
مجموعة الرقابة الفلسطينية



PALESTINIAN MONITORING GROUP

TREND ANALYSIS

Israel's Escalating Colonization of the Occupied Palestinian Territory: The Case of the Salfit Governorate



“When speaking of the permanent borders, the future borders of Israel, the settlement blocs and the Jordan Rift Valley are included within them.....We can list the settlement blocs. We are speaking of Ma'aleh Adumim, Gush Etzion, Efrat, the Ariel area [in Salfit], Karnei Shomron [in Salfit], Reihan and Shaked...These are the blocs of which we are speaking, and it is also the response regarding Ariel. Ariel is a vital and well-established city in Israel. It will be entirely within the fence.”

~ Shaul Mofaz, Israel's Defense Minister, Army Radio, Quoted in *Ha'aretz*, 27 February 2006

“I want to be clear on this, the Ariel block will be an inseparable part of the state of Israel under any situation.”

~ Ehud Olmert, Acting Israeli Prime Minister, Quoted in *Ha'aretz*, 14 March 2006

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Executive Summary

The case of the Salfit Governorate illustrates a sustained Israeli policy to seize and maintain control over land and natural resources in the OPT. **While Salfit is a small Governorate, Israeli colonization therein reflects a larger pattern of territorial control and obstruction to Palestinian social, economic, and demographic development witnessed throughout the OPT.**

Since its occupation of the West Bank in 1967, Israel has caused extensive damage to Palestinian land, lives, and livelihoods in the Salfit Governorate, through confiscating Palestinian land, illegally constructing Israeli settlements and settlement infrastructure, launching military assaults on Palestinian communities and their property, as well as instituting a closure regime that severely hampers Palestinian movement and development. Moreover, since Israel commenced constructing the Wall, Salfit has undergone even more radical changes to its geography and people's sources of livelihood in ways that **reveal Israel's clear intent to make the closure regime permanent.**

Following the beginning of the current *Intifada*, Israel's closure regime **dramatically reduced opportunities for work and contributed to a rise in the unemployment rate in Salfit from 19 per cent in 2000 to 41 per cent in 2001.** As a result, more Palestinians in the Salfit Governorate resorted to farming as a coping mechanism, **significantly increasing the percentage of those employed in the agricultural sector** within the Salfit Governorate (excluding settlements), from 19.4 per cent of the employed labour force in 2001 to 38.6 per cent in 2002.

Yet, throughout the current *Intifada*, Israel has continued to confiscate, level and cause damage to Palestinian agricultural land; at least **1,500 dunums (375 acres) of Salfit's olive groves have been damaged as a result of land-levelling, the uprooting of trees, and other Israeli practices,** thereby denying their Palestinian owners the right to benefit from an estimated annual production of 20 metric tons of olive oil or approximately US \$85,100. The Palestinian Ministry of Agriculture estimates that during the same period the Salfit Governorate has sustained at least US \$862,210 in agricultural losses as a result of **Israeli military practices that directly targeted trees (e.g. uprooting), animals, irrigation networks, and other agricultural installations.**

Additionally damaging has been denied access to land and the consistent difficulty faced by Palestinian farmers in marketing their agricultural produce, especially olive oil, locally and internationally, due to the tightening of Israel's closure regime within Salfit and between it and other parts of the OPT. (The Salfit Governorate contributes **15 per cent of the OPT's entire olive oil production.**) Combined with increased production and transaction costs, **this has resulted in a production surplus that exceeds farmers' subsistence needs, has led olive oil prices to plummet, and has placed Palestinian farmers at a competitive disadvantage vis-à-vis Israeli farmers.**

In addition, in violation of international humanitarian law, since 1977 the Salfit Governorate has been the site of intense Israeli settlement activity. The relatively high proportion of uninhabited, agricultural land in the Salfit Governorate has made it particularly vulnerable to Israeli settlement expansion and *de facto* annexation. Israel's settlement enterprise in Salfit is grounded in a **policy of maximum territorial control that concurrently seeks to create (via settler-only by-pass roads and other settlement infrastructure) territorial contiguity among settlements and between them and Israel, at the expense of the indigenous Palestinian population.**

With **16 settlements** and over 10 settlement outposts, or nascent Israeli settlements, the Salfit Governorate has a **high settlement and settler density.** Some of these settlements also contain burgeoning industrial sites, most notably in Barkan settlement. Whereas the Palestinian population in the

Salfit Governorate is almost twice as large as the Israeli settler population (62,125 vs. 35,000), Israel has seized almost twice as much land for the fenced-up area of Israeli settlements as is allocated for the structural plans of all Palestinian communities in Salfit (25,000 dunums vs. 13,942 dunums).

One result of Israel's settlement activity in the Salfit Governorate is that Palestinian civilians residing there face **recurring instances of settler violence** – most notably by settlers from Kfar Tappuah and Alei Zahav – that includes setting ablaze cultivated land, raiding or opening fire towards Palestinian villages, prohibiting Palestinians from extinguishing fires set by Israeli settlers, beating Palestinian farmers, and expelling Palestinians attempting to harvest crops from their own land.

Israeli settlements in Salfit lie over the most productive water zones in the Western Aquifer Basin, which has the largest rainfall recharge rate of the three main aquifers basins in the West Bank. The Governorate is thus a pivotal water resource not only for the area but for the entire Palestinian population in the OPT. Despite Salfit's abundant water resources, the Governorate suffers from a serious water deficit emanating from inequitable water distribution, continued control over Palestinian water resources, and restrictions on Palestinians' water use. **Per capita water consumption among Israeli settlers in the OPT is 5 to 6 times that of Palestinians.**

Among the most damaging Israeli policies impacting Salfit has been the Israeli military's **imposition of restrictions on Palestinian freedom of movement.** The location and nature of different Israeli checkpoints, road blocks, and flying checkpoints in Salfit highlight the pivotal role of the main Governorate roads in shaping the type of internal closures imposed by the Israeli army in the area. Almost all of the main roads are Israeli settler by-pass roads that do not pass through Palestinian localities and on which Palestinian traffic is either partially restricted from passing or altogether prohibited. **By restricting Palestinian use of these roads, the Israeli authorities have effectively divided Palestinian locales into 3 territorially-separate units** within the Salfit Governorate.

Ongoing construction of the Wall in the Salfit Governorate **reveals Israel's intent to institutionalize its occupation practices in order to facilitate Israeli settlement expansion.** If the Wall is completed according to its approved route, **according to the Palestinian Ministry of Planning it would seize a total of approximately 45.3 per cent of Salfit's area.** This area includes 15 of the 16 Israeli settlements in Salfit, the majority of Area C, and **approximately 46 per cent of Salfit's agricultural land.** Additionally, the Wall would reinforce the 3 territorially-separate units created by Israel's closure regime and create an additional 4th unit that would *de facto* annex the majority of Israeli settlements in the Governorate.

Palestinians would be left with some 54.7 per cent of Salfit's area. They would be deprived of prime agricultural resources essential for their development, denied intra- and inter-governorate freedom of movement, and isolated from historically-critical archaeological sites. Moreover, given that Israeli settlements in Salfit lie over the most productive water zones in the Western Aquifer Basin, the Wall's annexation of settlements would further deprive Palestinians from access to critical water resources. At the same time, settlements' pollution of soil and groundwater in Salfit is likely to continue, while the Wall's seizure of the majority of Area C would further deprive Palestinians of areas suitable for building sanitary landfills and sewage treatment facilities.

On a broader level, Israel's Wall in Salfit would effectively **sever the link between the northern and southern West Bank,** unilaterally draw borders between Israel and the West Bank that **deviate substantially from the 1967 border,** erode territorial contiguity in Salfit, disrupt social and family ties, and eliminate space for Palestinian demographic growth and development.

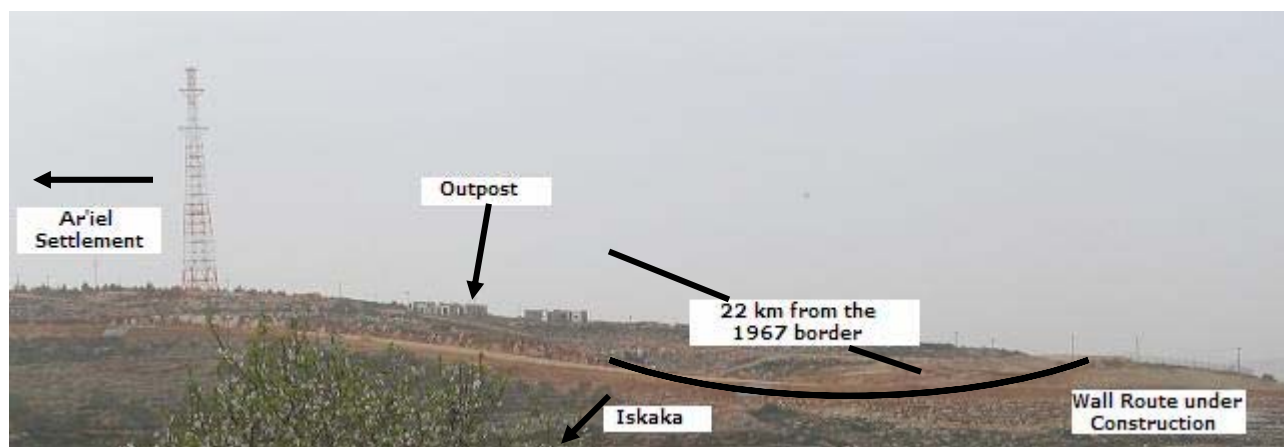
The confiscation and isolation of Palestinian land thus far as a result of Wall construction in Salfit has already given rise to a worsening of its already-decimated economy. While many Palestinians in Salfit turned to farming following the beginning of the *Intifada*, **Wall construction deprives them from their alternative source of sustenance with ruinous consequences; the percentage of Palestinian labour working in the agricultural sector in the Salfit District has already decreased from 37.6 per cent in 2004 to 16.1 per cent in the third quarter of 2005.** Moreover, after undergoing a decrease between 2002 and 2004, the unemployment rate in Salfit increased from 19 per cent in 2004 to 25 per cent in the third quarter of 2005 – **the second highest rate in the West Bank.** The Palestinian Central Bureau of Statistics also reports that 79 economic establishments have already been closed in areas of Salfit where the Wall passes through.

The deprivation of Palestinians from access to their agricultural resources has continued to diminish the productivity of the agricultural sector by tens of thousands of dollars, and contributed to the disruption of the Palestinian economy as a whole. According to the Palestinian Ministry of Agriculture, **difficulties accessing an estimated 10,000 dunums (2,500 acres) of predominantly agricultural land isolated behind the Wall in western Salfit, has resulted in a 50 per cent decrease in the productivity of the land, or an estimated annual loss of 100 tons of olive oil at a value of approximately US \$425,530.**

Israeli policies imposed during the current *Intifada* have severely impeded the ability of Palestinians in Salfit to sustain their livelihoods and prompted some to change their place of residence or obtain employment in areas outside of the Governorate. As Wall construction proceeds throughout the Governorate, it is likely that many more will be forced to search elsewhere for sustainable living conditions.

The occupation policies carried out by Israel in the Salfit Governorate since 1967 have functioned to acquire more Palestinian land with no Palestinians and to seize control of resources in the OPT. By continually seeking **to transform Salfit's geography, Israel is fundamentally limiting negotiation possibilities and decisively pre-empting the outcome of permanent status negotiations vis-à-vis the Salfit Governorate, with an impact on the West Bank as-a-whole.**

In sum, Israel's policies towards the Governorate, in particular, and that of the OPT, in general, gravely impinge on the ability of Palestinians to exercise their right to self-determination, serve to obstruct the creation of a viable and contiguous Palestinian state alongside Israel, and thus forestall the possibility of resolving the Palestinian-Israeli conflict.



Ari'el Wall under Construction. View from Iskaka Village (January 2006)

1. Introduction

Located in the centre of the northern West Bank, the Salfit Governorate has long been known for its rich groundwater resources and abundant olive trees and olive oil production, earning it the name of the **“Olives Governorate”**. However, various Israeli policies progressively imposed since the beginning of the Israeli occupation in 1967 have left its Palestinian residents with increasingly less control of, and access to, their agricultural land and prime water resources.¹

In violation of international humanitarian and human rights law and its commitments under the Road Map, Israel has continued to expand its settler colonies in the Salfit Governorate, as it has throughout the West Bank. Combined with Israel’s restrictions on Palestinian freedom of movement, this has had a devastating impact on the Governorate’s economic and demographic development. Moreover, since Israel commenced constructing the Wall, Salfit has undergone even more radical changes to its geography and people’s sources of livelihood in ways that **reveal Israel’s clear intent to make the closure regime permanent**.

The path of the Wall serves to *de-facto* **annex almost all Israeli settlements in Salfit to Israel, seize up to 45.3 per cent of Salfit’s land, further deprive the Governorate from access to its agricultural and water resources and archaeological sites, and fragment Salfit into 4 separate territorial units**. The Wall, therefore, is effectively transforming the purportedly temporary measures of land confiscation, closures, and restraints on water access into seemingly irreversible “facts on the ground”. The significance of these trends is immense; given Salfit’s strategic location near the Trans-Samaria Highway that connects Israel to the Jordan Valley as well as between the northern and southern West Bank, **Israel’s Wall in and around Salfit pre-empts the outcomes of permanent-status negotiations and impedes the creation of a territorially-contiguous and economically viable Palestinian state in the West Bank and Gaza Strip**.

The confluence of Israeli occupation and colonization policies since 1967 have severely hampered all aspects of Palestinian economic and social development in Salfit, as they have throughout the Occupied Palestinian Territory (OPT). From the building of a settlement atop a strategic hilltop, to the placement of a dirt barricade at the entrance of a village, to the building of a Wall that seizes large swathes of land, all these measures are indicative of **larger trends in Israel’s colonization of the OPT that serve to prolong the occupation, cause the forced displacement of Palestinian civilians, and attest to Israel’s worsening non-compliance with international law and its bi-lateral agreements with the Palestinians**.

2. Palestinian Communities in the Salfit Governorate: Background

The Salfit Governorate is generally characterized by vast tracts of fertile land, a rocky topography, rich groundwater resources, and numerous archaeological and religious sites.² With an annual growth rate of 3 per cent, Salfit’s population constitutes roughly **2 per cent of the Palestinian population in the OPT**. There are 19 communities in the Salfit Governorate, including 1 city, 8 towns, and 10 villages. Its total population in 2005 was 62,125 (*see Table 1 below*), 45 per cent of whom are under the age of 15. The **refugee population is estimated at about 7.7 per cent**.

Extending over 204,550 dunums (51,137.5 acres) of land, **Salfit has a relatively low population density**. Average household size is 6, which is about 16 per cent less than the Palestinian national average. Structural plans for all Palestinian localities inside Salfit amount to 13,942 dunums (3,485.5 acres), or 6.8 per cent of the Governorate’s area.³

Agricultural land makes up some 80 per cent of Salfit's area;⁴ approximately half of which is currently cultivated under the supervision of the Palestinian Ministry of Agriculture (an estimated 86,000 dunums or 21,500 acres).⁵ Of this cultivated land, 90 per cent is planted with olive trees, rendering olive production – 25 per cent of which is olive oil – a chief contributor to the Governorate's agricultural and economic development.⁶ In 2003-2004, the value of Salfit's agricultural production comprised 2 per cent of the national average in the OPT. (In 2003-2004, agricultural production in the OPT contributed 20 per cent of the Gross Domestic Product, or GDP).⁷

The unemployment rate in Salfit is currently 25 per cent, which is the second highest rate in the West Bank after the Jenin Governorate (26 per cent) and higher than the West Bank average (19.9 per cent). By comparison, the unemployment rate in the Gaza Strip is 29 per cent.⁸ Of Salfit's employed labour force, 16.1 per cent is officially employed in the agricultural sector in the Salfit Governorate (excluding settlements) and 16.2 per cent works in Israel or in Israeli settlements (most of whom are employed in the construction sector).⁹ Since Salfit is a predominantly rural

society in which most families are land owners, the Palestinian Ministry of National Economy estimates that 40 per cent of Salfit's employed labour force depends on agriculture as a second source of income.

Salfit has a pronounced dependency on health services in other governorates, particularly Nablus, due to the absence of any hospitals in the Governorate. By contrast, Salfit has a well-established school system; there are 54 government schools and 2 private schools that employ about 970 teachers and serve approximately 17,890 students,¹⁰ or a little more than one fourth of Salfit's population.¹¹

3. Losses during the Current Intifada (Uprising), September 2000— Present

Like other governorates in the OPT, Salfit has suffered considerable losses in human lives and infrastructure as a result of Israeli military measures during the current *Intifada*.¹² Among the most damaging factors impacting Salfit's economy has been the Israeli military's imposition of restrictions on

Table 1: Communities in the Salfit Governorate

Communities	Population (2005)*	Total Area** (in Dunums)***
City	9,452	22,576
Salfit	9,452	22,576
Towns	35,531	120,105
Az Zawiya	4,917	12,170
Biddya	8,065	13,519
Bruqin	3,538	12,210
Deir Ballut	3,566	13,647
Deir Istiya	3,730	34,902
Kafr ad Dik	4,986	14,684
Kifl Haris	3,132	9,528
Qarawat Bani Hassan	3,597	9,445
Villages	17,142	61,869
Farkha	1,484	5,256
Haris	2,967	8,575
Iskaka	1,063	5,438
Khirbet Qeis	245	3,132
Marda	2,142	9,341
Mas'ha	1,919	8,123
Qira	1,002	2,080
Rafat	1,952	8,020
Sarta	2,528	5,786
Yasuf	1,706	6,118
Other localities	134	0
Total	62,125	204,550

* Source: Palestinian Central Bureau of Statistics (PCBS). 2005. "Projected Mid-Year Population for Salfit District by Locality". Data based on the 1997 Census. Please note that actual population figures in many locales are slightly higher than what was projected.

** Source: Palestinian Ministry of Local Government (MLG), Salfit. 2006.

*** These figures represent the distribution of land among Salfit's locales and include land seized by the Israeli army after 1967.

Palestinian freedom of movement, in particular the intensified closure of the West Bank. Israel's regime of closures has **dramatically reduced opportunities for work and contributed to a rise in the unemployment rate in Salfit from 19 per cent in 2000 to 41 per cent in 2001.**¹³ The number of workers from Salfit registered to work in Israel (excluding "illegal" workers) in September 2000 was 1,170, while by October 2005 it had decreased to 380.¹⁴ (See Annex for case study on losses in Mas'ha Market).

As a result of these employment obstacles, more Palestinians, such as those in the towns of Az Zawiya and Deir Ballut, resorted to farming, **significantly increasing the percentage of those employed in the agricultural sector** within the Salfit Governorate (excluding settlements), from 19.4 per cent of the employed labour force in 2001 to 38.6 per cent in 2002.¹⁵ Yet, throughout the *Intifada*, Israel has continued to confiscate, level and cause damage to Palestinian agricultural land; at least **1,500 dunums (375 acres) of Salfit's olive groves have been damaged as a result of land-leveling, the uprooting of trees, and other Israeli practices**, thereby denying their Palestinian owners the right to benefit from an estimated annual production of 20 metric tons of olive oil or approximately US \$85,100.¹⁶

In addition, the Palestinian Ministry of Agriculture estimates that the Salfit Governorate has sustained at least US \$862,210 in agricultural losses as a result of **Israeli military practices that directly targeted trees (e.g. uprooting), animals, irrigation networks, and other agricultural installations** during the current *Intifada* (see Table 2). Some 92 per cent of perished animals were corpulent chickens and 87 per cent of damaged trees were olive trees. This has been economically and socially devastating for a governorate that contributes **15 per cent of the OPT's entire olive oil production, underlining the fact that the uprooting of and damage to olive trees does violence to peoples' livelihoods and simultaneously disrupts the Palestinian economy as a whole.**¹⁷

Table 2: Some Indicators on Agricultural Losses and Damages in Salfit, 28 September 2000 - 31 October 2005

Category	No.	Value in \$US
Trees	17,485	824,770
Animals	652	13,440
Irrigation Networks (Dunums)	1,950	4,500
Other Agricultural Installations and Infrastructure	13	19,500
TOTAL	-	862,210

Source: Directorate General of Planning and Policies, Department of Agricultural Statistics, Palestinian Ministry of Agriculture. 2005. "Losses and Damages from the Outbreak of the *Intifada* until 31 October 2005."

Further compounding the difficulties on the ground have been the enormous hurdles facing Palestinian farmers and shepherds in reaching their land. In addition to intimidation by Israeli settlers and land confiscation by Israeli authorities, the Israeli army has prohibited Palestinians from reaching land that **is in close proximity to Israeli settlements or that it has unilaterally declared a "closed military zone" in which any Palestinian presence is proscribed.** This leads to a decrease in Palestinians' ability to provide regular care for their land, which negatively affects the quality of agricultural crops and may even threaten their ownership rights to the land.¹⁸ Additionally damaging has been the consistent difficulty faced by Palestinian farmers in marketing their agricultural produce, especially olive oil, locally and internationally, due to the tightening of Israel's closure regime within Salfit and between it and other parts of the OPT. Combined with increased production and transaction costs, **this has resulted in a production surplus that exceeds farmers' subsistence needs, has led olive oil prices to plummet, and has placed Palestinian farmers at a competitive disadvantage vis-à-vis Israeli farmers.**

Fewer employment opportunities, along with the decreased ability of residents to rely on agriculture as a source of income, is leading some Salfit Governorate residents to either change their place of residence or obtain employment in areas outside of the Governorate.

4. Trends in Israel's Colonization of the Salfit Governorate

4.1 Land Confiscation

Israel has employed various practices and pretexts to seize Palestinian land for its illegal expansionist purposes, including settlement establishment and expansion. Among the most common methods employed by Israel to strip Palestinians of their land is to issue military orders for land confiscation, ostensibly “for military purposes”.¹⁹ In 2004 and 2005, the Israeli army issued 18 such military orders affecting a total of 1,828.84 dunums (457.21 acres) in the Salfit Governorate.²⁰

These orders, however, only partially account for the land taken by the Israeli authorities in the Salfit Governorate. The considerable variance between the amount of land specified in orders for land confiscation and the overall amount actually seized reflects a larger pattern of land control long adopted by the Israeli government, which includes 3 primary methods of land seizure.²¹

First, as mentioned, Israeli authorities have designated land in close proximity to settlements as “closed military zones” where any Palestinian presence is prohibited. This, combined with Israeli settler violence, has severely impeded or altogether prohibited Palestinians from accessing their land, often causing them to stop cultivating it.

Second, Israeli authorities have exploited the Ottoman Land Law of 1858, still substantially in effect in the West Bank, to declare certain categories of private Palestinian land as “state land,” which they have subsequently used for settlement expansion. In particular, Israel has taken advantage of the uncertainty surrounding land ownership, created by the low incidence of formal land registration, to declare unregistered lands which were not regularly cultivated as “state land”. The reason for this low incidence of registration was that, during the Ottoman period, many land owners, including those in Salfit, underreported the amount of land in their possession in order to pay fewer taxes, since payment was commensurate with the amount of land owned. Israel deliberately exacerbated this situation by discontinuing the land registration process that the British introduced to the area during the Mandate period and that the Jordanians continued to some extent under their rule.

Third, Israel has designated as “abandoned property” land belonging to any person who left the West Bank before, during or after the 1967 war. Instead of managing the “abandoned property” on behalf of the owners until their return, Israel has actually forbidden their return to the West Bank and therefore has not had to reckon with many claims for the restitution of “abandoned property.” Much abandoned property has been declared “state land” because it remained uncultivated for three or more years. In other words, in some cases, **the forceful isolation of land from the reach of their Palestinian owners enabled the Israeli authorities to declare them as “state land.”**²² Other abandoned properties have been leased by the Israeli Custodian of Government and Abandoned Property to settling bodies for the establishment of Israeli settlements in the OPT.

These and other methods employed by Israel to seize Palestinian land are in breach of international humanitarian law (IHL) and international human rights law. Under IHL, Israel as the occupying power may temporarily requisition private Palestinian land for the needs of the army of occupation only and, thus, has no right to establish or maintain permanent Israeli settlements on them. Given that most land is confiscated for the establishment or expansion of Israeli settlements or their supporting infrastructure, these measures fall well beyond the scope of which requisitions are permissible under IHL.²³ These measures also violate the Universal Declaration of Human Rights, which prohibits the arbitrary deprivation of property. In addition, Israel's practice of land confiscation impinges upon the right of self-determination, upon freedom of movement and upon several economic and social rights of Palestinians in general and of the Palestinian residents in Salfit in particular.

4.2 Settlements

The creation and expansion of Israeli settlements in the OPT is part and parcel of Israel's policy of taking control of Palestinian land, in violation of its obligations under international humanitarian law, particularly Article 49 of the Fourth Geneva Convention, which prohibits Israel from transferring parts of its civilian population into occupied territory.

Salfit has a **high settlement and settler density**. The relatively high proportion of uninhabited, agricultural land in the Salfit Governorate has made it particularly vulnerable to Israeli settlement expansion and *de facto* annexation. Settlements' construction and expansion in the Salfit Governorate dates back to 1977, when the settlement of Elkana was built on land confiscated from the village of Mas'ha. Since then, a total of **16 settlements have been illegally constructed** on Palestinian land in Salfit, including 4 in the 1970s, 8 in the 1980s, and 4 in the 1990s while the negotiations process was in progress.²⁴ Some of these settlements also contain burgeoning industrial sites, most notably in Barkan settlement. According to the Palestinian Ministry of Planning, Salfit has approximately 35,000 settlers, or roughly **8 per cent of the total settler population in the West Bank, including Occupied East Jerusalem**.

The largest settlement in the Salfit Governorate is Ari'el, which is situated some 20 km from the 1967 border and built on land belonging to Salfit city and the villages of Iskaka, Marda, and Kifl Haris. Ari'el is strategically located on the intersection between the Trans-Samaria Highway # 1 (T-S #1; Road #505), which connects Israel to the Jordan Valley, and Road #60, the main North-South axis in the West Bank. Extending over a 5-km-long strip of land, Ari'el has two peaks with the eastern one being 700 meters in elevation and the western one 575 meters.²⁵ Ari'el currently houses at least 16,000 settlers, making it **the third largest settlement in the Occupied West Bank** in terms of both land area and population, with the largest being Pisgat Ze'ev and Ma'ale Adumim in the Jerusalem Governorate. Ari'el is one of three settlements considered by Israel as "municipalities" and, hence, eligible for special budgets and other benefits from the Israeli government; it has an enormous infrastructure, including factories, government offices, and a college that was recently upgraded through an Israeli cabinet decision to a university.

In terms of land area, Salfit's settlements presently extend over more than 25,000 dunums (6,250 acres) that were seized from the Salfit Governorate since 1967 (*see Table 1*), effectively making settlements **in control of more than 12 per cent of Salfit's area**.²⁶ This figure, however, does *not* include land seized for the construction of military watchtowers, open agricultural areas situated adjacent to settlement fenced-up areas, settler by-pass roads, outposts, other settlement infrastructure, and the Wall. Moreover, the "municipal" boundaries or jurisdictional areas of settlements extend over much larger swathes of Salfit land. For instance, the "municipal" boundaries of Ari'el are four and a half times its built-up area, which would allow the settlement to expand to several times its current size.

At least 13 settlement outposts, or nascent Israeli settlements, have been erected in Salfit over the last 6 years (approximately 13 per cent of the total number of outposts in the Occupied West Bank).²⁷ Notwithstanding Israel's obligation under the Road Map to "freeze all settlement activity (including natural growth of settlements)" and immediately dismantle all settlement outposts created since March 2001, **9 of these outposts were established after March 2001**.²⁸ Generally, settlement outposts have been built in the OPT since the mid-1990s, but are not recognized as legal under Israeli domestic law. Although they are relatively small in size, many are undergoing permanent construction and infrastructure development in order to transform them **into permanent settlements**. For example, Israeli authorities recently allocated US \$225,000 for construction of a by-pass road connecting Ari'el settlement to the outpost of Kfar Tappuah West.²⁹

Israeli **construction of new settler by-pass roads** in Salfit has also continued unabated, currently totalling more than 54.2 km.³⁰ By-pass roads serve to facilitate settlers' movement by circumventing, or by-passing, Palestinian population centres, while simultaneously obstructing their territorial contiguity, freedom of movement and local development.³¹ Like settlement construction, by-pass road construction is made possible by various Israeli methods of seizing Palestinian-owned land. Frequently, in the course of construction, centuries-old olive trees are uprooted (e.g. Az Zawiya; Deir Ballut; and Yasuf) by the Israeli army, and often by Israeli settlers under the assumed authorization of the Israeli Civil Administration, Israel's military government in the OPT. These measures are **accompanied by extreme instances of settler violence** (often under the protection of the Israeli army)—most notably by settlers from Kfar Tappuah and Alei Zahav—that includes setting ablaze cultivated land, raiding or opening fire towards Palestinian villages, prohibiting Palestinians from extinguishing fires set by settlers, beating Palestinian farmers, and expelling Palestinians attempting to harvest crops from their own land.

Israel's settlement enterprise in Salfit is grounded in **a policy of maximum territorial control that concurrently seeks to create (via settler-only by-pass roads and other settlement infrastructure) territorial contiguity among settlements and between them and Israel, at the expense of the indigenous Palestinian population.** The first three settlements to be established in Salfit (Elkana, Ari'el, and Karnei Shomron) are located in the western, eastern, and northern areas of Salfit, respectively. **Moreover, most Israeli settlements in Salfit are strategically located on hilltops, near major road links, or atop vital land and water resources, including prime agricultural resources and most water-productive zones** where groundwater can be abstracted at a high volume, so as to include the widest possible area of Palestinian land and exclude the largest number of Palestinians.³² Settlement outposts are heavily concentrated in the centre of the West Bank and along major Palestinian transportation links so as to further erode Palestinians' territorial contiguity and inhibit their freedom of movement.

By and large, Israeli authorities have persistently **expanded existing settlements** using a combination of measures including altering settlements' structural plans, providing economic incentives for Israelis to settle in the Occupied West Bank, earmarking Knesset-approved funds for settlement infrastructure, and issuing tenders for constructing new settler housing units. Ari'el, for instance, "absorbed" a portion of Soviet immigrants in the early 1990s and, more recently, many settlers who previously resided in the now evacuated Gaza Strip settlements. Moreover, hundreds of tenders have been issued for public and private construction in *inter alia* Ari'el, Elkana, Karnei Shomron, Alei Zahav, Peduel, Kiryat Netafim and other settlements in Salfit since the mid-1990s. Last year, Israeli authorities invited tenders for the construction of 50 housing units in Elkana settlement and tenders for the construction of 117 housing units in Ari'el settlement, among others.³³

The expansion of settlements and settlement infrastructure is also made possible by Israel's exploitation of the Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip (Interim Agreement), which stipulated the *transitional* designation of approximately 75 per cent of Salfit's area as Area C.³⁴ Under the Interim Agreement, Area C – which is the only territorially-contiguous area in Salfit as it is in all of the OPT – falls under full Israeli control. However, this designation was only intended to be *temporary*, for a period of 5 years, *during which land would be "gradually transferred to Palestinian jurisdiction" with the exception of "the issues that will be negotiated in the permanent status negotiations"* (Article XI, 3-c; emphasis added). Nonetheless, **the Israeli Civil Administration has actively facilitated settlements' construction and expansion in Area C, while confining the development of Palestinian communities in the Salfit Governorate to just 25 per cent of its land area (Areas A and B).** Whereas the Palestinian population in the Salfit Governorate is almost twice as large as the Israeli settler population (62,125 vs. 35,000), Israel has seized almost twice as much land for

the fenced-up areas of Israeli settlements as is allocated for the structural plans of all Palestinian communities in Salfit (25,000 dunums vs. 13,942 dunums).³⁵

As a result of these and other practices, the growth rate of Israel's settler population in Salfit is roughly three times that of towns and cities inside Israel. Perhaps more importantly, these measures reflect Israel's pattern of *deepening* colonization and occupation of the OPT, despite the limited unilateral "disengagement" from Gaza. The immediate and long-term ramifications of this situation will be to **deny the Palestinian population adequate residential and agricultural land necessary for their economic, social, and demographic development, as well as to transform the occupation from a temporary presence into a seemingly irreversible reality.** (See Annex for case study on the seizure of Palestinian land in Marda village).

4.3 Closure: Creating Territorially-Separate Units

The location and nature of different Israeli checkpoints, road blocks, and flying checkpoints in Salfit highlight the pivotal role of the main Governorate roads in shaping the type of internal closures imposed by the Israeli army in the area. Almost all of the main roads are settler by-pass roads that do not pass through Palestinian localities and on which Palestinian traffic is either partially restricted from passing or altogether prohibited. Thus, **the construction of roads is one of the main ways in which Israeli authorities have been demarcating areas in which Palestinians' freedom of movement and development is to be confined.**

This is indeed the case for three territorially-separate areas of the Salfit Governorate:

- The area in the **north-west and west** (Qarawat Bani Hassan, Sarta, Bidhya, Mas'ha, Az Zawiya, Rafat, and Deir Ballut);
- The area in the **south and east** (Yasuf, Iskaka, Salfit city, Khirbet Qeis, Farkha, Bruqin, and Kafr ad Dik); and
- The area in the **northeast** (Marda, Qira, Kifl Haris, Haris, and Deir Istiya). The village of Marda is a special case because village residents can only access other towns and villages via the T-S #1.

By and large, this division of Palestinian localities in the Salfit Governorate into these 3 territorially-separate units is made possible by five major and geographically-critical roads:

1) Road #60

This road runs to the east of Salfit, intersects with T-S #1, and is the major **North-South axis in the West Bank.** Palestinian vehicular traffic on this road is partially restricted.³⁶

2) T-S #1 (Road #505)

This road runs from the Jordan valley to western Salfit and used be the main route to Tel Aviv before the opening of Trans-Samaria Highway # 2. The road now ends in Mas'ha village at the gate of the settlement of Elkana. Palestinian vehicular traffic is partially restricted on this road.

3) Trans-Samaria Highway #2 (Road #5; T-S #2)

This road was opened in October 2000 to further circumvent Palestinian locales and facilitate Israeli settlers' access **from the Jordan Valley to Tel Aviv.** It is a four-lane highway that branches off from T-S #1 westwards near the village of Haris and provides direct access to Israel. Palestinian vehicular traffic is prohibited from using this road.

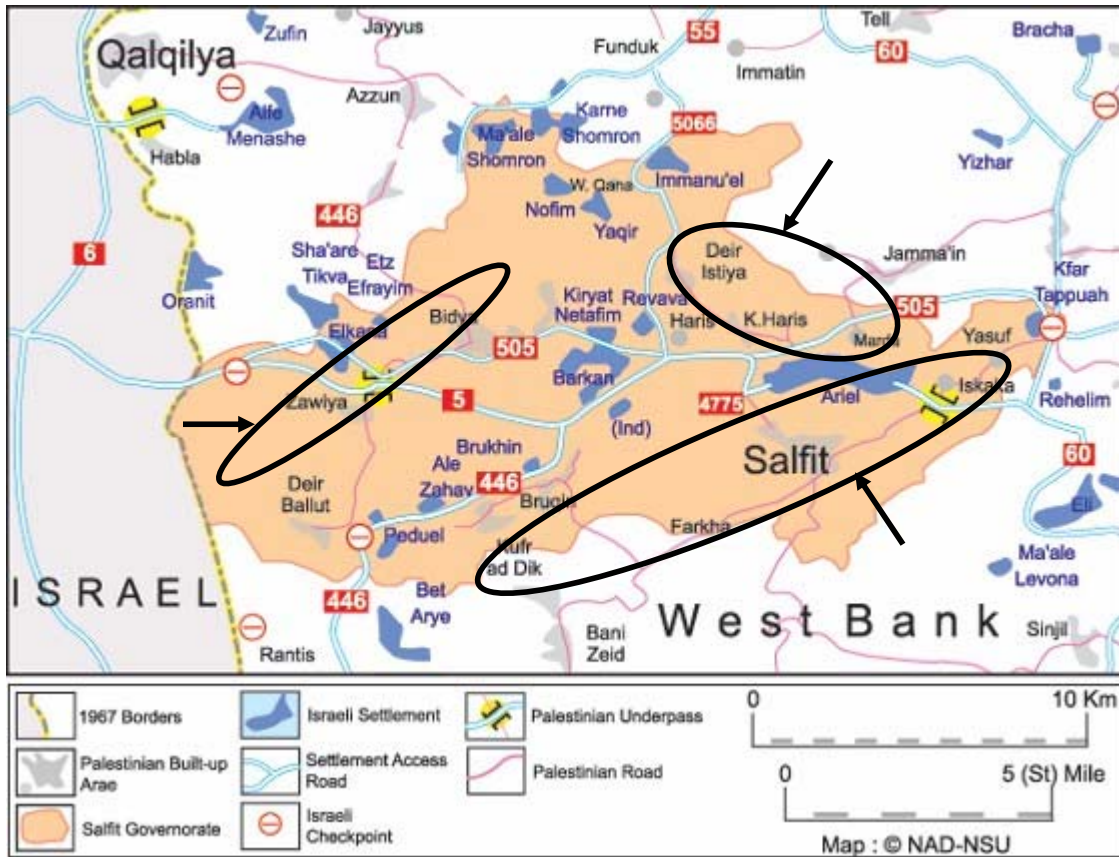
4) Road #5066

This road branches off from the T-S #1 northwards and **connects the Salfit and Qalqiliya Governorates** via Deir Istiya and Wadi Qana. Palestinian traffic is partially restricted on this road.

5) **Road #446**

Road #446 comprises two segments: the north-south segment that extends from the Qalqilya Governorate to the Ramallah Governorate via Deir Ballut checkpoint in Salfit and on which Palestinian traffic is allowed; and the northeast-southwest segment which is a roughly 8-km-long road that branches off from T-S #2, passes through the settlements of Peduel and Alei Zahav, and connects with the other segment of Road #446 at Deir Ballut checkpoint. From the beginning of the current *Intifada* until May 2005, Palestinian traffic was prohibited on the northeast-southwest segment, after which Israel restricted Palestinian traffic to those holding access permits through January 2006. Recently, Israel prohibited Palestinian traffic on the northeast-southwest segment of Road #446, even for those possessing access permits.

Map 1: Division of Palestinian Localities in the Salfit Governorate*



* This map is for illustrative purposes and thus does not include all Palestinian localities in Salfit

Palestinians are also forbidden from travelling on roads #4775 and the road connecting Road #60 to Ari'el settlement. **Road #4775 is an approximately 3-km-long road and is the traditional north-eastern entrance to Salfit city. However, the closure of this road with cement blocks since the beginning of the current *Intifada* in effect left it for the exclusive use of settlers heading to Ari'el, forcing Palestinians to travel 20 km from the intersection of T-S #1 and Road #4775 eastwards and then southwest through an underpass to reach Salfit city.**

Table 3: Roads on which Palestinian Traffic is Prohibited or Partially Restricted

Road	From	To	Use by Palestinians
Road #60	Northern West Bank	Southern West Bank	Partially Restricted
Ari'el Overpass	Road #60	Ari'el settlement	Prohibited
T-S #1	Jordan Valley	Mas'ha village at the gate of Elkana settlement	Partially Restricted
T-S #2	T-S #1	Israel	Prohibited
Road #4775	T-S #1	Salfit City via Ari'el	Prohibited
Road #5066	T-S #1	Qalqiliya via Deir Istiya and Wadi Qana	Partially Restricted
Road #446 (Northeast-Southwest segment)	Deir Ballut checkpoint	T-S #2	Prohibited

The prohibition of Palestinians from using certain roads is part of Israel's "Roads and Tunnels" plan, launched in September 2004 and ultimately designed to establish two separate transportation networks in the Occupied West Bank: one for Palestinians and one for Israeli settlers. Recent media reports affirm the continued Israeli intent to finalize the segregation between Palestinian and Israeli settler roads.³⁷ In accordance with this plan, which Israel refers to euphemistically as "transportational contiguity", Israel is currently constructing a series of tunnels and "alternate" roads to connect Palestinian villages and towns isolated by settlements, by-pass roads, internal closures and the Wall. By serving to institutionalize the closure regime, the "Roads and Tunnels" plan lends legitimacy to the continued stranglehold of illegal Israeli settlements on Palestinian land, effectively substitutes Palestinian territorial contiguity with so-called "transportational contiguity", segregates Palestinian population centres, and ultimately consolidates the Wall and other forms of *de facto* annexation by diverting Palestinian traffic away from areas reserved for exclusive settlement control (see Section 3.5 below).

Measures aimed at the creation of a **segregated road network** between settlers and Palestinians, however, have been instituted prior to the official launching of the plan. The photo on the right, for example, illustrates how a settler over-pass road, which has been built in the past 6 years to connect Ari'el to Road #60, has been placed **above the road designated for Palestinians use**. The second over-pass road in the Governorate (see Figure 1) is a segment of T-S #2 opened in 2000, on which Palestinian traffic is prohibited and under which a local road connects Mas'ha village to Az Zawiya town.



Over-pass Settler Road from Road #60 to Ari'el (January 2006)

There are **three permanent checkpoints** in the Salfit Governorate. Only one leads to areas inside Israel whereas the other two control movement within the West Bank. The latter two are the Za'tara junction

and Deir Ballut checkpoints, to the east and south-west of Salfit, respectively. The Za'tara junction checkpoint controls the main roads leading to the Nablus, Ramallah, Jericho, and Salfit Governorates. It is the main point on Road #60 by which Palestinians in **Salfit can access the Nablus Governorate**, which is the major social, economic, and health hub for the northern West Bank. The Israeli army is currently expanding the Za'tara junction checkpoint to turn it into a 10-lane checkpoint terminal, which would serve as a major crossing point between the northern and central West Bank.

Deir Ballut checkpoint is placed at the eastern and main entrance of the town of Deir Ballut and **connects the Salfit and Ramallah Governorates**; it is closed overnight and opens at various morning hours, severely restricting Palestinian movement. Moreover, Palestinians crossing the checkpoint are banned from turning eastwards onto the northeast-southwest segment of Road #446. *(See Annex for case study on the impact of closure in Deir Ballut town).*

Additionally, the Israeli army has continually set up scores of **cement blocks and dirt barricades** at the entrances of Palestinian towns and villages located along the main roads. Some of these road blocks are placed for long periods of time, such as the cement blocks that were placed on T-S#1 and denied Palestinian vehicular traffic from accessing Qarawat Bani Hassan, Sarta, Biddya, and Mas'ha *(see photo on the right)*.³⁸ Other major examples include: the western and eastern entrances to Marda (on



Cement Blocks on the Trans-Samaria Highway#1, obstructing Palestinian movement to Qarawat Bani Hassan, Sarta, Biddya, and Mas'ha (November 2005)

T-S #1); the western entrances to Deir Istiya and Haris (on Road #5066); the northern entrances to Bruqin and Kafr ad Dik (on Road #446); and the eastern and main entrance to Yasuf and Iskaka leading to Salfit city (adjacent to T-S #1 and Road #60).

Lastly, the setting up of flying checkpoints by the Israeli army between or inside villages, combined with the imposition of curfews prohibiting Palestinians from leaving their homes, further impedes Palestinians' movement within Salfit as well as to other parts of the West Bank. **Many of these allegedly-temporary flying checkpoints are frequent and tend to be regularly placed in the same locations**; in 2005, for instance, there were a total of 375 flying checkpoints in the Salfit Governorate, with **an average of 31 flying checkpoints per month** and a minimum of 16, the majority of which were placed at the entrances of Marda, Yasuf, Deir Istiya, Haris, Qarawat Bani Hassan, and along the roads between Salfit and Bruqin, and between Bruqin and Kafr ad Dik.³⁹

In sum, Israeli authorities have used the regime of internal closures in the Salfit Governorate to systematize restrictions on Palestinian movement and institutionalize Palestinian social and territorial fragmentation. Through the methodical placement of cement blocks, dirt barricades, checkpoints, and flying checkpoints on the main roads, along with the introduction of a segregated road network, the Israeli authorities have effectively divided Palestinian locales into 3 territorially-separate units within the Salfit Governorate.

4.4 Water & the Environment

The Salfit Governorate is located over the Western Aquifer Basin, which has the largest rainfall recharge rate of the three main aquifer basins in the West Bank, making it a pivotal water resource not only for the area but for the entire Palestinian population in the OPT. While the water issue is slated for resolution during permanent status negotiations, Israel has continued to employ largely the same severe water policy vis-à-vis Palestinians since 1967, by limiting their access to and utilization of water resources. Despite Israel's theoretical recognition of Palestinian water rights in the West Bank provided in the Interim Agreement, it has failed to implement the agreement and continues to deprive Palestinians of their rightful water share and to hinder their ability to develop water and wastewater infrastructure, while simultaneously developing those of its settlements in the Salfit Governorate.⁴⁰

4.4.1 Restricted Access to Water Resources

Israel has depleted Palestinians' water resources in Salfit to benefit Israeli settlements, many of which, as previously mentioned, are located over the most productive water zones in Salfit. This is in addition to causing direct damage to Palestinian water pipes and irrigation networks through military measures (*see Section 2 above*).

Article 40 of Appendix I of the Interim Agreement sets the parameters for water allocation and sewage treatment in the West Bank during the interim period. Article 40 also affirms that the "issue of ownership of water and sewage related infrastructure in the West Bank will be addressed in the permanent status negotiations". However, by affirming that "existing quantities of utilization from the resources" shall be maintained, Article 40 allocates for Palestinians the same amount of water that has been annually abstracted since the beginning of the occupation. The permissible amount is an annual quota of 22 Million Cubic Meters (MCM), which is about 5.5 per cent of the Basin's sustainable annual yield (around 400 MCM). Therefore, Article 40's allocation of the Palestinian water quota follows an inequitable distribution principle that falls short of providing Palestinians with the minimal standard for potable use. This contributes significantly to the disproportionately high variance between Israelis' and Palestinians' water use; at present, **per capita water consumption among Israeli settlers in the OPT is 5 to 6 times that of Palestinians.**

Thus, despite lying over the Western Aquifer Basin, in 2004 Palestinian localities in Salfit had a per capita **daily water supply average of 72 Litres/capita/day – excluding a 40 per cent water loss through the network – which is about 60 per cent less than the minimal standard for domestic use** (150 Litres/capita/day) recommended by the UN World Health Organization.⁴¹

Israel's absolute prohibition on Palestinians' digging of new wells in the Western Aquifer Basin, as well as the complex approval mechanism for the rehabilitation of old wells, further exacerbates the problem. Salfit historically had 6 major wells, of which only 2 wells are functioning at the moment. To renovate a well, Palestinians must first obtain the approval of the Joint Water Committee (JWC, established under the Interim Agreement to implement Article 40), which requires that all decisions be reached by consensus and which has no comprehensive dispute settlement mechanism. On the rare occasion that such approval is granted, Palestinians have then been denied the approval of the Israeli District Coordination Liaison (DCL) on the ground that the well is located in Area C. **As a result, wells that stop functioning can seldom be replaced.**⁴² The 2 functioning wells in Salfit are located in Haris and Mas'ha, but are solely used to test water levels since they have no pumps (i.e. they are monitoring wells that cannot be used for abstracting water). Thus, due to Israel's restrictions on Palestinians' access to water resources, **almost 99 per cent of agricultural crops in the Governorate are rain-fed.**⁴³

There are 13 water springs in Salfit, among which the highest annual water discharge is from Al Matwi, Shamiyeh, and Nizar Al Matwi springs in Salfit city. Al Matwi and Shamiyeh are the only two springs in the Salfit Governorate utilized for domestic purposes.⁴⁴ There are 15 local water reservoirs.

Table 4 below summarizes patterns of water supply and demand in Salfit, compared with those in the West Bank as a whole. The figures make clear that despite Salfit’s abundant water resources, it has been suffering from a serious water deficit emanating from inequitable water distribution, continued control over Palestinian water resources, and restrictions on Palestinians’ water use. As a result, an estimated **89.6 per cent (or 1.5 MCM) of water provided for domestic purposes in Salfit is bought from the Israeli Water Company Mekorot. (The remaining 10.4 per cent (0.17 MCM) is self-produced** from wells and springs and includes household wells built to collect rainwater.⁴⁵)

Table 4: Indicators in Water Supply and Demand in Salfit and the West Bank

Indicator	Salfit (2004)	WB Average	Salfit % Relative to West Bank Average
Water Supply (Litres/capita/day)	72	90	80%
Current Water Demand (MCM)**	3.466	118.343	2.9%
Current Water Supply (MCM)***	1.674	71.391	2.35%
Water deficit (MCM)	1.792 (52%)	46.952 (40%)	3.8%

Source: Compilation based on information from the Palestinian Water Authority (PWA). PWA. 2004. “Water Supply in the West Bank”. Ramallah: Water Resources and Strategic Planning Directorate. pp. 32, 34, & 35.

* MCM: Million Cubic Meters (per year); ** Based on 150 Liters/capita/day; *** Both self-purchased and self-produced and excludes water losses through the water network.

4.4.2 Obstacles Facing the Development of Palestinian Water and Sewage Infrastructure

During the period in which it was solely responsible for the OPT, Israel failed to invest adequately in wastewater infrastructure or to construct sufficient sewage treatment facilities to accommodate the growing Palestinian population. Since the Palestinian Authority assumed responsibility for sewage and water treatment in some areas of the OPT, Israeli authorities have repeatedly impeded its ability to fulfil its obligations by refusing to approve construction of wastewater treatment and sanitary landfill projects. At present, there are **no Palestinian households in the Salfit Governorate connected to a public sewage network**; instead, 98.1 per cent use cesspits to dispose of sewage. Also, approximately 80.6 per cent of Palestinian households are connected to a public water network while **4.6 per cent have no piped water**.⁴⁶

According to the Palestinian Water Authority, **most wastewater treatment plants proposed by Palestinians have been denied approval by the JWC and/or the Israeli authorities**. Since most suitable sites for such plants are located in Area C (i.e. under Israeli control and constituting some 75 per cent of Salfit’s area), their construction requires Israeli approval. Additionally, Israel has often conditioned its approval on Palestinian agreement to joint wastewater projects between Palestinian communities and settlements, which Palestinians have generally rejected on the basis that Israeli settlements are illegal under international law. This was the case, for example, when the Palestinian Ministry of Local Government, the Palestinian Water Authority, and the Municipality of Deir Ballut proposed to construct a water treatment plant and a wastewater network that would serve 10 villages. According to the Municipality of Deir Ballut, the Israeli Civil Administration indicated that it would approve the project only if the treatment plant were also designed to serve Israeli settlements in the area. Palestinian residents protested this condition and the project was suspended.

4.4.3 Israeli Settlement's Pollution of the Environment

Israeli domestic law includes strict environmental regulations that place serious restrictions on industrial activities within Israel. To avoid legal liabilities, many industries have been relocated to the OPT. Salfit has the largest industrial settlements in the West Bank, such as Barkan industrial zone that was built on land confiscated from the village of Haris and has approximately 100 factories with industries ranging from aluminum to fiberglass, plastics, electroplating, and military equipment; these industries cause the erosion of sewage networks (e.g.: aluminum), cause soil and air pollution (e.g.: plastics), and generally contribute to polluting groundwater resources with heavy metals.⁴⁷ Activity at Israeli settlements' industrial zones, including the discharge of untreated wastewater, has significantly contributed to deterioration in water quality as well as to increasing levels of environmental pollution, gravely breaching international humanitarian law and bi-lateral agreements between Israel and the Palestinians.⁴⁸

The location of Israeli settlements on hilltops undoubtedly facilitates untreated wastewater's damage to the environment and to health conditions in Palestinian localities. Wastewater contains harmful and toxic materials that are disposed into the Palestinian environment without proper treatment and that mix with surface freshwater causing several health problems. The role of wastewater from Ari'el in polluting Marda's spring water and Salfit's Wadi Al-Matwi as well as Yakir's wastewater pollution of Deir Istiya's Wadi Qana are but a few examples.

According to the Palestinian Water Authority, there are 8 settlements in the Salfit Governorate that are believed to cause soil and groundwater pollution by disposing untreated wastewater,⁴⁹ in addition to solid waste disposal from Ari'el and quarries from Barkan – the latter of which produce huge amounts of dust generated by stone crushing and explosions, which cause adverse health effects to Palestinians living in their vicinity.

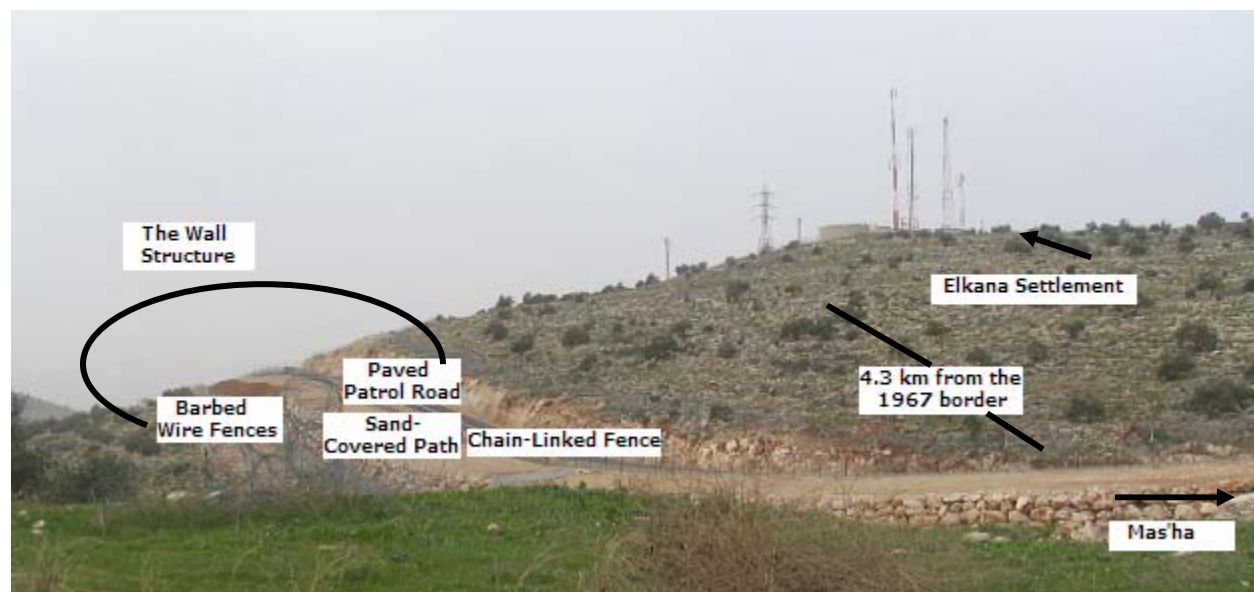
Scattered solid waste dump sites are spread throughout the Salfit Governorate and lack individual treatment for each kind of solid waste, resulting in the spread of insects, rodents, and bad odors. The infiltration of excess rainwater into solid waste dumping sites causes groundwater pollution since most Israeli settlements are located over key groundwater recharge zones. During the winter, solid waste seeps into the groundwater, contaminating it with heavy metals and toxic material and causing a serious threat to the water quality in the Western Aquifer Basin for both Palestinians and Israelis.⁵⁰

4.5 The Wall

Sections of the Wall in western Salfit that are currently either completed or under construction follow a looped path that reaches up to 5.8 km from the 1967 border; the Wall in the east (around Ari'el) reaches as far as 22 km from the 1967 border. **While most of the Wall route in the Salfit Governorate that was approved by the Israeli cabinet in February 2005 is “subject to further inter-ministerial examination”, the already constructed Wall segments in Salfit correspond to the approved route.** If completed as planned, the Wall would reinforce the division of the Salfit Governorate into separate territorial units.

Israel's first phase of Wall construction began in June 2002 in Salem, Jenin Governorate, and ended in Mas'ha, Salfit Governorate in July 2003. Mas'ha was, thus, the first Salfit locality affected by the Wall and now it is the only area in which construction has been completed. Since then, construction has taken place on the lands of Az Zawiya, Rafat, and Deir Ballut in western Salfit, the lands of Iskaka and Salfit city in eastern and southern Salfit, and the lands of Deir Istiya and Marda in north-eastern Salfit.

The Wall around Mas'ha comprises a multi-layered system that includes a chain-linked fence, barbed wire fences, sand-covered paths, paved Israeli patrol roads, and in some places ditches (*see picture below*). There is also a 50-meter segment north of Mas'ha comprised of 8-meter-high concrete blocks placed in front of one house isolated behind the Wall. The average width of the Wall structure is 50-100 meters.



The Wall West of Mas'ha Village. View from the Trans-Samaria Highway #2 (January 2006)

The Palestinian Ministry of Planning calculates that **the Wall section near the 1967 border in western Salfit**, which has either been completed or is currently under construction, **would separate about 13,800 dunums of land (3,450 acres) from Palestinian communities, more than 95 per cent of which is agricultural land.** That is, **6.7 per cent of Salfit's area would be trapped between the Wall and the 1967 border** from this segment of the Wall alone. The majority of these lands isolated behind the Wall have *not* been confiscated through military orders, but remain as inaccessible to their Palestinian owners as land formally confiscated for the Wall route itself.

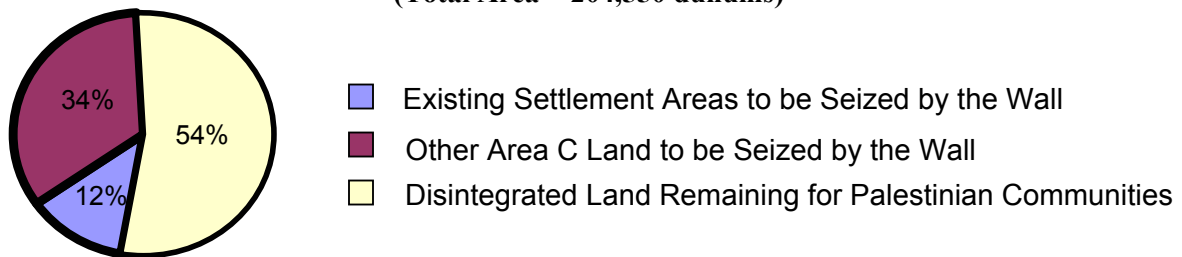
The Palestinian Ministry of Planning also estimates that if the Wall around Ari'el settlement bloc – often called the “Ari'el Wall” or the “Ari'el Finger” – is completed as planned, **78,900 dunums (19,725 acres) or 38.6 per cent of Salfit's land would be effectively seized. Of this, some 80 per cent is agricultural land (63,200 dunums or 15,800 acres), which is some 38 per cent of Salfit's total agricultural land.**⁵¹

Thus, if construction is completed according to its approved route, **the Wall would seize a total of approximately 45.3 per cent of Salfit's area** or 1.54 per cent of the OPT (92,700 dunums or 23,175 acres). The land area that would be seized by the Wall comprises all the Israeli settlements in Salfit, except Kfar Tappuah, and the majority of Area C (61 per cent). **Approximately 46 per cent of Salfit's agricultural land would be isolated behind the Wall.** As evidenced by the Israeli authorities' declaration of land isolated by the Wall during the first phase of construction as a “closed military area” (“Seam Zone”), the isolation of Palestinian land behind the Wall enables the *de facto* annexation of this land to Israel.⁵²

Given that Israeli settlements in Salfit lie over the most productive water zones in the Western Aquifer Basin, which has the highest rainfall recharge of the three main aquifers in the West Bank, the Wall's annexation of settlements would further deprive Palestinians from access to critical water resources. At

the same time, settlements' pollution of soil and groundwater in Salfit is likely to continue, while the Wall's seizure of the majority of Area C would further deprive Palestinians of areas suitable for building sanitary landfills and sewage treatment facilities. In addition, 146 archaeological sites of a total of 662 sites in Salfit would be isolated or demolished in the course of Wall construction, according to reports by the Palestinian Ministry of Tourism and Antiquities.⁵³ The loss of these sites would deprive Salfit of locations vital on the religious, cultural, and tourism levels.

**Figure 1: The Wall's Impact on Palestinian Land in the Salfit Governorate
(Total Area = 204,550 dunums)**



If the Wall is completed, it would **reinforce the division of Palestinian localities in Salfit among the 3 territorially-separate units that have been created as a result of Israeli closures** and other restrictions on Palestinian movement. Additionally, the Wall creates a 4th unit, comprised primarily of Israeli settlements sitting atop and amid Palestinian agricultural land:

1. North-Western and Western Unit:

This unit would comprise 7 Palestinian localities, of which 4 (Qarawat Bani Hassan, Sarta, Bidya, and Mas'ha) would be connected via an underpass road (that runs under T-S#2) to 3 other localities to their south – Az Zawiya, Rafat, and Deir Ballut. The latter 3 localities would form a semi-enclave encircled on three sides by the Wall whereby access is only allowed northwards to the Qalqiliya Governorate. This is consistent with Israeli closure measures enforced at Deir Ballut checkpoint whereby access eastwards onto the northwest-southeast segment of Road #446 has progressively been denied to Palestinians, including most recently even to those *with access permits*, and passage to the south is only allowed between 7 am till 8 pm.

2. Southern and Eastern Unit:

This unit would comprise 7 Palestinian localities (Yasuf, Iskaka, Salfit city, Khirbet Qeis, Farkha, Bruqin, and Kafr ad Dik), which would only have access to Za'tara checkpoint on Road #60 en route to the Nablus Governorate in the north or the Ramallah Governorate in the south.

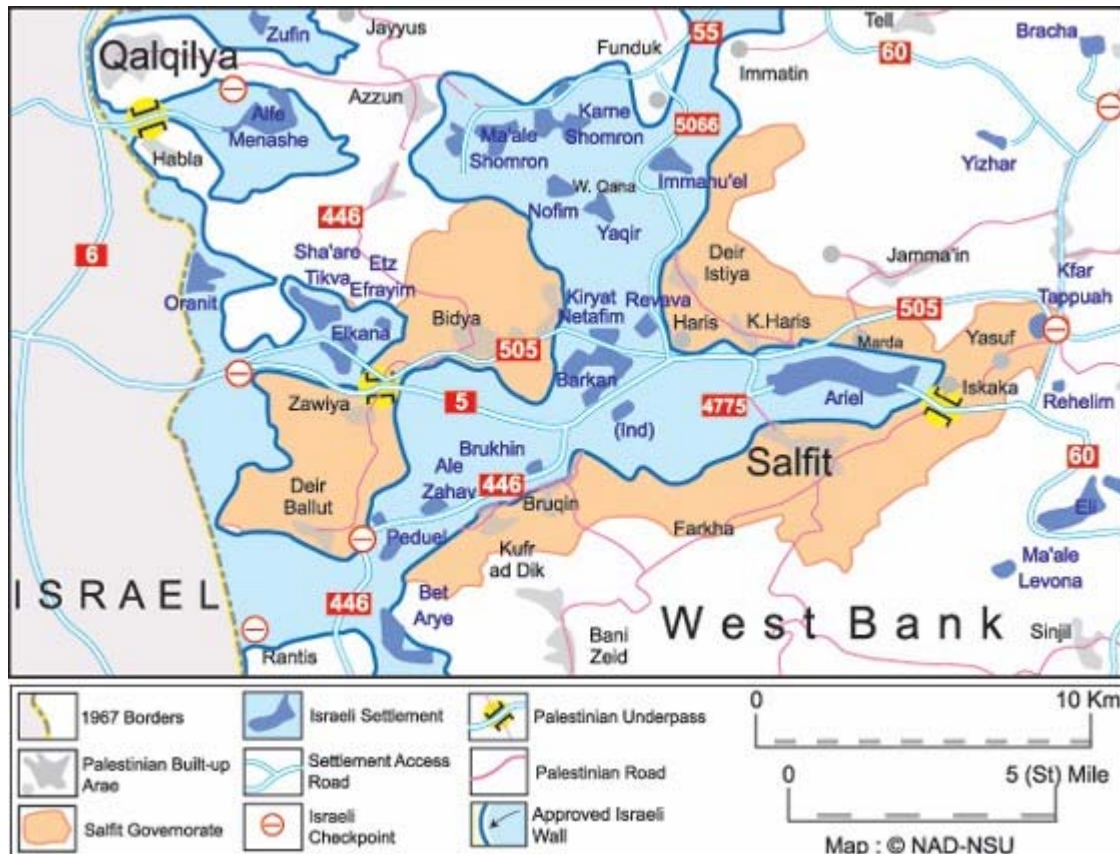
3. North-Eastern Unit:

The unit would comprise 5 Palestinian localities (Marda, Qira, Kifl Haris, Haris, and Deir Istiya), which would mainly have access to the Nablus Governorate in the northeast, consistent with Israel's pattern of frequently prohibiting Palestinians in those areas from exiting through the western entrances of their locales due to road blocks. The village of Marda is a special case because village residents cannot access any other town or village in Salfit without first using the T-S #1 and, hence, would be entrapped between a fenced segment of T-S#1 and the Ari'el Wall to its south. Thus, while Marda's residents would have access to Palestinian localities in north-eastern Salfit, they are still expected to face enormous movement difficulties and severely restricted access to livelihood sources. Of note, one of the underpasses proposed by Israel to create Palestinian "transportational contiguity" would link Marda to the town of Jamma'in in the Nablus Governorate via a tunnel running under T-S #1.

4. Central Unit:

This unit would comprise 15 of Salfit's 16 Israeli settlements and would be *de facto* annexed to Israel.

Map 2: Route of Wall in the Salfit Governorate*



* This map is for illustrative purposes and thus does not include all Palestinian localities in Salfit

In response to the Wall's adverse physical impacts on Palestinian land, as well as the damage inflicted by the loss of income and livelihood, Palestinians in Salfit have sought legal recourse, through submitting several legal cases to the Israeli High Court of Justice. These efforts have been to little avail. While there remain cases pending before the Court, **only two cases (of those for which rulings have been issued thus far) modified the path of the Wall slightly.**⁵⁴ In addition to legal challenges, Palestinians have organized numerous non-violent demonstrations in an effort to stop Wall construction, to which the Israeli army often responds by opening fire **towards un-armed civilian demonstrators**, most frequently with rubber coated steel bullets, sound grenades and tear gas canisters.⁵⁵

While the full impact of the Wall on Palestinian communities will only become clear if construction is completed, there have already been tangible, negative consequences of the Wall on Palestinians in Salfit. First, **an estimated 10,000 dunums (2,500 acres) of predominantly agricultural land have already been isolated behind the Wall in western Salfit**, impeding the access of Palestinian farmers to their land.⁵⁶ There is only one Wall gate, in northern Mas'ha, through which Palestinians who possess access permits may reach their land. However, **the time period during which the northern Wall gate is open has steadily decreased.**⁵⁷ The only other Wall gate is located in western Mas'ha and is closed.

Additionally, farmers report that hours for crossing through the northern gate usually do not suit farming needs (e.g. when it is raining) and remark that adults are most often denied permits on "security" grounds

and are hence forbidden from helping their elderly but permit-holding parents in land cultivation.⁵⁸ Most recently, farmers have been prohibited from bringing their sheep or donkeys through the Wall gate. A fundamental outcome of these access restrictions, according to the Palestinian Ministry of Agriculture, is **a 50 per cent decrease in the productivity of isolated and predominantly agricultural land or an estimated annual loss of 100 tons of olive oil at a value of approximately US \$425,530.**⁵⁹

On a more general level, the confiscation and isolation of Palestinian land in Salfit has already given rise to a worsening of its already-decimated economy. As stated previously, many Palestinians in Salfit were forced to resort to farming as a coping mechanism following the dramatic reduction of employment opportunities. **Wall construction, however, deprives Palestinians from their alternative source of income and sustenance with ruinous consequences; the percentage of Palestinian labour working in the agricultural sector has already decreased from 38 per cent in 2004 to 16.4 per cent in the third quarter of 2005.** Moreover, after undergoing a decrease between 2002 and 2004, the unemployment rate in Salfit increased from 19 per cent in 2004 to 25 per cent in the third quarter of 2005.⁶⁰ PCBS also reports that 79 economic establishments have already been closed in areas of Salfit where the Wall passes through.⁶¹ (*See Annex for case study on the Wall's impact on Mas'ha village*).

As a result of the combined impact of Israeli policies, it is likely that many Salfit residents will be forced to change their place of residence in search of sustainable living conditions.⁶² Israel's policies vis-à-vis the Salfit Governorate thus violate Article 54 of Protocol I annexed to the Geneva Conventions and signed on 10 June 1977, which states:

It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or the adverse Party, whatever the motive, *whether in order to starve out civilians, to cause them to move away, or for any other motive* (emphasis added).

5. Conclusion

The case of the Salfit Governorate illustrates a sustained Israeli policy to seize and maintain control over land and natural resources in the OPT. **While Salfit is a small Governorate, Israel's persistent and worsening colonization therein reflects a larger pattern of territorial control and obstruction to Palestinian social, economic, and demographic development witnessed throughout the Occupied West Bank.**

Since its occupation of the West Bank in 1967, Israel has caused extensive damage to Palestinian land, lives, and livelihoods in the Salfit Governorate, through seizing Palestinian land, illegally constructing Israeli settlements and settlement infrastructure, launching military assaults on Palestinian communities and their property, as well as instituting a closure regime that severely hampers Palestinian movement and development. The confluence of various closure practices instituted by Israeli authorities have systematically "cantonized" Palestinian localities in the Salfit Governorate; road blocks, checkpoints and restricted or prohibited access to main Governorate roads functioned to divide Palestinian localities into 3 territorially-separate units.

Settlement construction and expansion have not subsided, including during the Oslo years in the 1990s. Moreover, rather than abiding by its obligations under the Road Map to freeze all settlement activity and dismantle settlement outposts, **Israel has intensified measures aimed at unilaterally annexing settlements to Israel in all but name.** Israel has also persisted in denying Palestinian access to sufficient water resources, through their depletion, pollution, or isolation.

The Wall in the Salfit Governorate **reveals Israel's intent to institutionalize its occupation practices in order to facilitate Israeli settlement expansion. According to its approved route, the Wall would seize approximately 45.3 per cent of Salfit's area or 1.54 per cent of the OPT (92,700 dunums or 23,175 acres) and enable its *de facto* annexation to Israel.** Palestinians would be thus left with 3 non-contiguous territorial units that comprise 54.7 per cent of Salfit's area. They would, furthermore, be deprived of prime agricultural and water resources essential for their development, denied intra- and inter-governorate freedom of movement, and isolated from historically-critical archaeological sites.

More generally, Israel's Wall in Salfit would effectively **sever the link between the northern and southern West Bank**, unilaterally draw borders between Israel and the West Bank that **deviate substantially from the 1967 border**, erode territorial contiguity in Salfit, disrupt social and family ties, and eliminate space for Palestinian demographic growth and development.

The increasingly limited employment opportunities available to Palestinians emanating from Israeli restrictions on Palestinian employment in Israel, Israeli closure practices within the Salfit Governorate and between it and other areas of the OPT, as well the loss of valuable agricultural land and water resources to the Wall, have diminished the productivity of the agricultural sector by tens of thousands of dollars, contributed to the disruption of the Palestinian economy as a whole, and severely impeded the ability of Palestinians in Salfit to earn a livelihood. Combined, these factors are likely to force many Salfit residents to change their place of residence or search for sustainable livelihoods outside the Governorate.

The occupation policies carried out by Israel and discussed in this report function to acquire more Palestinian land with no Palestinians and to seize control of resources in the OPT. They attest to Israel's persistent non-compliance with international humanitarian and human rights law and its bi-lateral agreements with the Palestinians. In particular, they reaffirm the legal consequences of the Wall put forth by the International Court of Justice (ICJ) in July 2004.⁶³

By continually seeking **to transform Salfit's geography, Israel is fundamentally limiting negotiation possibilities and decisively pre-empting the outcome of permanent status negotiations vis-à-vis the Salfit Governorate, with an impact on the West Bank as-a-whole.** Israel is creating a situation wherein it would unilaterally determine the outcome of issues that were agreed to be within the ambit of permanent status negotiations: borders would be unilaterally demarcated; water resources would be *de facto* controlled; and 15 out of 16 settlements would be unilaterally annexed to Israel.

Israel's policies vis-à-vis the Salfit Governorate, and that of the OPT as-a-whole, thus gravely impinge on the ability of Palestinians to exercise their right to self-determination, serve to obstruct the creation of a viable and contiguous Palestinian state, and forestall the possibility of resolving the Palestinian-Israeli conflict.

ANNEX: CASE STUDIES

A. *Mas'ha Market*

Mas'ha market is located on the Trans-Samaria Highway #1 (T-S #1), which previously provided direct passage to Tel Aviv via the Palestinian village of Mas'ha. The Mas'ha market consisted of 350 shops and 200 - 400 booths set up by Palestinians from other governorates. The market was said to have created jobs for about 7,000 Palestinians, while the number of weekly consumers ranged from 80,000 to 100,000. Following the beginning of the current *Intifada* and the concomitant closure regime imposed by the Israeli army, the number of shoppers, including Palestinians residing in Israel as well as Israeli settlers, decreased dramatically. Meanwhile, settlers began perpetrating acts of vandalism against Palestinian shops, such as burning stores and booths. The situation was exacerbated on 7 October 2000 when Israeli authorities closed T-S #1 at the entrance to Elkana settlement, re-routing passage to Tel Aviv through the new Trans-Samaria Highway #2. Since then, no more booths have been set up in the market and only 70-80 out of the 350 shops remain open. These shops currently employ about 500 workers, the majority of whom are from refugee camps in the Nablus Governorate. Constructed portions of the Wall have already severed T-S #1 at the same place it was initially closed in 2000. The situation is likely to worsen as the planned Wall route would cut through T-S #1 in 2 additional locations east of Mas'ha, which would further restrict the access of workers from Nablus and consumers from eastern areas.

B. *Marda Village*

The Palestinian village of Marda is sandwiched between Ari'el settlement to the south and the T-S #1 to the north. With a land area of 9,341 dunums (2335.25 acres), of which more than 90 per cent is agricultural land, Marda has a population of 2,142 Palestinians. Its current structural plan extends over 7.8 per cent of the village's area.

The establishment of Ari'el settlement in 1978 seized more than 35 per cent of Marda's land, whereas the construction of the T-S #1 effectively seized more than 3 per cent of the land. In addition to land immediately adjacent to Ari'el, there are some 150 dunums (37.5 acres) and one water spring belonging to Marda to which Palestinians have access difficulties, given their location across the T-S #1. Furthermore, Marda has lost an additional 10 per cent of its land due to Wall construction, which contain no less than 3,000 olive trees. Half of this land is for the Wall route alone. **At present, some 48 per cent of Marda's total land area has been lost as a result of Israeli policies, severely impinging upon the ability of its population, who rely on farming for sustenance, to earn a living.**

In late October 2005, Israeli military authorities began erecting a fence along the T-S #1, adjacent to the villages of Marda and Haris. The manner in which this fence isolates Palestinian localities from the T-S #1 and its overlap with the planned path of the Wall make clear that it is indeed part of the Wall regime. If the Wall is to be completed as planned, Marda will be encircled from three sides.

The two main entrances to Marda have been closed for varying periods of time with dirt barricades during the *Intifada*. In the past 6 months, only the eastern entrance has been open. On 13 February 2005, the Israeli army set up iron gates at both the eastern and western entrances without notifying residents of when they will be opened and closed. In addition, there are two Israeli army surveillance points overlooking Marda from the north and south, one on the hilltop inside Ari'el and the other on the T-S #1.

C. Deir Ballut Town

Since 1989, there has been an Israeli army checkpoint set up at Deir Ballut's main entrance on Road #446, which connects the Qalqiliya and Ramallah Governorates via Salfit. The checkpoint is adjacent to the Israeli settlements of Peduel and Alei Zahav. After the establishment of the Palestinian Authority, the checkpoint was removed for three days in 1994, only to be replaced as a result of settlers' protests.

The checkpoint has continued to impose great difficulties on Palestinians in the area, most notably in their access to Kafr ad Dik in the east, which used to be a 5-minute drive from Deir Ballut prior to the checkpoint. Now, going to Kafr ad Dik, with which Deir Ballut has very close family and social ties, requires that Palestinians go northwards to Qarawat Bani Hassan, then east and southwest through Bruqin, increasing travel time to 30 minutes and considerably increasing transportation expenses. When Bruqin's north-eastern entrance is closed, Palestinians are forced to travel southwards toward Ramallah and then northeast to reach Kafr Ad Dik, which takes some 45 minutes. The same situation applies to accessing Salfit city, where all the government offices are situated, as well as Nablus city where health, economic, and social establishments essential for Salfit residents are located.

At present, Palestinians are prohibited from traveling eastward through Deir Ballut checkpoint and are allowed access southwards to Ramallah only between 7 am and 8 pm. The only direction to which there is relatively unrestricted access is north. If the Wall is completed as approved, Deir Ballut will be completely surrounded by the Wall, separated from the neighboring town of Kafr ad Dik and Palestinians there will only be able to travel northwards. **With a combined population of approximately 8,500 Palestinians, these two towns that were once 5-minutes apart are now planned to be permanently separated for the benefit of approximately 1,600 Israeli settlers in the Peduel and Alei Zahav settlements located between Deir Ballut and Kafr ad Dik.**

D. Mas'ha Village

Mas'ha village has a population of 1,919 and a land area of 8,123 dunums (2030.75 acres), 98 per cent of which is agricultural land and 2.3 per cent of which is allocated for the village's structural plan. Approximately 25 per cent of Mas'ha's land was previously taken for the construction of Israeli settlements and another 62 per cent for the Wall. This leaves **only some 10 per cent for farming purposes, which is insufficient given Mas'ha village residents' overall reliance on agriculture for their livelihoods.** An artesian well belonging to Mas'ha is now isolated behind the Wall, as well as a cave with a small spring. In addition, one house with 8 family members is now located in the "Closed Zone". Residents of the house may enter and exit the newly-demarcated area of Mas'ha through a small Wall gate to which they alone have the keys.

Restrictions on freedom of movement have also imposed increased travel times and transportation costs on Mas'ha residents. Residents report that access to Salfit city, for example, now takes approximately one hour, while in the past it took 10 minutes. Likewise, Palestinians need 1 to 2 hours and 10 NIS to reach Nablus city, whereas it previously took 20 minutes to reach the same destination at a cost of 5 NIS.

ENDNOTES

¹ This report is based on Palestinian Monitoring Group (PMG) Daily Situation Reports, PMG Monthly and Special Reports, PMG field work, and information obtained from the PA Ministries of Agriculture, Local Government, Planning, Labour, National Economy, Civilian Affairs, Tourism and Antiquities, and Education, the Palestinian Land Authority, the Palestinian Prisoners' Club, the Palestinian Water Authority, the Palestinian Environment Quality Authority, and the Palestinian Central Bureau of Statistics.

² While the Israeli government does not recognize Salfit as a Governorate, referring to communities therein as part of the Ramallah, Nablus, or Qalqiliya Governorates, it is recognized as a distinct Governorate by the Palestinian Authority.

³ Ministry of Local Government (MLG), Salfit. 2006. The structural plan generally refers to the area that has been allocated to meet the current and future development needs of a particular locale, and in which regulations regarding land use and construction have been specified in order to best meet those needs.

⁴ "Agricultural land" includes both highly and moderately valuable agricultural land as calculated by the Palestinian Ministry of Planning (MOP), Ramallah. 2006.

⁵ This figure excludes the amount of land projected to be isolated behind the Wall. Palestinian Ministry of Agriculture (MoA), Salfit. 2005.

⁶ Ibid.

⁷ Figures calculated by PMG based on data from the Palestinian Central Bureau of Statistics (PCBS). For GDP figures, see http://www.pcbs.gov.ps/nat_acc/nat_var.aspx.

⁸ Ibid; and PCBS. 2005. "Labour Force Survey: (July—September, 2005) Round, (Q3/2005)". Press Conference on the Labour Force Survey Results. Ramallah, Palestine. p. 12.

⁹ PCBS. 2005. Unpublished data.

¹⁰ Palestinian Ministry of Education (MoE), Ramallah. 2005.

¹¹ Until the late 1990s, most university-age students from the Salfit Governorate attended either Bir Zeit University in the Ramallah Governorate or An Najah University and Al-Quds Open University in the Nablus Governorate. Beginning in October 1999, however, a branch of Al-Quds Open University was opened in Salfit city to accommodate university students unable to reach other governorates because of the closure practices imposed by the Israeli army during the Oslo period. At present, Salfit's university branch has 2,382 registered students, with roughly 2,000 Salfit students attending other West Bank universities. Source: Al-Quds Open University, Salfit Educational Region, Salfit. 2006.

¹² According to PCBS, 36 Palestinians have been killed by the Israeli army in the Salfit Governorate during the Intifada, of which 17 (47 per cent) were between the ages of 18 and 29 and 5 (14 per cent) under the age of 18. During the same period, Israeli raids, incursions, and attacks on Salfit communities have led to the total destruction of 19 buildings and partial damage to 650 buildings (PCBS, *Intifada Statistics*. 2005). Currently, there are 208 political prisoners from Salfit in Israeli prisons, interrogation centres, and military detention centres, of whom 35 (17 per cent) are under the age of 18, 10 (5 per cent) were injured by the Israeli army prior to their arrest and underwent surgery in prison hospitals, and 5 (2.5 per cent) are school teachers (Palestinian Prisoners Club, Salfit. 2006).

¹³ PCBS. 2005. Unpublished data.

¹⁴ Palestinian Ministry of Labour (MoL), Ramallah. 2005.

¹⁵ Calculations made by the PMG based on unpublished PCBS data.

¹⁶ Currently, 1 kilogramme (0.001 metric ton) of olive oil is valued at 20 NIS or approximately US \$4.25 (US \$1 = 4.7 NIS). MoA, Salfit. 2005; and Palestinian Ministry of National Economy (MNE), Salfit. 2005.

¹⁷ MoA, Salfit. 2005.

¹⁸ See Section 4.1 below.

¹⁹ These orders are generally prefaced by the following sentence: "In accordance with my authorities as the Military Commander of the area of Judea and Samaria [i.e. northern and southern West Bank], and so long as I believe that the Order is necessary for military purposes, and in pursuance of the current special security conditions prevalent in the area, I hereby order the following..."

²⁰ Included in this figure are 317.4 dunums (79.35 acres) of land confiscated, by military orders # T/05/05 and #T/95/05, from Deir Istiya in the Salfit Governorate and Immatin in the Qalqiliya Governorate, without specification in the text of how much land would be confiscated from each locale. The same is true for order # T/15/06 which confiscates land from 4 Palestinian localities in the Qalqiliya Governorate and from Deir Istiya in the Salfit Governorate; the latter order was excluded from the total, however, because it primarily concerns areas in the Qalqiliya Governorate.

²¹ There are additional mechanisms by which Israel seizes Palestinian land in the OPT; however, these measures have not been widespread in the Salfit Governorate.

²² The Palestinian Land Authority, Ramallah. 2006.

²³ Israel has already expropriated most of the land it seeks for settlements and their future expansion, leaving Israeli settlements with an expansion reserve amounting to more than 40 per cent of the West Bank.

²⁴ The settlements are: Elkana; Ari'el; Karnei Shomron; Kfar Tappuah; Barkan; Yakir; Alei Zahav (previously-named Yo'ezzer); Kiryat Netafim; Imanuel; Peduel; Etz Efrayim; Nofim; Revava; Ginnot Shomron; Adnim; and Benot Orot Yisra'el. MOP, Ramallah. 2005. Please note that the only uninhabited settlement is Adnim.

²⁵ MOP, Ramallah. 2005.

²⁶ Please note that the figure here is an estimate of the land area located within the fenced-up area of official settlements. MLG, Salfit. 2006.

²⁷ Israeli authorities refer to nascent settlements as “outposts” even though the dubious distinction between “outposts” and “settlements” conceals their similar function in transferring Israel’s civilian population into the OPT, expanding the settlement infrastructure, and further consolidating the occupation of Palestinian land.

²⁸ These outposts are: Alonei Shilo; Bruchin; Bruchin NW; Elmatan; Givaa 592; Givat Degel; Kfar Tappuah West; Ma'ale Israel; Magen Dan; Neve Menachem South; Nofei Nehemia; Ramat Gilad; and Yair Farm. MOP, Ramallah. 2005. Two of these have since been dismantled. Three of the outposts were established after the Road Map was officially issued by the Quartet in April 2003.

²⁹ PMG Daily Situation Report, 3 January 2004.

³⁰ PCBS. 2005. Unpublished data.

³¹ According to the Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip (Interim Agreement), Palestinians were prohibited from any construction within 75 meters of either side of these roads. Please see Interim Agreement, Annex I, Article XII, 3 C.

³² Settlements situated over key water recharge areas include Elkana, Barkan, Peduel, and Revava, among others.

³³ Respectively, PMG Daily Situation Reports for 19 April 2005 and 20 December 2005.

³⁴ MOP, Ramallah. 2005.

³⁵ The areas designated for Palestinian structural plans in Salfit (6.8 per cent of the Governorate’s area) have historically been decided upon by the Israeli Civil Administration.

³⁶ “Partially restricted” indicates that, while Palestinian traffic is allowed, passage is complicated on some segments of the road by Israeli measures such as checkpoints, permit requirements, physical barriers, or other methods.

³⁷ For example, see Dan Williams. “Israel plans West Bank road just for Palestinians”. Reuters. 23 February 2006, 5:33 ET.

³⁸ These blocks have been removed and replaced with an iron gate.

³⁹ PMG Monthly Reports.

⁴⁰ See Interim Agreement, Annex III, Appendix 1, Article 40.

⁴¹ Palestinian Water Authority (PWA), Ramallah. 2005.

⁴² Az Zawiya well used to be the only productive well in Salfit, but it stopped functioning in 1998. Three other wells, 1 in Wadi Qana and 2 in Marda, have not functioned since 1967.

⁴³ PCBS. 2004.

⁴⁴ PWA. 2004. “Water supply in the West Bank”. Ramallah: Water Resources and Strategic Planning Directorate. pp. 9 - 10.

⁴⁵ Ibid. pp. 11, 32, 34, & 35. Calculations made by the PMG based on PWA data.

⁴⁶ Unserviced localities are Iskaka, Farkha (both of which have a network, but no running water), Bruqin, and Kafr ad Dik. PWA, Ramallah. 2005.

⁴⁷ The Israeli authorities do not publicly disclose any information on Israeli settlements’ water consumption and quality of disposed wastes, so the information herein is based on available statistics and documents.

⁴⁸ Please see *inter alia* Geneva Conventions, Protocol I, Article 54; UN Security Council Resolution 465 (1980); and Interim Agreement, Annex III, Article 12 of the Protocol Concerning Civilian Affairs.

⁴⁹ The settlements are: Ari'el; Alei Zahav; Barkan; Kiryat Netafim; Yakir; Elkana; Nofim; and Revava. PWA, Ramallah. 2005.

⁵⁰ For more information, please see PMG Trend Analysis “Israeli Policy and Environmental Pollution in the Occupied Palestinian Territory” (28 June 2005).

⁵¹ In 2004 and 2005, the Israeli military issued orders confiscating at least 1,013.4 dunums (253.35 acres) of land in areas adjacent to the route of the Ari'el Wall (Order Numbers: T/45/04; T/05/05; T/22/94 (the 3rd renewal of the order); T/31/05; T/32/05; T/33/05 (a modification of a previous order with the same number); T/95/05; T/105/05; T/163/05; T/190/05; and T/209/05). Of these, orders stipulating that the purpose of confiscation was for construction of the “security fence” constituted only 18.6 per cent of the confiscated land. In contrast, the confiscation of 60.3 per cent of the land was vaguely described as being for “military purposes”. The stated purposes for the remaining areas include the building of checkpoints, military surveillance towers, and roads (i.e., for Israeli settlers). However, almost all of the confiscations are located along the Wall’s path, which suggests that they are all part of the Wall regime ultimately designed to reinforce Israeli settlements and facilitate their expansion.

⁵² See “Order Regarding Security Regulations (Judea and Samaria) (No. 378), 5730-1970 Declaration Concerning Closing an Area no. S/2/03 (Seam Zone)”.

⁵³ Of these, there are 31 previously inhabited historical areas (“Khirbet”), 29 caves, and 26 archaeological artefacts.

⁵⁴ The first concerned the segment of the Wall running west of the communities of Az Zawiya, Rafat and Deir Ballut. Near Az Zawiya village, the Wall's path was located approximately 5 km away from the 1967 border. As a result of the case, the Wall route was pushed 3 km closer to the 1967 border, though it remains inside the OPT. However, during preparations for the old route, Israeli authorities had already uprooted thousands of olive trees, none of which were ever re-planted, and damaged the land such that it cannot be used for any farming purposes. The second re-routing of the Wall path took place near Iskaka, which resulted in the return of only 34.5 dunums (8.625 acres) of land.

⁵⁵ For instance, on 5 June 2005, one journalist was injured during protests against the cutting down of more than 200 olive trees from the land of Marda village for Wall construction. PMG Daily Situation Report, 6 June 2005.

⁵⁶ MoA, Ramallah. 2005; and MNE, Ramallah. 2005.

⁵⁷ The gate was initially opened from 7:00 am- 4:00 pm, then 1-2 days a month, then it became seasonal, and since October 2005 crossing the Wall gate requires that permit-holding farmers first coordinate with Israeli authorities through the District Coordination Office.

⁵⁸ For details on requirements for obtaining a permit to enter the "Closed Zone," see past PMG Wall Trend Analyses, available online at URL: <<http://www.nad-plo.org>>.

⁵⁹ See supra note 16.

⁶⁰ PCBS. 2005. Unpublished data.

⁶¹ PCBS. 2005 (September). "Survey on the Impact of the Expansion and Annexation Wall on the Socio-Economic Conditions of Palestinian Localities which the Wall Passes Through, June 2005". Press Conference of the Survey Results. Ramallah, Palestine. p. 11.

⁶² According to a PCBS survey, 72.4 per cent of Palestinian households surveyed in 2003 stated that movement difficulties are the primary reason for wishing to change/changing their places of residence. PCBS. 2003 (December). "Impact of the Separation Wall on the Socioeconomic Conditions of Palestinian Households in the Localities in which the Separation Wall Passes Through (October, 2003)". Press Conference on the Survey Results. Ramallah, Palestine. p. 20.

⁶³ In particular, see pt. 122, para.2.