS VIOLATIONS THAT HAVE BEEN CONDEMNED WORLDWIDE.

U.S. military aid to foreign nations is regulated by a number of U.S. laws, including:

- **Arms Export Control Act** (P.L.80-829): Weapons are limited to “internal security” and “legitimate self-defense” only.
- **Foreign Assistance Act** (P.L.97-195): “No assistance may be provided...to the government of any country which engages in a consistent pattern of gross violations of internationally recognized human rights.”
- **“Leahy Law”** (Foreign Ops Appropriations Act): No aid to “any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.”

Israel has violated all of these provisions at various times, yet has not suffered meaningful reductions in aid. Specifically, during Israel’s military campaign in Gaza in 2008-2009, white phosphorus was used in densely populated civilian areas, according to Human Rights Watch. HRW’s March 2010 report concluded that the Israeli military “had deliberately or recklessly used white phosphorus munitions in violation of the laws of war.” White phosphorus weapons, which inflicts severe burns on its victims, was supplied to Israel by the U.S. According to HRW, the IDF “repeatedly exploded it unlawfully over populated neighborhoods...killing and wounding civilians and damaging civilian structures, including a school, a market, a humanitarian aid warehouse, and a hospital.” [7]

Despite the evidence and allegations of human rights violations and war crimes, a massive new shipment of U.S. arms arrived in Israel in March 2009, according to Amnesty International. The Pentagon said the 14,000 tons of weapons were going to a U.S. stockpile in Israel. But a U.S.-Israel agreement allows the stockpiled weapons “to be transferred for Israeli use if necessary,” according to AI. [8]

The Gaza engagement was not the only time questions were raised about the legality of Israel’s use of American munitions. Similar accusations have been made about use of cluster bombs and white phosphorus in its 1982 and 2006 invasions of Lebanon.

Also, since the U.S. is by far the largest arms supplier to Israel, U.S. armaments are certainly implicated in the thousands of Palestinians killed by Israeli forces since 2000. According to B’Tselem, a total of 6,408 Palestinians were killed by Israelis between September 29, 2000 and August 31, 2010. In comparison, 1,084 Israelis were killed by Palestinians during the same period. [9]

[1] http://www.huffingtonpost.com/josh-ruebner/us-cant-afford-military-a_b_478104.html

[2] http://www.huffingtonpost.com/sharmine-narwani/chas-freeman-lets-rip-on_b_659571.html

[3] <http://www.npr.org/templates/story/story.php?storyId=6543594>

[4] http://mideast.foreignpolicy.com/posts/2010/03/14/the_petraeus_briefing_biden_s_embarrassment_is_not_the_whole_story

[5] Mearsheimer, John J. and Stephen M. Walt, *The Israel Lobby* (New York: Farrar, Strauss and Giroux, 2007, p. 50)

[6] Mearsheimer, John J. and Stephen M. Walt, *The Israel Lobby* (New York: Farrar, Strauss and Giroux, 2007, p. 37)

[7] <http://www.hrw.org/en/news/2009/03/25/israel-white-phosphorus-use-evidence-war-crimes>

[8] <http://www.amnestyusa.org/document.php?id=ENGUSA20090402002>

[9] <http://www.btselem.org/english/statistics/Casualties.asp>

HUMAN RIGHTS WATCH

Israel: New Laws Marginalize Palestinian Arab Citizens

These laws threaten Palestinian Arab citizens of Israel and others with yet more officially sanctioned discrimination. Israeli parliamentarians should be working hard to end glaring inequality, not pushing through discriminatory laws to control who can live where and to create a single government-approved view of Israel's history.

Sarah Leah Whitson, Middle East director at Human Rights Watch

Measures Threaten Discrimination; Chill Freedom of Expression

March 30, 2011

(Jerusalem) - Two new Israeli laws affecting Israel's Palestinian Arab residents would promote discrimination and stifle free expression, Human Rights Watch said today. One would authorize rural, Jewish-majority communities to reject Palestinian Arab citizens of Israel and other "unsuitable" applicants for residency, and the other would chill expression regarding a key moment in the history of Palestinian citizens, Human Rights Watch said.

"These laws threaten Palestinian Arab citizens of Israel and others with yet more officially sanctioned discrimination," said Sarah Leah Whitson, Middle East director at Human Rights Watch. "Israeli parliamentarians should be working hard to end glaring inequality, not pushing through discriminatory laws to control who can live where and to create a single government-approved view of Israel's history."

The Knesset passed both laws on March 23, 2011. One officially authorizes "admissions committees" in about 300 Jewish-majority communities to reject applicants for residency who do not meet vague "social suitability" criteria. The measure anchors in law a practice that has been the basis for unjustly rejecting applications by Palestinian Arab citizens of Israel as well as members of socially marginalized groups such as Jews of non-European ancestry and single-parent families.

The second law would heavily fine any government-funded institution, including municipalities that provide health and education, for commemorating the "Nakba" - the Arabic term to describe the destruction of Palestinian villages and expulsion of their residents after Israel's declaration of independence - and for expression deemed to "negate the existence of Israel as a Jewish and democratic state."

The "admissions committee" law requires anyone seeking to move to any community in the Negev and Galilee regions with fewer than 400 families to obtain approval from committees consisting of town residents, a member of the Jewish Agency or World Zionist Organization, and several others. The law empowers these committees to reject candidates who, among other things, "are ill-suited to the community's way of life" or "might harm the community's fabric."

There are more than 300 such small communities in the Negev and Galilee, either small cooperative "kibbutzes" with some shared property, farming communities called "moshavs," or small rural "community towns," on land leased by the state. These communities already have admissions committees established under regulations of the Israel Land Authority, the state agency that leases them their land. But the committees and screening procedures had not been specifically authorized under national laws.

Although Palestinian Arabs are in the majority in the Negev and Galilee, the state has never allocated lands to allow these Israeli citizens to establish small communities there. All of the towns and

communities to which the new law applies were established for and have a majority of Jewish residents.

Parliamentary statements indicate that the law's sponsors intended it to allow majority-Jewish communities to maintain their current demographic makeup by excluding Palestinian Arab citizens, an act of discrimination on the basis of their race, ethnicity, and national origin.

One of the law's sponsors, David Rotem of the Yisrael Beiteinu (Israel Our Home) party, told the Knesset in December 2009 that such a law would allow towns to be "established by people who want to live with other Jews." In a radio interview that month, Rotem said the law would codify screening procedures so that Jewish Israelis could "establish a place where everybody is an army veteran, a Yeshiva alumni, or something of that sort."

Another sponsor, Yisrael Hasson of the Kadima party, said in December 2010 that "the bill reflects the Knesset's commitment to work to preserve the ability to realize the Zionist dream in practice in the state of Israel" through "population dispersal," which the government had begun "thirty years ago ... [with] a string of small communities in the Galilee and Negev."

"Realization of these goals obliged us as legislators to ensure the existence of a screening mechanism for applicants to these communities," he said.

Late in negotiations over the law, legislators added a clause that nominally forbids committees to discriminate on the basis of race, religion, gender, nationality, or disability. However, the law's exclusion criteria threaten to do exactly what is supposedly prohibited, allowing admissions committees to mask discrimination under the vague criteria that a candidate is "unsuitable" to the community's "social characteristics," Human Rights Watch said.

Israeli opponents of the law argued that it would effectively bolster the legal and political standing of admissions committees and allow them to bypass a previous Supreme Court ruling against discrimination in property rights. In the case that led to that ruling, a village rejected an Arab-Israeli couple because the village was established on land that Israel had leased to the Jewish Agency, which did not lease land to non-Jews. Most of the land in Israel is state-owned and leased for 49- or 98-year periods.

The couple petitioned the Supreme Court, which ruled in 2000 that allocating land to citizens solely on the basis of their religion constituted prohibited discrimination, including cases in which the state first leased land to third parties that would not then lease it to non-Jews. However, the court limited the ruling to the specific case and stated that it might not make the same ruling in unspecified "special circumstances." The village committee then rejected the couple because they "did not fit its character." After further legal action, the couple was able to lease the land in 2007.

The law states that each community's unique "characteristics" will be "codified," and that rejected candidates are entitled to an explanation. However, in a February 2011 Supreme Court hearing regarding two couples whom admission committees rejected, the petitioners argued that many small rural communities are not designed exclusively for particular social groups with unique ways of life, such as ultra-Orthodox religious communities. The chief justice stated that the town in question "does not have any unique characteristics," and called the screening process an "invasion of privacy." But the court has yet rule in this case.

In a petition to the Supreme Court against the new law that has yet to be ruled on, the Association for Civil Rights in Israel, a nongovernmental group, cited court cases brought by Palestinian Arabs and other families whom village acceptance committees rejected because they did not "socially fit." In one

case, a kibbutz justified its rejection of an Arab-Israeli couple because its admissions criteria required residents to be eligible for membership in the World Zionist Organization and to have served in the Israeli army. Few Palestinian Arab citizens of Israel perform military service.

Another village committee requires applicants to embrace the values in the village's charter, including "Zionism" and "Jewish tradition." Other communities rejected Jews of North African and Middle Eastern descent and a disabled veteran. In these cases, the parties compromised or the court ordered the committees to re-evaluate the application, with the result that the courts have not explicitly ruled the committees' actions to be discriminatory.

In an affidavit submitted by the civil rights group, the former chairperson of one acceptance committee stated that the committee often rejected applicants on the basis of committee members' personal preferences, and that in most cases the evaluation process merely rubber stamps a decision to reject applicants.

As originally drafted, the law would have applied to communities across Israel, but after a compromise, the final law, which passed after 2 a.m. on March 23 by 35 to 20, applies only to the Negev and Galilee regions. Longstanding Israeli policy seeks to "Judaize the Galilee," and Israeli officials have promoted plans to encourage large-scale Jewish immigration to the Negev. In 2010, several rabbis in the Galilee, who are government officials, campaigned for Jewish Israelis not to rent apartments or sell land to Arab-Israelis; and the Knesset gave preliminary approval to a parliamentary inquiry into alleged purchases of Israeli land by "foreign governments" for the benefit of Arab-Israeli citizens. Arab citizens of Israel have sought to move into Jewish communities in part because of a lack of housing for Palestinian Arab citizens. While Israeli planning authorities have established hundreds of Jewish towns and villages, Israel has not allowed Arab citizens to establish any new towns since 1948, except for seven communities that the state planned for Bedouins from the Negev, whom the government urged to relocate from their traditional lands or forcibly evicted from them.

Since the 1990s state planning bodies have approved "expansions" for Jewish towns, rezoning adjacent agricultural lands for residential construction. An Israel Lands Authority administrative decision from 1993 granted local residents and their children "preferred access" to the newly expanded residential areas, and authorized the towns to create admissions committees to review outside applicants. By contrast, Human Rights Watch has documented cases in which Israeli planning authorities consistently rejected the petitions of Arab-Israelis to rezone "agricultural" lands for residential purposes.

In 2007 the United Nations committee that oversees states' compliance with the Convention on the Elimination of Racial Discrimination recommended that Israel examine the role of admissions committees, "ensure that state land is allocated without discrimination, direct or indirect," and "assess the significance and impact of the 'social suitability' criterion in this regard." Under the convention, Israel is obliged to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race or ethnic or national origin, to freedom of movement and residence, and to housing.

"Countries should seek to end the segregation and negative treatment of minority communities, yet Israel is moving in the other direction," Whitson said. "A state that deliberately promotes the residential rights and privileges of one ethnic group while diminishing those of another is practicing illegal discrimination, pure and simple."

The Knesset passed, 37 to 25, the law that allows the government to penalize any state-funded institution that commemorates the "Nakba," the Arabic term meaning "catastrophe" and referring to the historic episode in which hundreds of thousands of Palestinian residents of what is now Israel fled and hundreds of villages were destroyed during the conflict after Israel declared independence in 1948. The

penalty could also be imposed on an institution that "denies the existence of the State of Israel as a Jewish and democratic state," an action the law does not define.

Palestinian Arab members of Israel's parliament, community leaders, and civil society groups have frequently stated their view that definitions of Israel as a "Jewish state" marginalize and exclude them.

The law, formally an amendment to the Budget Principles Law, enables the finance minister to cut government funding to such institutions by three times the amount that the institution spent on the "illegal" activities. The law does not distinguish cases in which institutions spent non-government funds on such activities. The finance minister would need the approval of other budgetary officials to cut the funds.

The law does not define "institution," but states that it applies to any state-funded entity. Entities at risk include not only municipalities, but also theaters and schools that stage plays or screen films about the Nakba or cultural organizations that hold "coexistence" activities for Jewish and Arab Israeli students to commemorate both Israel's independence day and the "Nakba" as a form of mutual learning.

"This effort to punish the peaceful expression of opinions by Israelis who receive state funding is an insult to Palestinian Arab citizens of Israel and a threat to freedom of expression," Whitson said. "Since when does the Israeli government have the right to tell Israeli citizens what they're not entitled to say about history?"

The Nakba law's threefold financial penalty threatens to harm the rights of citizens - for example, by cutting federal funds that municipalities need to provide health, housing, education, and other services, Human Rights Watch said. For example, according to an Organization for Economic Cooperation and Development report on Israel, local governments are responsible for providing basic social services but receive 75 percent financing from the central government to procure those services. The predictable result of the law's severe penalties and the vagueness of the acts and institutions that could be penalized is that it will broadly chill freedom of expression by preventing various institutions from commemorating the Nakba at all, Human Rights Watch said.

"The government is telling Arab-Israeli municipalities and other institutions that if they don't shut up about the Nakba and anything else that bureaucrats may deem anti-Israeli, they'll have to shut down programs and services for lack of funds," Whitson said. "Democracies shouldn't quash expression even if it's unpopular, and in this case, what's unpopular to some legislators is central to the historical narrative of a million and a half citizens."

Academic claims Israeli school textbooks contain bias

Nurit Peled-Elhanan of Hebrew University says textbooks depict Palestinians as 'terrorists, refugees and primitive farmers'
Harriet Sherwood in Jerusalem The Observer, Sunday 7 August 2011

Nurit Peled-Elhanan, an Israeli academic, mother and political radical, summons up an image of rows of Jewish schoolchildren, bent over their books, learning about their neighbours, the Palestinians. But, she says, they are never referred to as Palestinians unless the context is terrorism.

They are called Arabs. "The Arab with a camel, in an Ali Baba dress. They describe them as vile and deviant and criminal, people who don't pay taxes, people who live off the state, people who don't want to develop," she says. "The only representation is as refugees, primitive farmers and terrorists. You never see a Palestinian child or doctor or teacher or engineer or modern farmer."

Peled-Elhanan, a professor of language and education at the Hebrew University of Jerusalem, has studied the content of Israeli school books for the past five years, and her account, *Palestine in Israeli School Books: Ideology and Propaganda in Education*, is to be published in the UK this month. She describes what she found as racism— but, more than that, a racism that prepares young Israelis for their compulsory military service.

"People don't really know what their children are reading in textbooks," she said. "One question that bothers many people is how do you explain the cruel behaviour of Israeli soldiers towards Palestinians, an indifference to human suffering, the inflicting of suffering. People ask how can these nice Jewish boys and girls become monsters once they put on a uniform. I think the major reason for that is education. So I wanted to see how school books represent Palestinians."

In "hundreds and hundreds" of books, she claims she did not find one photograph that depicted an Arab as a "normal person". The most important finding in the books she studied – all authorised by the ministry of education – concerned the historical narrative of events in 1948, the year in which Israel fought a war to establish itself as an independent state, and hundreds of thousands of Palestinians fled the ensuing conflict.

The killing of Palestinians is depicted as something that was necessary for the survival of the nascent Jewish state, she claims. "It's not that the massacres are denied, they are represented in Israeli school books as something that in the long run was good for the Jewish state. For example, Deir Yassin [a pre-1948 Palestinian village close to Jerusalem] was a terrible slaughter by Israeli soldiers. In school books they tell you that this massacre initiated the massive flight of Arabs from Israel and enabled the establishment of a Jewish state with a Jewish majority. So it was for the best. Maybe it was unfortunate, but in the long run the consequences for us were good."

Children, she says, grow up to serve in the army and internalise the message that Palestinians are "people whose life is dispensable with impunity. And not only that, but people whose number has to be diminished."

Peled-Elhanan approaches her subject from a radical political background. She is the daughter of a famous general, Matti Peled, who became convinced that Israel's future lay in a dignified peace with the Palestinians. After leaving the army, he became active in the peace movement.

When Peled-Alhanon's only daughter, Smadar, was two, her face appeared on billboards in a political poster for Labour. Its message was that all children deserve a better future.

Then, in 1997, Smadar was killed by a Palestinian suicide bomber while shopping in Jerusalem. She was 13. Peled-Elhanan declines to talk about her daughter's death apart from once or twice referring to "the tragedy".

At the time, she said that it would strengthen her belief that, without a settlement to the conflict and peaceful coexistence with Palestinians, more children would die. "Terrorist attacks like this are the direct consequence of the oppression, slavery, humiliation and state of siege imposed on the Palestinians," she told TV reporters in the aftermath of Smadar's death.

Her radical views have exacted a professional cost. "University professors stopped inviting me to conferences. And when I do speak, the most common reaction is, 'you are anti-Zionist'." Anybody who challenges the dominant narrative in today's Israel, she says, is similarly accused.

She hopes her book will be published in Hebrew, but is resigned to it being dismissed by many in the political mainstream.

Asked if Palestinian school books also reflect a certain dogma, Peled-Elhanan claims that they distinguish between Zionists and Jews. "They make this distinction all the time. They are against Zionists, not against Jews."

But she concedes that teaching about the Holocaust in Palestinian schools is "a problem, an issue". "Some [Palestinian] teachers refuse to teach the Holocaust as long as Israelis don't teach the Nakba [the Palestinian "catastrophe" of 1948]."

Perhaps not surprisingly for someone of such radical views, Peled-Elhanan is deeply pessimistic about her country's future. Change, she says, will only come "when the Americans stop providing us with \$1m a day to maintain this regime of occupation and racism and supremacy".

She said that within Israel, "I only see the path to fascism. You have 5.5 million Palestinians controlled by Israel who live in a horrible apartheid with no civil and no human rights. And you have the other half who are Jews who are also losing their rights by the minute," she says, in reference to a series of attempts to restrict Israelis' right to protest and criticise their government.

She dismisses the Israeli left as always small and timid, but especially now. "There has never been a real left in this country." She believes that the education system helps to perpetuate an unjust, undemocratic and unsustainable state.

"Everything they do, from kindergarten to 12th grade, they are fed in all kinds of ways, through literature and songs and holidays and recreation, with these chauvinistic patriotic notions."

http://www.guardian.co.uk/world/2011/aug/07/israeli-school-racism-claim?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+imeu+%28IMEU+%3A+Institute+for+Middle+East+Understanding%29&utm_content=FaceBook

• This article was amended on 7 and 8 August 2011. The original credited Matti Peled as the designer of a poster featuring Nurit Peled-Alhanan's daughter, Smadar. This was corrected to read that the family produced the poster. This in turn is incorrect and has been corrected at the request of the family.

FOR IMMEDIATE RELEASE

August 18, 2011

Contact: Edward Mast press@SeaMAC.org (206) 633-1086

SeaMAC launches print ad campaign about Israel's segregated roads, schools and towns

"I'M NOT ALLOWED ON ISRAEL'S SEGREGATED ROADS" says a West Bank Palestinian in one of a series of newspaper ads launched this week by Seattle Mideast Awareness Campaign (SeaMAC). The ads are part of SeaMAC's continuing effort to expose the misuse of U.S. taxpayer money to support Israel's system of segregation and discrimination against the Palestinian people. Palestinians are prohibited from driving on segregated Israeli-only settlement roads; Palestinian students inside Israel are channeled into a segregated school system with separate and unequal resources; and Palestinians are not allowed to live in illegal Jewish-only Israeli settlements.

The three ads will run over the next three weeks in *The Seattle Weekly* and *The Stranger*.

The ads can be seen at www.stopfundingapartheid.org/press.htm

"Segregation was the system of apartheid we rejected in this country, and people of conscience here should refuse to support similar segregation and apartheid in Israel", says SeaMAC volunteer Carla Curio. "Israel's refusal to treat Palestinians as equals is an ongoing obstacle to justice and peace."

According to Human Rights Watch, "Palestinians face systematic discrimination merely because of their race, ethnicity, and national origin, depriving them of electricity, water, schools, and access to roads, while nearby Jewish settlers enjoy all of these state-provided benefits."

<http://www.hrw.org/news/2010/12/18/israelwest-bank-separate-and-unequal>

The US gives several billion dollars of military aid to Israel each year, and has promised \$30 billion of aid over the next ten years.

The print ads continue the campaign begun by SeaMAC's bus ad and billboard campaigns. Last December, SeaMAC's Metro bus ads, "ISRAELI WAR CRIMES: Your Tax Dollars At Work," were first approved, accepted and printed, then suddenly cancelled by King County. A subsequent billboard campaign with the slogan "EQUAL RIGHTS FOR PALESTINIANS – Stop Funding the Israeli Military" was approved and accepted by Clear Channel Outdoor, and three of the four contracted billboards were put up for the first week, but then were taken down by Clear Channel.

The ACLU is representing SeaMAC in a lawsuit against King County for violating SeaMAC's constitutional rights by refusing to honor the contract to run the bus ads. The lawsuit will come to trial starting on October 31 of this year.

Press team for SeaMAC: Carla Curio (206) 788-0955, Peter Lippman (206) 285-2154, Edward Mast (206) 633-1086 -- all available at press@SeaMAC.org

Seattle Mideast Awareness Campaign is an all-volunteer organization incorporated in Washington State. **For more information: www.StopFundingApartheid.org**

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