

# Israel & Palestine: a question of viability

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# Introduction

Failure to secure a lasting solution to the conflict between Israel and the Palestinians is causing poverty to deepen, and allowing violence and despair to persist. Poverty in the Occupied Palestinian Territories (OPT) has increased more than threefold since the Oslo peace process began in 1993, while violence on both sides has escalated. Combined with the regional and global implications of this conflict, there is an urgent need to address the situation as a whole – and without delay – if further human misery is to be avoided, and before the rapidly changing facts on the ground preclude any lasting solution.

The international Quartet comprising the United Nations, European Union, USA and Russia, has repeatedly voiced its commitment to a viable Palestinian state but has yet to define what this means. Meanwhile, Israel is imposing de facto changes that erode the very foundations of a viable Palestinian state.

Christian Aid believes the way forward requires a long-term, just and peaceful solution that brings an end to occupation and guarantees viability for both Palestinians and Israelis. This requires a radical shift from the current political stalemate to a position where Palestinians, Israelis and the international community create the political will to take the bold steps necessary to implement such a viable solution.

Christian Aid has consulted with its Palestinian and Israeli partners, as well as other experts from the region and from Europe and the US, to consider what viability means for Palestinians and Israelis. In this document we explore the elements of and process towards a viable solution and bring it to the political debate. We demonstrate how viability is the defining characteristic of a lasting solution to the conflict, and provide a checklist against which any solution can be analysed to answer the question: is it viable?

# Facts on the ground

As many of our Palestinian and Israeli partners have pointed out, facts on the ground are being created that undermine the whole notion of a viable Palestinian state. Their message is urgent: time is running out as land continues to be confiscated, Israeli settlements expand and construction continues on the 703km separation barrier Israel is building throughout the West Bank.

Checkpoints, roadblocks, the separation barrier, earth mounds and a Kafkaesque permit system are the daily reality for Palestinians. The Gaza Strip is largely cut off, while obstacles in the West Bank have created isolated enclaves that sever economic ties, separate communities and deny Palestinians access to some fifty per cent of the land. As the World Bank has identified, the restrictions in the West Bank are primarily aimed at ‘protecting and enhancing the free movement of settlers and physical and economic expansion of the settlements at the expense of the Palestinian population’.<sup>1</sup>

Rania Kutteneh from the Palestinian NGO Network (PNGO) explained how the current lack of contiguity and integrity – or control – in the OPT threatens a Palestinian future: ‘Gaza is separated from the West Bank. The West Bank is separated from Jerusalem.’

Inside the West Bank there are now 75 separate “clusters” where you need to pass through a checkpoint or apply for a permit to get from one cluster to another. All of this, if made permanent, will kill the idea of having one Palestinian society.’

The fundamental meaning of viability is sustainability and growth. For a country to be sustainable it cannot be constrained by restrictions on movement, separation of communities and embedded structures of external control. If international politicians are committed to a viable solution then they must confront the facts on the ground that will otherwise preclude its emergence.

- There are 418,305 Israeli settlers living in more than 200 settlements and unrecognised ‘outposts’ in the West Bank and East Jerusalem. These settlements are built illegally on occupied land, and are connected by Israeli-only by-pass roads that further slice up the West Bank and separate Palestinian areas.<sup>2</sup>
- 74.6 per cent of the total projected length of Israel’s separation barrier is inside West Bank territory. This has created a ‘seam zone’ – closed areas between the barrier and the Green Line that, once completed, will trap 49,400 people.<sup>4</sup>
- At least 65 per cent of Palestinians are living below the poverty line in 2007, compared to 54 per cent in 2005 and 20 per cent in 1998.<sup>5</sup>
- 78.2 per cent of the population in the Gaza Strip is currently without an income.<sup>6</sup>
- Movement within – and in and out of – the West Bank is controlled by 540 Israeli checkpoints, roadblocks, earth mounds and gates, plus an average 100 ‘flying checkpoints’ on Palestinian roads every week.<sup>3</sup>



The barrier dividing the refugee camps of Anata and Shu’afat (left) from East Jerusalem, but incorporating the illegal settlement of Pisgat Ze’ev (right) into Jerusalem’s boundaries



# The need for a different political engagement

The Oslo Accords placed the two-state solution on the negotiating table, but the prospects are steadily diminishing as facts on the ground continue to undermine this solution. The ‘road map’ to peace proposed a viable Palestinian state as its final destination, yet even the promise of such a state remains elusive – let alone anything approaching viable. What constituted a viable Palestinian state was never defined.

Christian Aid believes that continued failure to address viability will condemn further generations of Palestinians and Israelis to lives dominated by insecurity and uncertainty, and the current disastrous spiral of poverty and conflict will continue.

There is a need for a very different political engagement than that experienced up to now. Facts on the ground have been allowed to change diminishing prospects for future viability, while aid efforts by international donors have served to sustain the causes of poverty rather than tackle them. There has been an inadequate political response to the conflict, one that has not, so far, demonstrated the strength, coherency or impartiality to end the occupation and establish a just peace.

Viability offers a way to put peace into practice. It provides the political horizon that will generate confidence in peace. Viability guarantees both the Israeli and Palestinian people that their rights will be met. For Palestinians and Israelis this means an end to violence and insecurity. It means an end to occupation that systematically violates Palestinian rights at the same time as burdening the Israeli economy and perpetuating insecurity for civilians on both sides. It means tackling the fundamental and difficult issues that form the crux of the conflict – and having the strength and courage to do so.

## Aid is not the solution

When peace processes stutter to a halt, it is ordinary people who pay the price. In the case of Palestinians and Israelis, it is often with their lives.

For Palestinians living under military occupation, the burden is made greater by unprecedented levels of poverty, restrictions on freedom of movement and daily violations of human rights. For Israelis, their economy is hampered by the high cost of settlement construction and incentives to settlers combined with the military costs of securing them.

Taxpayers worldwide are also paying for the occupation. The international aid that props up the occupation and provides humanitarian relief for those Palestinians steadily sinking below the poverty line is a huge burden on taxpayers in the EU, US and all other donor countries, including those of the Middle East itself.

Palestinians are now the highest per capita aid recipients in the world. Since the beginning of the Oslo peace process in 1993, the international community has provided some US\$10 billion in aid, including more than £380 million from the UK government. Donor contributions have doubled since 2000, and increased again by almost a third in 2006.<sup>7</sup> Yet Palestinian poverty levels continue to rise: from 20 per cent in 1998 to a staggering 65 per cent today – and much of that increase has happened in the past two years. The number of people living in deep poverty – defined as an inability to meet basic human consumption needs – soared by 64 per cent during the first half of 2006.<sup>8</sup>

More aid is going to the Occupied Palestinian Territories than ever before, and yet the political and humanitarian situation continues to worsen. There are a number of contributory reasons for this and taxpayers have a right to know what they are.

## Why poverty is rising

Increasing poverty is directly attributable to the occupation and the prolonging of the conflict between Israel and the Palestinians. Through land confiscation for settlement expansion, unilateral actions and discriminatory policies, the Israeli occupation has undermined Palestinian development and led to the impoverishment of the population. Restrictions on movement, together with a lack of access to land and services, have created a patchwork of Palestinian communities that are dependent on international aid and isolated both from the outside world and each other.

Under such conditions, the process of establishing effective government structures has faced major challenges, but corruption and a lack of accountability within the Palestinian Authority have compounded impoverishment.

Since the election of the Hamas government in January 2006, political and economic isolation of the Palestinian Authority including Israel’s withholding of tax revenues,

**‘Gaza is a prison; there is no other way to describe it. 1.4 million people are trapped in Gaza and the result is violence.’**

Naila Ayash, the Woman’s Affairs Centre

together with further restrictions on movement and frequent Israeli incursions, have led to an unprecedented humanitarian crisis in the West Bank and Gaza Strip. Starved of funds and functioning under siege-like conditions, the Palestinian Authority has been brought to the edge of collapse. Poverty rates have soared while public health has deteriorated and one third of the population are food insecure.<sup>9</sup> In Gaza, almost 80 per cent of the population is now without an income and the internal security situation is worsening.<sup>10</sup>

What cannot be ignored is that current levels of poverty are unsustainable, violence is spiralling, and merely increasing aid is not having the desired impact. Why has the international community,

or perhaps more pertinently, why have taxpayers throughout the EU, US and beyond, been prepared to pour endless amounts of aid and loans into an untenable situation? As our partners keep telling us, aid is not the answer – there has to be a lasting political solution before we can hope to eradicate poverty.

Christian Aid believes it is unacceptable that, while the European taxpayer continues to bear the increasing costs of alleviating humanitarian suffering, the EU – the largest donor to the Palestinians and one of Israel’s largest trading partners – maintains a position of limited engagement. It should work to bring the parties together in search of a viable solution, and support its implementation.



Scavenging for plastic bottles to resell at a rubbish dump in the northern Gaza Strip



‘It is not in Israel’s interest to have a failed state on its border. There is a false sense of security – an attitude that “we have all the time in the world.” But we don’t.’

Jessica Montell of B’Tselem, the Israeli Information Center for Human Rights in the Occupied Territories

# What viability means

Viability encompasses the social, economic, political and territorial rights and responsibilities a country needs to respect, and have respected, in order to function as an independent and prosperous entity. There are two sets of requirements to reach a viable solution for Israel and the Occupied Palestinian Territories:

1. The essential constituent parts of a viable solution – ie what that solution must include to be viable. Without any one of these essential elements, the solution will fail to be viable, thereby making a lasting and just peace unattainable.
2. The process through which the solution is implemented must contain specific characteristics to ensure viability.

## 1. The essential elements of viability

### ➡ End occupation

An end to occupation is the bedrock of a viable solution. No solution will be viable while the Palestinians remain under the occupation and control of Israel. The occupation will end when all forms of external control over people, land and resources have been removed and Palestinians can fully exercise their right to self-determination.

From direct military presence and illegal settlement of occupied land, to movement restrictions and imposed separation of communities, all aspects of the Israeli occupation must end in order for Palestinians to be in a position to meet the responsibilities demanded of them. Only then can the rights of Palestinians be protected and will Palestinians be able to establish meaningful control over their lives, economy and resources.

It must also be recognised that occupation is an impediment to the viability of Israel. A number of Israeli organisations, including some of our partners, contend that occupation damages the fabric of Israeli society. In order to facilitate Israel’s occupation a militarised society has been created which can only be sustained at considerable human and economic cost. Despite a competitive economy and living standards similar to that of Europe, Israel is the largest beneficiary of US aid and largely dependent on US support, particularly for military assistance, that enables it to sustain its control over the OPT.

### ➡ Self-determination and sovereignty

In essence, self-determination and sovereignty are the opposite of occupation. The key aspects of self-determination under international law are the exercise of free political will and freedom from external control. For a solution to be viable it must entail effective sovereign control over a defined territorial unit, as well as control of borders, internal movement, airspace, natural resources and territorial waters.

While Israel is a sovereign state and exercises sovereignty, this right must also be afforded to Palestinians. The Palestinians as a people have the right to self-determination and political freedom. This includes the Palestinian refugees. As an integral part of the Palestinian people, it is essential to recognise the status and rights of Palestinian refugees within a viable solution, and their right to participation in the political process.



Children in the West Bank wait for the gates in the barrier to be opened so they can get to school

The creation of the state of Israel in 1948 led to the displacement of Palestinians throughout the Middle East. The number of registered Palestinian refugees has

grown from 914,000 in 1950 to more than 4.3 million today. One-third of Palestinian refugees, about 1.3 million, still live in refugee camps.<sup>11</sup>

In 2006, 678 Palestinians including 127 children, as well as 25 Israelis, including two children were killed.<sup>12</sup>

## ‘Viability is the opposite of others contolling you’

Majeda al Saqqa of the Culture and Free Thought Association, Gaza

### ➡ Effective governance

Effective governance is not possible without sovereignty and self-determination, and it also requires a coherent and effective political system. A government must have control over the collection and use of its own financial resources, and be accountable to its citizens. This requires transparent systems for resource allocation, as well as mechanisms through which citizens can hold the government to account, including both political representation and an effective civil society.

The absence of good Palestinian governance, albeit under the constraints of Israeli occupation, has contributed to the impoverishment of Palestinians and damaged political credibility and confidence. Just as the Israeli government must be held to account for its actions, so too should the Palestinian government. To be viable, a solution must guarantee the rights of citizens to participate.

### ➡ Protection of human rights

Human rights are universal and must form the basis for a viable solution. A solution that fails to provide for the protection of the rights of all citizens – both Israeli and Palestinian – will not be viable and will simply perpetuate the status quo.

A viable solution must enable the existence of mechanisms to protect human rights: the rule of law; a functioning state apparatus; and a political system that enables the state to be held to account by its citizens.

### ➡ Security for all

Security is a legitimate right for Israelis and Palestinians and must be recognised and guaranteed as part of a viable solution. The security of one is indivisible from the security of the other, and both depend on eliminating the root causes of the conflict. Thus, for security to be guaranteed, a viable solution must end the spiral of violence and disregard for human rights that threaten Israel and the OPT today.

Personal, national, economic and internal security are fundamentally interconnected. For Palestinians living under occupation, most aspects of their lives are characterised by insecurity: military presence and attacks; extra-judicial assassinations; confiscation of land; restrictions on movement; demolition of homes; detention without trial; lack of drinking water; unemployment; and barriers to healthcare

and education. At the same time, internal lawlessness and instability are reaching unprecedented levels. For Israelis, the constant threat of indiscriminate attacks from suicide bombs, home-made rockets or other militant action contributes to their insecurity. The refusal of some on both sides to accept the legitimate existence of the other further fuels this pervasive sense of insecurity.

A viable solution must incorporate measures that promote the rule of law and provide for a proper functioning state apparatus that includes appropriate security forces under an accountable command.

### ➡ Freedom of movement

Freedom of movement is a basic human right. It is essential for people to function as a family, for children to attend school, for the sick to get healthcare, for people to worship freely, for farmers to cultivate their land and workers to reach their jobs. It is also critical for the promotion of trade and economic development, and for the government to run effective state structures and services.

The checkpoints, road blocks, permit system and separation barrier all contribute to the violations of the right to freedom of movement, and their continued existence in the Occupied Palestinian Territories undermines viability. As long as Palestinians are prevented from entering East Jerusalem and have no free movement between the West Bank and Gaza Strip, economic and political viability will remain impossible.



A watchtower in the barrier between Qalandiya and East Jerusalem

‘The barrier cuts East Jerusalem off from the rest of the West Bank, obstructing access to the city’s hospitals and other services, separating families and disrupting normal social life.’<sup>13</sup>

B’Tselem, a Christian Aid partner and Israeli human rights organisation

► **Ensure legitimate control of natural resources**

Natural resources are vital for the sustained development and growth of any society, and should be controlled by a sovereign power for the benefit of the whole population, without discrimination. Land rights, water rights, mineral rights and marine rights are all critical aspects of viability. The management of resources that transcend geographic boundaries is best served by regional agreements.

Land and water are particularly significant for Israeli and Palestinian viability. The construction and expansion of Israeli settlements and the fragmentation of land by roads that serve the settlements continue to undermine the prospects for future viability by threatening territorial contiguity. The restrictions imposed by Israel on access to water are a significant limitation to Palestinian development, both in terms of agriculture and industrial growth.

Ultimately there needs to be a wider regional approach to negotiate not only the distribution of water resources but also their preservation for future generations, particularly given predictions for falling rainfall as a result of climate change. But this can only occur once legitimate control of resources is established.

In 1967 Israel restricted Palestinian access to water, forbidding the installation of new water systems without a licence issued by the military commander<sup>14</sup> and declaring all water sources ‘state property’.<sup>15</sup>

Three million Palestinians in the OPT are allowed to use 250 million cubic metres – for both domestic and agricultural use. They receive between 57 and

76 litres per person a day, one quarter of the amount enjoyed by Israelis. Nearly 6 million Israelis enjoy nearly 2 billion cubic metres per capita per year – an average of 282 litres per day per person.<sup>16</sup>

The World Health Organization’s recognised minimum domestic consumption for an individual is 100 litres per day.

► **Create conditions for economic growth and prosperity**

Without economic viability, poverty will continue to worsen and humanitarian crises and aid dependency will prevail. Economic growth and prosperity require the right to move freely to trade and pursue employment; the right to access resources such as land and labour; and being able to trade across borders. To support economic development, the government must be able to generate its own resources through tax and customs revenues and set policies for allocating those resources.

This highlights the need to address the concept of viability holistically. Hazem Al Namla of the Palestinian NGO Network explains: ‘It is important not to disconnect these issues; you can’t have a viable economy without control over borders, control over resources, freedom of movement and so on. If you take each one separately it can lead you to a perverse logic for the solution. Like looking at Gaza and saying it is not economically viable so let’s build industrial zones on the edge of Rafah under foreign control. It is not giving us the right to build our own economy – the only thing we will be is labour’.

Failure to address economic viability will perpetuate the Palestinians’ dependency on international aid and continue to undermine its political viability. It will also perpetuate the burden that occupation places on the Israeli economy and its need for US aid.



A young boy selling his father's cauliflowers in Gaza City

‘We have no direct access to external markets. Currently, around 80 per cent of agricultural produce is sold locally at very low prices, and around 20 per cent is exported, but through Israeli companies. Mostly these go with a ‘Made in Israel’ label to countries in Europe, and the USA. For the Palestinian economy to benefit from exports we need to have direct access to the outside world.’

Ahmed Sourani, Palestinian Agricultural Relief Committees (PARC)

**2. A viable process**

For a solution to be viable it must demonstrate a clear vision for dealing with all essential elements, and tackle the root causes of the conflict. The process for achieving a viable solution needs to be:

► **Guided by international law**

International humanitarian law places obligations on parties to the Palestinian-Israeli conflict and helps determine the framework within which negotiations should occur. Therefore it follows that the process of negotiating a viable solution must be guided by international law.

The dangers of embarking on a process that is not guided by international law are clear. In 2005, Israel’s unilateral disengagement from the Gaza Strip did not end the occupation or provide the means for economic and political viability. This has served to perpetuate the poverty and isolation of Palestinians in Gaza, leading to an escalation of internal violence.

The advisory opinion of the International Court of Justice on the legal consequences of the construction of the separation barrier upheld the applicability of the Fourth Geneva Convention and human rights treaties in the case of the Occupied Palestinian Territories, highlighting the obligations of the High Contracting Parties to ensure their implementation. This reaffirms the obligations of the international community to engage in a process that defines and implements a viable solution.

► **Impartial**

Any approach must be, and be seen to be, impartial. Reassurance that any proposal is neither pro- nor anti-Israeli or Palestinian is essential in order to deliver justice with credibility. An approach which has human rights at its core promotes equality, and creates a structure and language that can overcome existing power inequalities and entrenched prejudices.

Impartiality implies a freely negotiated solution. Unilateral moves may bring results at a certain level but they fail to take into account the totality of the needs and rights of both Israelis and Palestinians. Meaningful dialogue and negotiations can only take place when there is equality between the partners. Under occupation, Israel is the dominant partner and continues to exert control over the Palestinians. To come to the negotiating table as equals requires the end of occupation or, at least, an honest broker that holds the trust of each party and can ensure an impartial approach.

► **An end to impunity**

Impunity undermines the rule of law, without which no solution can be viable. The Quartet powers, including the European Union, rightly condemn any violence as counterproductive to peace. They correctly call upon the Palestinian Authority to do everything within its power to confront militant groups and bring about an end to attacks on Israel. However, Israel is rarely held to account for its military actions that cause civilian deaths. Israel continues to expand settlements, impose closure and build the separation barrier on Palestinian land with impunity, thus threatening a population already struggling to cope with extreme poverty and unemployment.

A viable process must hold both sides to account for any breaches in human rights law and international law, to build the necessary trust that enables both parties to engage and a settlement to hold.



‘We, Palestinians and Israelis, are two peoples living in direct contact – we need to have a relationship. Other scenarios are recipes for continued conflict.’

Hamdi Shaqqura of the Palestinian Center for Human Rights in Gaza

## Conclusion

The Palestinian and Israeli public yearn for peace and security. However, they are currently confronted by a political stalemate that makes the search for peace elusive. Responsibility ultimately lies with the Israelis and Palestinians to negotiate a viable solution. But the international community also has a role to play in creating the conditions that will bring both parties to the negotiating table and help broker a viable solution.

Many of our partners define viability as ‘living a normal life’. Hamdi Shaqqura of the Palestinian Center for Human Rights in Gaza asked: ‘How can Gaza be a normal place, how can we live a normal life here? There has to be free movement between Gaza and the West Bank, and open access to the outside world.’

If the international community does not act immediately, the opportunity will be lost and the Quartet’s vision of a viable Palestinian state will never come about. Israeli and Palestinian societies will continue to feel a threat to their existence. Palestinian poverty will continue to deepen. Both communities will be condemned to more years of violence and misery.

There is a moral, humanitarian and legal imperative for all parties concerned to summon the political will to tackle this stalemate, and take the bold steps necessary to implement a viable solution.

## Endnotes

- 1 World Bank, *Movement and Access Restrictions in the West Bank: Uncertainty and Inefficiency in the Palestinian Economy*, 9 May 2007.
- 2 B’Tselem, ‘Population by year in West Bank settlements’, [www.btselem.org](http://www.btselem.org). Harel, Amos, ‘Settlements grow on Arab land despite promises made to US’, Ha’aretz, 24 October 2006.
- 3 UN Office for the Coordination of Humanitarian Affairs, ‘OCHA Closure update’, April 2007.
- 4 UN Office for the Coordination of Humanitarian Affairs, ‘The West Bank Barrier’, [www.ochaopt.org](http://www.ochaopt.org).
- 5 ‘World Bank sees worst year for Palestinian economy’,

Reliefweb, 14 September 2006, [www.reliefweb.int](http://www.reliefweb.int).  
6 UNRWA, *Prolonged crisis in the OPT: Recent Socio-economic Impacts*, November 2006.  
7 Samhuri, Mohammad, ‘Looking Beyond the Numbers: The Palestinian Socioeconomic Crisis of 2006’, Middle East Brief, February 2007, No. 16, Brandeis University Crown Center for Middle East Studies. The international community doubled its financial support to the PA, from an average of US\$500 million a year in the 1990s to about US\$1 billion annually after the year 2000, with disbursement in 2005 amounting to US\$1.3 billion.

## Checklist for viability

### Essential elements for viability are:

- ➡ an end to occupation: the bedrock of viability
- ➡ self-determination and sovereignty: exercise free political will and be free from external control
- ➡ effective governance: a coherent political system and government control over the collection and use of financial resources
- ➡ protection of rights: for Palestinians and Israelis
- ➡ security for all: the security of Israelis is indivisible from that of Palestinians
- ➡ freedom of movement: between and within the West Bank and Gaza Strip
- ➡ control over natural resources: land, water, minerals, sea – for the benefit of the whole population
- ➡ economic growth and prosperity: an end to aid dependency.

### The process towards viability must be:

- ➡ guided by international law
- ➡ impartial
- ➡ and must hold both sides to account, bringing an end to impunity.

‘Israel sold the story of disengagement as an end to occupation; we made the mistake of celebrating it as a liberation. The fact is that Gaza is a huge prison. Gaza alone without the West Bank cannot survive – it needs free borders and access; 1.4 million people cut off with little trade or water, it’s impossible.’

Dr Jihad Mashal of the Palestinian Medical Relief Society

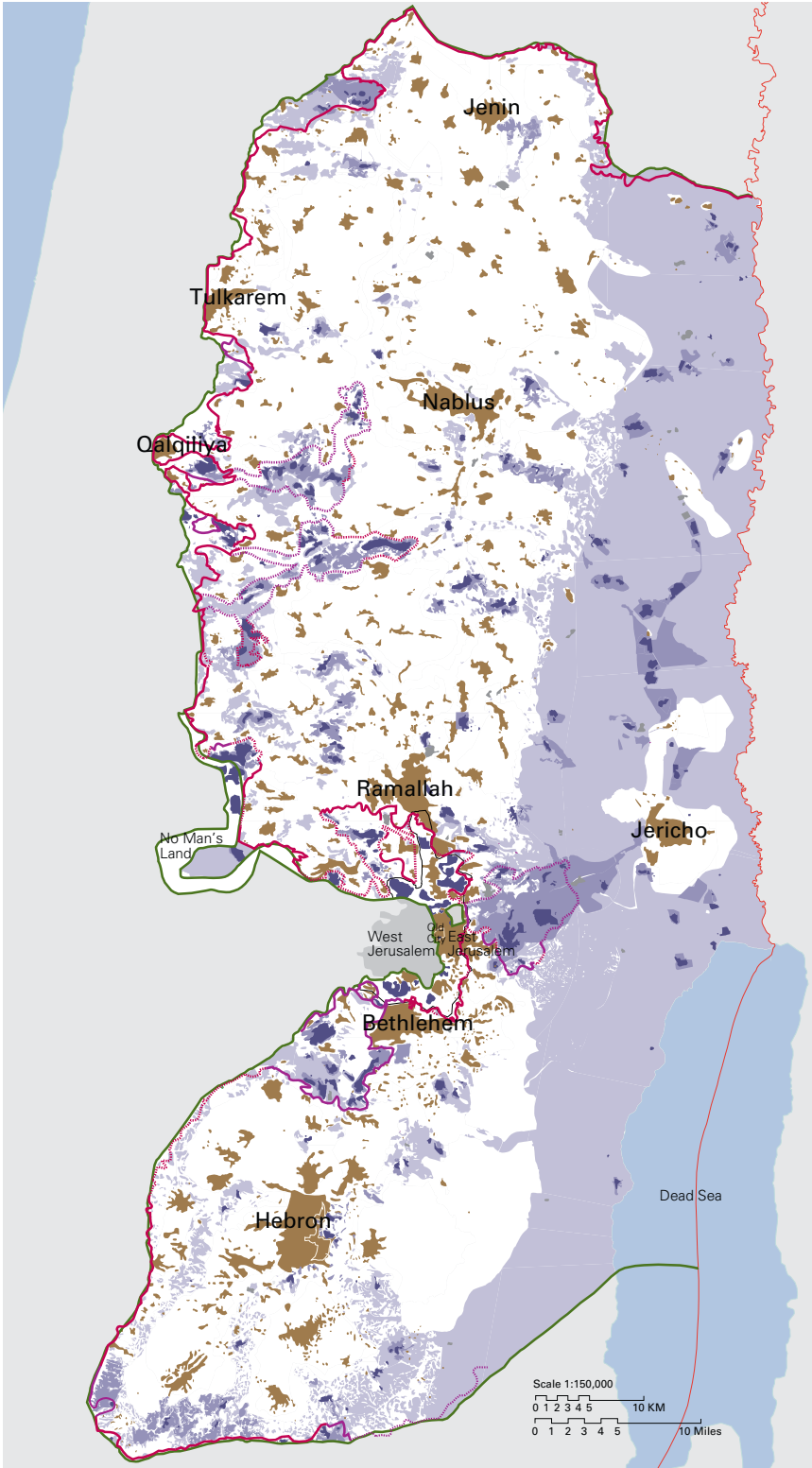
### Key to map

- Completed route
- ⋯ Barrier under construction
- Approved barrier route
- ⋯ Route requiring further approval
- Green Line (Armistice Line)
- Jerusalem municipal boundaries
- Israeli settlement
- Area within municipal boundary of Israeli settlement
- Jurisdiction of Regional Council of Israeli settlement
- Palestinian built-up area
- Military base

Map: Courtesy of B’Tselem, September 2006



### The West Bank



Christian Aid currently works in around 50 countries. In Israel and the Occupied Palestinian Territories we support 25 Israeli and Palestinian organisations, helping them to challenge the structural causes of poverty and rights violations. We aim to reach the most marginalised communities in the region, wherever the need is greatest – irrespective of religion or race.

Front cover: A woman waits at a checkpoint between the neighbourhood of Sheikh Sa'ad and East Jerusalem. The route of the barrier will seal Sheikh Sa'ad's isolation from Jerusalem.

Front cover photo: Christian Aid/Sarah Malian

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