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Date: 08 December 2016

## **PHROC Calls for Immediate and Decisive Confrontation of Israel Legalizing Piracy**

The Israeli Knesset approved this week a settlement bill in first reading. The immediate application of this legislation legalizes about 4,000 settlement units built in 55 settlements throughout Area (C) that is under full Israeli control according to Oslo Accords and constitutes 60% of the West Bank. The Israeli governing coalition openly reveals the legalization of this piracy is considered as the second political coup after the first one that occurred in 1977 and brought the first right-wing settlement coalition to the Israeli government. Naftali Bennett, leader of the Jewish Home (Habayit Hayehudi) party and Education Minister, considered the bill as *"A first step away from the two-state solution towards annexing the West Bank and practicing sovereignty over land but not its inhabitants"*. This deepens and legalizes the apartheid being imposed through two different legal systems practiced on two populations living on the same land. Moreover, the population, whose existence on that land goes in violation of the international humanitarian law, several UN resolutions and International Court of Justice (ICJ) Ruling on the Annexation Wall in 2004, is privileged.

Israeli forces have continued since 1967 to confiscate Palestinian lands through the so-called military orders. Although the Israeli forces had actually imposed their control on Palestinian private property by denying their owners access to them, those forces could not legalize seizing control over Palestinian private property in favor of the settlements. The bill in question was approved not to only legalize seizing Palestinian private property, but to legalize annexing the occupied lands also, especially as this bill was approved by the Israeli Knesset and not through military orders. The confiscation of private property and imposing the Israeli Knesset's legal power over the occupied lands are grave violations of the international customary law.

This bill is unprecedented piracy in the history of mankind, whereas a UN member state observes land grab practiced by its citizens in support and under guardianship of its governmental institutions and security services. Furthermore, this UN member

state financially and politically supports its citizens, offers them all services they need and grant them facilitations and tax exemptions.

The bill clearly violates the Hague Convention (article 26) and Rome Convention, as the bill is based on confiscating private lands by the occupying state and giving them to its citizens. The bill constitutes also a grave violation of the 1907 Hague Convention, in which article 47 stipulates, "*Pillage is formally forbidden*". Article 55 of the same Convention provides, "*The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct*". Moreover, the Geneva Conventions, including the Fourth Geneva Convention 1949, addressed the confiscation of lands and property belonging to the occupied state citizens, settlement activities and transferring the occupying state citizens to the lands under the control and sovereignty of the occupying forces. Therefore, the aforementioned legislation mounts to a war crime.

Moreover, the UN Charter; the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights guarantee the protection of private property. This legislation goes in violation of the 1948 Universal Declaration of Human Rights and the UN Security Council's resolution stating that settlements have no legal validity and calling upon Israel to cease and dismantle all settlement activities in the oPt.

This bill was issued in coincidence with the unprecedented campaign of forced displacement carried out by Israeli authorities in Jerusalem and Area (C) according to Oslo Accords. According to the Office for the Coordination of Humanitarian Affairs (OCHA), the number of facilities demolished by the Israeli authorities in the first three quarters of 2016 was 885, rendering 1,247 persons homeless. This is considered as the highest number witnessed in the oPt in only one year since 2009, when OCHA started documenting the demolitions.

It is time now for the international community in general, and Western countries in particular, not to only consider settlement activities as an obstacle to peace and a two-State solution, but to also classify settlements as a crime whose perpetrator deserves punishment and prosecution.

**The Palestinian Human Rights Organizations Council (PHROC) strongly condemns this unprecedented legislation and calls upon:**

1. The UN, particularly its Security Council, to issue an immediate resolution to promptly stop this bill and all its consequences;
2. All parties committed to the two-state solution and sponsoring the so-called peace process to protect their decisions and orientations, especially as there is an article in the Roadmap for Peace, to which the Palestinian Party is fully committed, calling for dismantling all settlement outposts. However, the Israeli government has repudiated this commitment for 12 years;
3. The European Union (EU) to stop the EU-Israel Association Agreement and other agreements with Israel and impose sanctions on it;
4. The Arab States League and Arab parties that signed peace agreements with the Israeli government to interfere immediately in order to stop this impudent challenge to the international will and most basic principles of international law;
5. The Palestinian leadership to spare no effort on the international and diplomatic levels, stop all communications with these land grabbers and consider the bill as a decisive step towards terminating all agreements with Israel;
6. All Palestinian parties to end their disputes as after losing homeland, nothing will be left to fight for but crumbles of the international aid and charities. Thus, national consensus and action plan to go through international and local battles is required to save and protect the National Project; and
7. The Palestinian people to activate their popular resistance in order to defend their property and rights, including the right to own property, work, movement and life in dignity. All these rights are guaranteed and it is lawful fight for them to the last breath.