

Key of Terms pertaining to Israel/Palestine

Arabs: Persons sharing Arabic language and culture as their principle identity, including adherents to various religions and state citizenships. **Palestinian Arabs** are those persons and descendents of persons indigenous to historic Palestine, including citizens of Israel, the occupied Palestinian territory and those in exile having the corresponding linguistic, geographical and/or cultural affiliation. **Syrian Arabs** are those adherents to Arabic language and living within, or originating from areas within the State of Syria, including the Golan Heights, occupied by Israel since 1967. **Arab citizens of Israel** are those Arabs holding citizenship under Israel's Law of Citizenship (*Ezrahut*), but not holding "Jewish nationality" status.

Areas of Jurisdiction: A, B and C: Gradations of Israeli and Palestinian National Authority jurisdictions in the occupied Palestinian territories of the West Bank and Gaza Strip as defined in the interim agreements signed by the two parties since 1993. The Oslo Interim process created four spheres of jurisdiction in the West Bank and Gaza Strip, defined as follows:

- A.** Closed Palestinian jurisdiction (Area A): In these lands, the Palestinian Authority has full effective and theoretical (*de facto* and *de jure*) jurisdiction. Israeli troops and military withdrew fully until late 2000, when they besieged the territories. Until then, Israel formally did not exercise jurisdiction over this area, except through reoccupation or Palestinian consent. Today, these areas remain under Israel's control, and several areas are under occasional Israeli military siege.
- B.** Overriding Israeli jurisdiction. In those areas, the Palestinian National Authority holds partial personal, functional and geographical jurisdiction, as Israel retained overriding security jurisdiction through activities of Israel's troops and the Military Government. The overriding jurisdiction encompasses all components and actions that form clear violations of the Convention, as house demolitions, for example, occur in those areas in particular with the Israeli authorities' full resolve and jurisdiction. This area forms approximately 10% of the West Bank and Gaza Strip and is inhabited by approximately 20% of the Palestinian population.
- C.** Where Israel has held functional, geographical and personal jurisdiction, and the Palestinian Authority has claimed personal jurisdiction, awaiting withdrawal of Israeli troops and Military Government. The size of this area is undefined; it is open to speculation by both sides, with the continuation of supreme Israeli

jurisdiction as the occupying power along with jurisdictional category "A" (total Israeli jurisdiction). These areas constitute more than 73% of land in the West Bank and Gaza Strip and are inhabited by some 24% of the Palestinian population.

Citizenship and Nationality: Distinct from democratic States, the legal and institutional determiners of civil status in Israeli law provide for "Israeli citizenship," under the "Law of Citizenship" [*ezrahut*]. No "Israeli nationality" status exists, and the State has refused petitions to establish such. Rather, nationality is a civil status created in Israeli law, particularly, "Basic Law: Law of Return" (1950) and "Status Law" (1952), establishing "Jewish nationality" and related rights and privileges, superior and distinct from those arising from "citizenship." Among the material consequences of this distinction are the State's refusal to allow the return of the Palestinian refugees expelled in 1948, and subsequently, in favour of extraterritorial "Jewish nationals"; the dispossession of indigenous Palestinians, including current citizens of Israel, under the "Law of Absentee Property"; and the distribution of that property and additional development benefits through the parastatal "national" institutions, particularly the World Zionist Organization/Jewish Agency, Jewish National Fund and their subsidiaries.

Closure: The Israel occupation authority practice applied first in 1988, and consistently since 1993 that denies Palestinians in the occupied territories of the West Bank and Gaza Strip passage through other areas of historic Palestine under Israeli jurisdiction. This involves separation of the residents of both territories from each other, and affects tens of thousands of Palestinian workers access to their jobs in Israel, and who lack other options because of the well-entrenched dependency of the occupied territories on the Israeli economy. Closure and separation also effect a variety of rights under the Convention, including by denial of freedom of movement and closure/separation as a form of collective punishment. Closure has led to the aggravated illness and death of medical patients, who also are not spared this stricture, except in rare cases. Children are denied normal life, including family life, under closure, and are regularly denied access to education and other basic services.

Curfew: Absolute denial of the population to leave their homes or other structures into the public space for a specified period. Curfew is often imposed on entire villages and cities, enforceable by lethal force. Typically, the occupation authorities impose this extreme security measure as a form of collective punishment. Lifting of curfews typically takes place on a periodic basis one or two hours to allow essential civilian functions only.

Dunum: The traditional system of land measurement used in historical Palestine, equalling 1,000 square meters.

Final-status lands: Categories of land that Israel reserves under its total control and jurisdiction awaiting their status to be determined through negotiations that are scheduled to begin in 1999 to determine their status following the end of the current interim process, the framing agreements of which expire on 4 May 1999.

These are lands that fall under sole Israeli rule and are excluded from the Interim Process as final-status lands: (1) lands of settlements, (2) lands of annexed Jerusalem, (3) lands of military areas, and (4) borders. Israel enjoys all aspects of jurisdiction in these areas and is, thus, fully responsible as the occupying power. The spatial definition of all these areas remains ambiguous.

Green line: Borders determined by armistice with neighboring States (1948–49), separating the State of Israel-controlled territory from the other areas of Palestine (Jerusalem, West Bank & Gaza Strip). Indigenous Palestinians remaining inside the Green Line became citizens of Israel. Palestinians living in the other areas of Palestine, including refugees originating from inside the “green line,” came under the administration of Jordan (in the West Bank) and Egypt (Gaza Strip) until Israel conquered those territories in the 1967 War.

Intifada: The common Palestinian—and now international—term for “uprising,” derives from the Arabic verb “to shake off.” The Palestinian uprising against Israeli occupation that began on 7 December 1987 is referred to as the first Intifada. The ongoing uprising sparked by Israeli Gen. Ariel Sharon’s militaristic desecration of the Muslim Noble Sanctuary (Jerusalem) and the subsequent massacre of Palestinian faithful there after Friday prayers at al-Aqsa Mosque, 29 September 2000, has come to be known as the second, or al-Aqsa Intifada.

Jerusalem: UNGA resolution 181 determined that Jerusalem was to come under an international regime, a *corpus separatum*. This legal status has been confirmed internationally as recently as 2000 in the formal reaffirmation by the European Union. However, Israel conquered and occupied the western part of Jerusalem in 1948, incorporating the then-occupied city into the State as its capital. (The international community generally rejects that under international law doctrine of the unacceptability of the acquisition of territory by force, recognizing instead Tel Aviv as the capital of Israel. When Israel conquered the rest of the city (East Jerusalem) in the 1967 War, Israel pursued Jewish settlement of the area and applied Israeli domestic law to the area in 1981, thereby “annexing” it (“annexed Jerusalem”). The international community, including the Security Council has formally rejected this Israeli-acclaimed annexation as a violation of international law.

Naqab/Negev: The arid southern region of historic Palestine is traditionally and locally known as the *Naqab*, its capital Bi’r Sabi` (“7 springs”). Jewish colonizers sought to impose Hebrew or hebraicized place names on conquered and otherwise-acquired territories. They applied the Hebrew cognate title *Negev* to the territory, and “Beer Sheva” (or, e.g., Bersheeva) to its capital. The two names (Naqab/Negev) are used interchangeably in the present report.

“National” institutions: For the purposes of this parallel report, “national” institutions is the official Israeli term qualifying the parastatal organizations, particularly the World Zionist Organization/Jewish Agency, Jewish National Fund and their subsidiaries, that are chartered to engage in public development on behalf of the State of Israel exclusively for “the Jewish people,” and that maintain an ideological commitment and strategy to colonize all areas under Israel’s effective control for those beneficiaries, excluding all others.

Nationality: [See “Citizenship and Nationality” above.]

Occupied territory: The lands that Israel controls as a consequence of its 1967 “pre-emptive” war. These include lands acquired by force and where Israel maintains effective control through the Military Government of Israel (MGol). These remain: the West Bank, including Jerusalem and the Gaza Strip in Palestine; and the Golan Heights of Syria. Subsequent acquisition of lands in southern Lebanon through gradual conquest in the 1970s and through its 1982 invasion there has been reduced through Israel’s July 2000 withdrawal. However, the territory of Shiba` Farms remains under Israeli military occupation, which neighboring States affirm is Lebanese sovereign territory.

Separation Barrier / Separation Wall / Apartheid Wall / Security Fence / Annexation Wall: Various terms used to describe the complex of fences, ditches, razor wire, groomed trace sands, electronic monitoring system and patrol roads, 8–9 m-high concrete slabs, forming a physical separation between Settler colonies and Palestinian communities across the West Bank and through Jerusalem. Approximately 85% of the route, revised in June 2004, meanders up to 22 km into Palestinian territory. It runs through populated, agricultural and natural areas, severing access to roads, agricultural lands and services that the Palestinians depend on. Many in Palestine and the international community have accused Israel of designing the barrier route so as to annex the most possible Palestinian land and water resources. The International Court of Justice issues its Advisory Opinion determining the entire construction to be illegal. The Court called for its removal, for restitution and compensation for incurred losses, and “that all States are under an obligation not to recognize the illegal situation arising from the construction of the wall, not to render aid or assistance in maintaining that situation and to cooperate with a view to putting an end to the alleged violations and to ensuring that reparation will be made therefor” (para. 146.). In

accordance with the ICJ Advisory Opinion, this report uses the term "Wall" throughout.

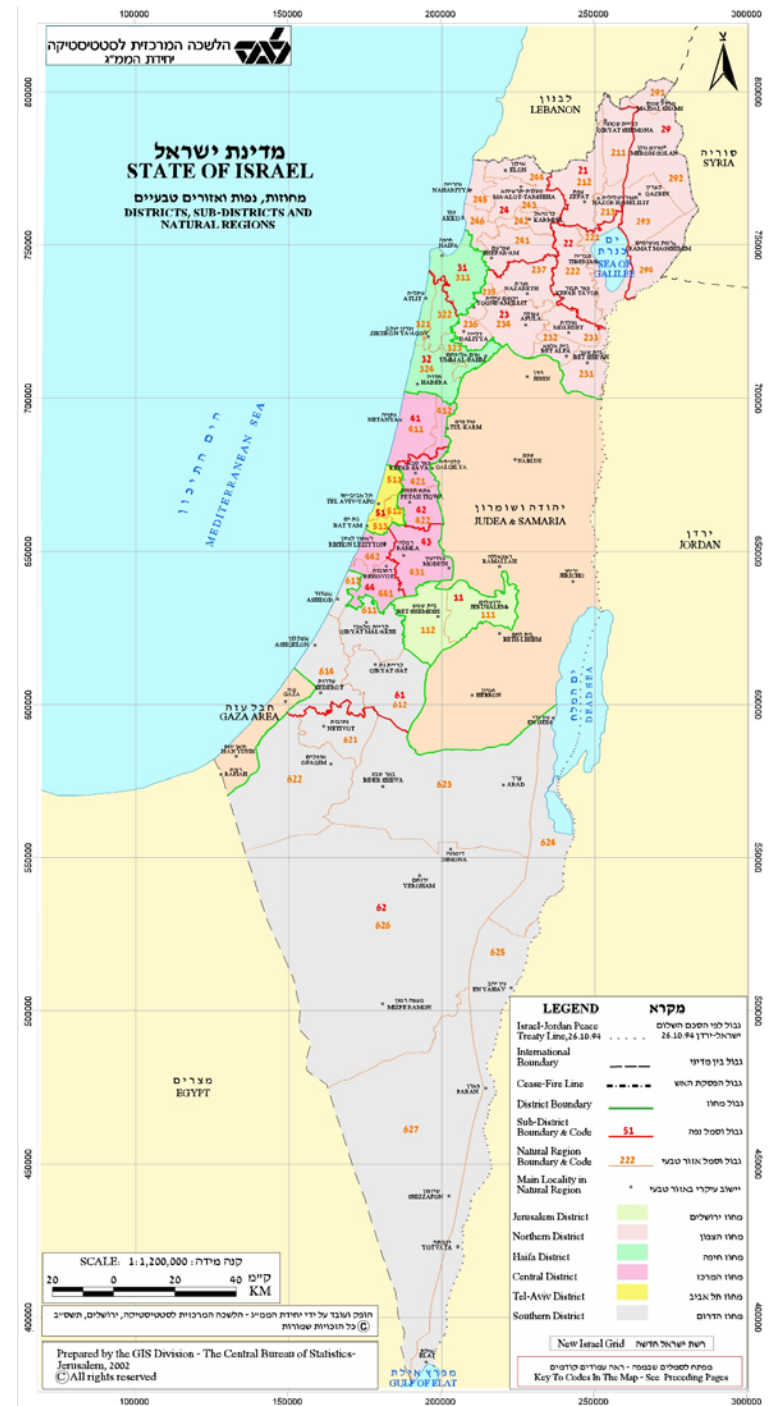
Settlements and settler colonies: For the purposes of this report, "settlements" is the social science and planning term for areas of human habitation, irrespective of their legal status, or the ethnic or religious composition of their population. "Settler colony" is the term used in reference to wholly illegal settlements of the Occupying Power's population, violating GC4, articles 49 and, under article 147, constituting "war crimes," and forming part of the practice of population transfer, recognized also as a "crime against humanity" under the Rome Statute (1998), Article 7.

Unrecognized villages: These are hundreds of settlements of indigenous Palestinian habitation inside the Green Line that almost exclusively predate the 1948 establishment of the State of Israel. For no other criterion but that their residents are Arab citizens, and not "Jewish nationals," Israeli (exclusively Jewish) planners have deliberately omitted these villages from all plans, foreclosing their benefit from basic services enjoyed by other settlements of similar and smaller Jewish populations with the State or even in occupied territories. Consequently, the Zionist-dominated planning regime considers their existence illegal. They face demolitions and other bureaucratic means of forced removal amounting to internal population transfer. Regional and national-level Israeli development plans call for most "unrecognized village" Arab populations to be transferred to what Israeli planners call "concentration points" (planned townships, or "concentration townships") designated elsewhere in Israel where they would live in zero-growth zones with no secure land tenure and limited livelihood options.

Editor's note: The double-column format of this report presents the Convention-implementation issues in the occupied Palestinian territory (OPT) (right column segment) and the area of historical Palestine within the Green Line (left column) now within internationally recognized borders of the State of Israel. "Common issues" demonstrate the continuity of discrimination patterns over the entire area of historic Palestine (Israel's jurisdiction and effective control), are included in the observations annexed to this report.

This method of reporting, emphasizing "cross-border" commonalities of experience within the framework of the Covenant, in no way intends to supplant the specific data provided for the OPT and "inside," nor to reduce the gravity of respective conditions on either side of the Green Line. Rather it presents a common denominator that is supported by the detail and specificity provided in the flanking columns. This composite and, especially, the example of Israeli practice, policy, law and parastatal institutions, demonstrate the common category of the entire Palestinian people under Israel's jurisdiction and effective control, regardless of the civil status to which they are subject.

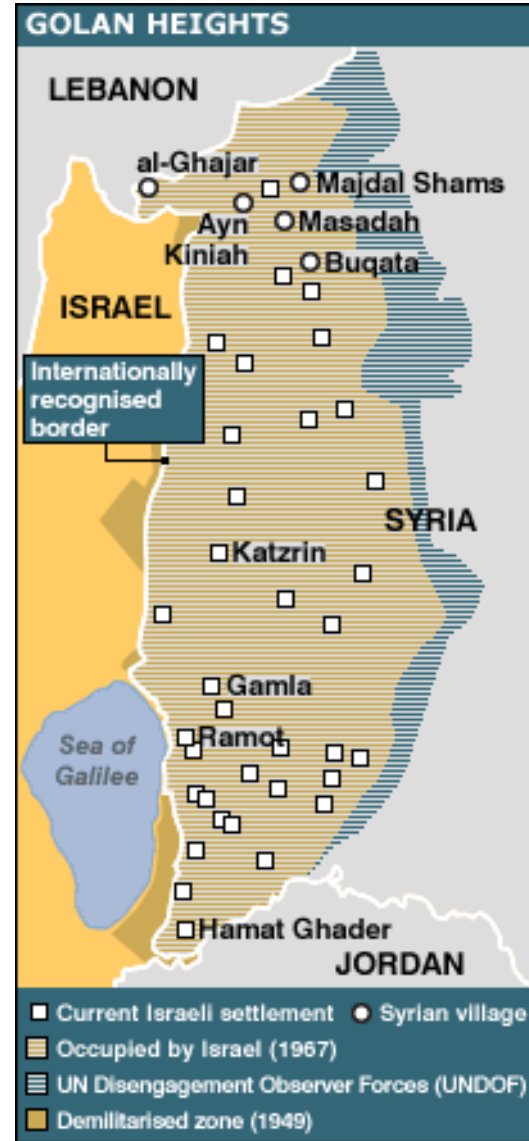


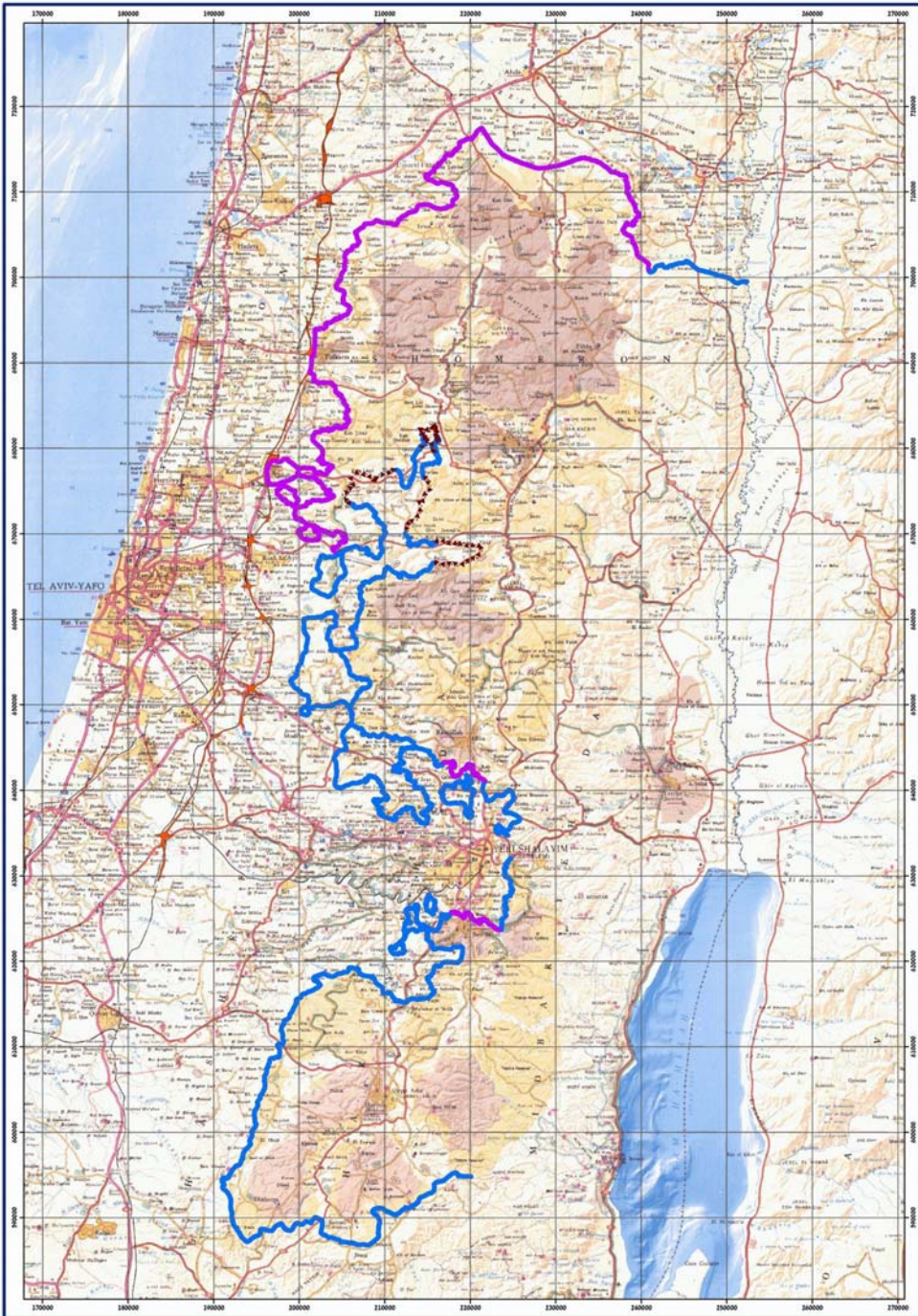


Palestinian Refugees: UNWRA Refugee Camps, 2001



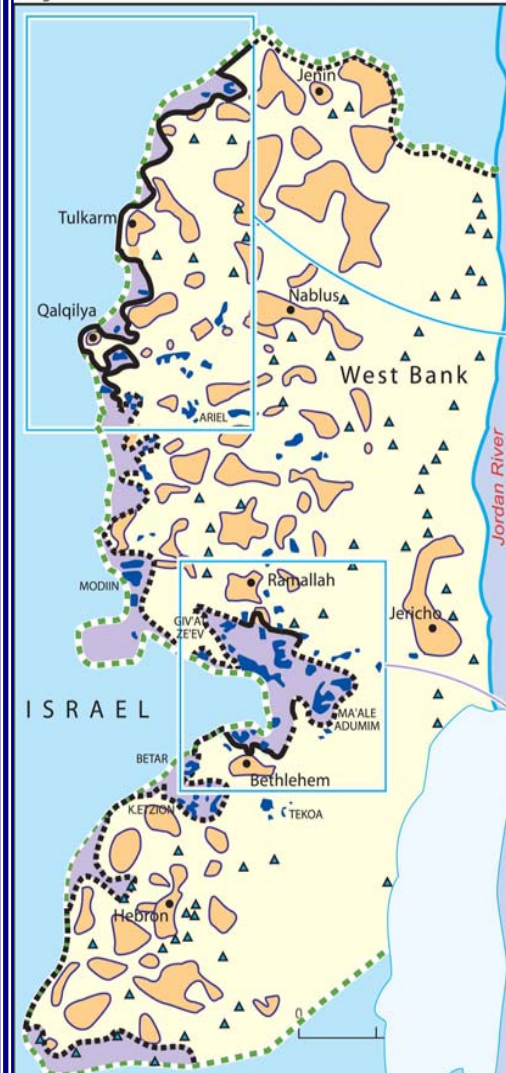
Palestinian Academic Society for the Study of International Affairs (PASSIA)





Pre-emption of a Compromise on the West Bank, including Jerusalem

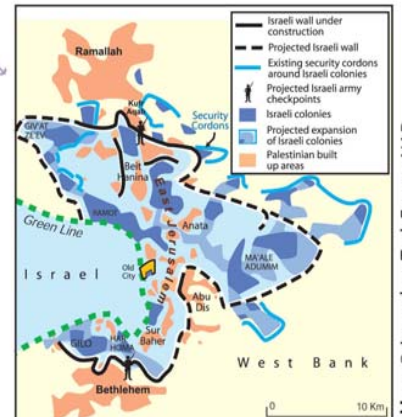
Approximately 10% of the Occupied West Bank will become *de facto* annexed by Israel due to the construction of the wall. Palestinian villages will be cut off from vital arable land and water resources.



- Israeli urban colonies
- Israeli smaller colonies
- Palestinian village clusters cordoned off by the Israeli Army
- Green Line / 1967 Border
- Israeli wall under construction
- Projected Israeli wall
- Palestinian territory to be *de facto* annexed by Israel



The Palestinian city of Qalqilya will be isolated by the wall and illegal Israeli colonies. Approximately 750 acres of Palestinian land in Qalqilya will be *de facto* annexed by Israel.



Palestinian access to Occupied East Jerusalem obstructed by accelerated colony construction, Israeli army checkpoints and the wall.

ABBREVIATIONS USED IN REPORT AND ANNEXES

ACRI	Association for Civil Rights in Israel	NII	National Insurance Institute
CAP	Custodian of Absentee Property	NIS	new Israeli shekel (monetary unit)
CaT	Committee against Torture	OCHA	Office for the Coordination of Humanitarian Assistance
CEDaW	Convention on the Elimination of All Forms of Discrimination against Women	OHCHR	Office of the High Commissioner for Human Rights
CERD	Convention on the Elimination of All Forms of Racial Discrimination	OMCT	World Organization against Torture/Organisation Mondiale contre la Torture
CESCR	Committee on Economic, Social and Cultural Rights	OPT	occupied Palestinian territory (West Bank, Jerusalem and Gaza Strip)
	Civilian Persons in Time of War	PCaTI	Public Committee against Torture in Israel
CRC	Convention on the Rights of the Child	PCBS	Palestinian Central Bureau of Statistics
DCI/PS	Defense of Children International/Palestine Section	PCHR	Palestinian Center for Human Rights (Gaza)
ECOSOC	Economic and Social Council	PICC	Palestinian Independent Commission on Citizens Rights
ESCWA	Economic and Social Commission for Western Asia	PLO	Palestine Liberation Organization
GA	Gaza Strip	PM	prime minister
GC IV	Fourth Geneva Convention relative to the Protection of	PNA	Palestinian National Authority
Gol	Government of Israel	PTSD	posttraumatic stress disorder
HC	High Court of Israel	RCUV	Regional Council of Unrecognized Villages (Naqab)
HIC	Habitat International Coalition	SC	Security Council
HLRN	Housing and Land Rights Network	TPS	town planning scheme
HPC	High Planning Council	UNDP	United Nations Development Programme
HRA	The Arab Association for Human Rights (Nazareth)	UNESCO	United Nations Education and Scientific Organization
ICBS	Israel Central Bureau of Statistics	UNGA	UN General Assembly
ICCPR	International Covenant on Civil and Political Rights	UNRWA	United Nations Relief Works Agency for Palestine Refugees in the Near East
ICRC	International Committee of the Red Cross	UNSCO	United Nations Special Coordinator for the Occupied
IHL	international humanitarian law	UNWFP	United Nations World Food Program
ILA	Israel Land Authority	USAID	United States Agency for International Development
IOF	Israeli occupation forces	WB	West Bank
IPA	Israel Prison Authority	WCaR	World Conference against Racism, Racial Discrimination, Xenophobia & Related Intolerance
JA	Jewish Agency [for the Land of Israel]	WHO	World Health Organization
JNF	Jewish National Fund	WZO	World Zionist Organization
MO	military order		
MoE	Ministry of Education		
MoH	Ministry of Housing		