

Losing ground: Protection and livelihoods in the Occupied Palestinian Territory

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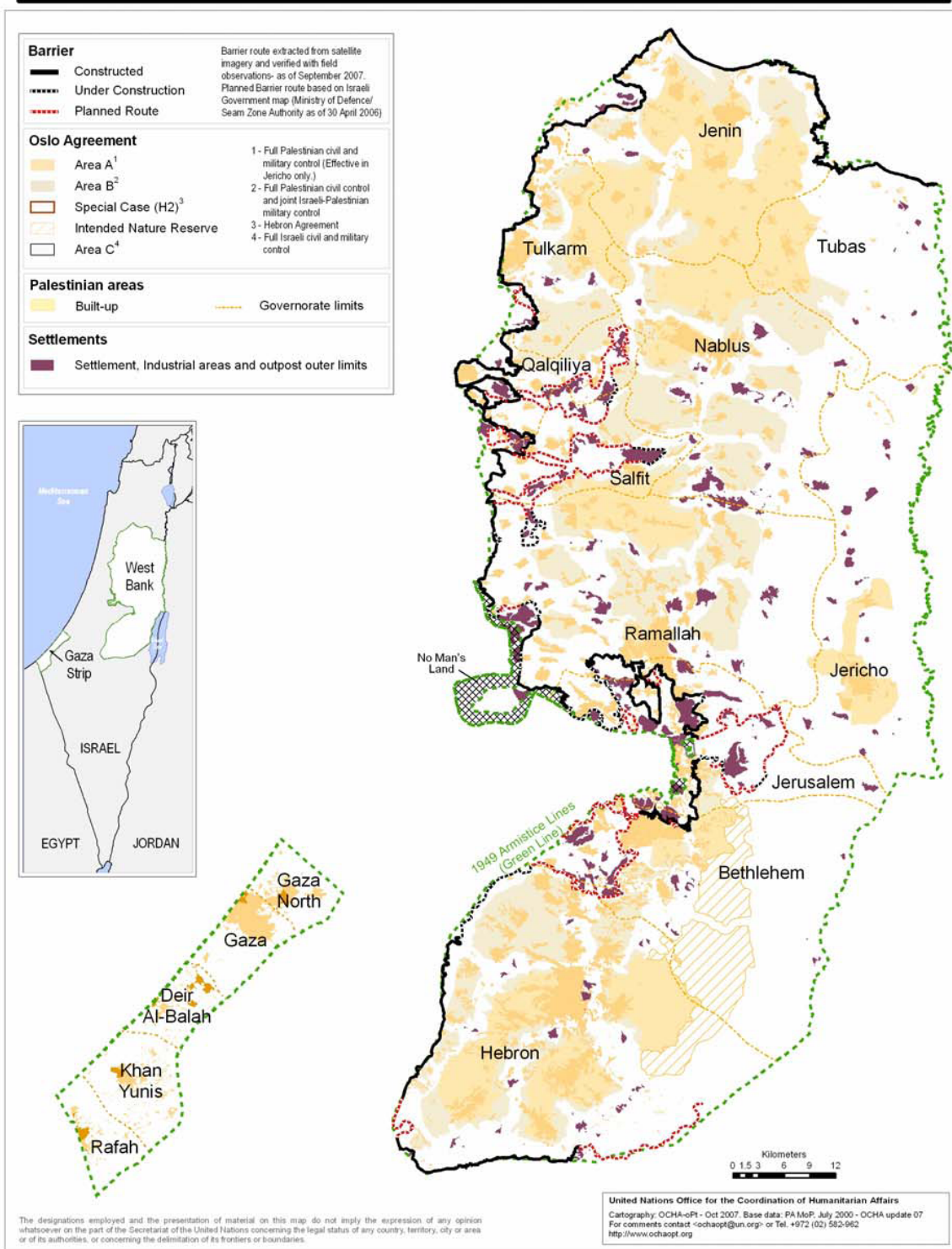
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Figure 1: Map of the oPt



Source: ReliefWeb (<http://www.reliefweb.int>)

Acronyms

AMA	Agreement on Movement and Access
DCL	District Civilian Liaison
DCO	District Coordinating Office
GOI	Government of Israel
HPCR	Harvard Program on Humanitarian Policy and Conflict Research
ICRC	International Committee of the Red Cross
IDF	Israeli Defense Forces
IHL	International Humanitarian Law
NIS	New Israeli Shekel (approximately 0.25 USD)
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
OPT	Occupied Palestinian Territory
PA	Palestinian Authority
PLO	Palestine Liberation Organisation
SSA	special security area
UNHCR	UN High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

Executive Summary

The occupation of Palestine and the conflict and violence that have attended it has had devastating implications for protection and livelihoods in the West Bank and Gaza. A series of measures have combined to create ‘a crisis of human dignity where the entire population is denied basic rights’ (CAP, 2009). This Working Paper analyses the relationship between protection and livelihoods in the oPt. It explores how threats to people’s protection are linked to their livelihoods, the impact of these threats on particular groups in the West Bank and Gaza and the strategies they employ in response. The study analyses the efforts of humanitarian organisations to link protection and livelihoods in their work, with recommendations on how this work could be expanded in the oPt and elsewhere.

Freedom of movement, land and property rights and physical safety in the oPt

Freedom of movement within the oPt and between it and the outside world has been severely curtailed by a number of Israeli policies, including the blockade of Gaza and a sophisticated ‘closure regime’ in the West Bank, which regulates Palestinian movement through a system of physical barriers, permits, military zones and nature reserves. The most striking physical restriction on movement is the so-called ‘Barrier’, a 10m-high wall and fence designed to protect Israeli civilians from Palestinian militant attacks. The current routing of the Barrier, declared illegal by the International Court of Justice where it deviates into the West Bank, has resulted in loss of access to 10% of West Bank territory, cutting off approximately 10,000 Palestinians (OCHA and UNRWA, 2008). By limiting access to Israel, the Barrier severely restricts employment for Palestinians in Israel and hampers trade and commerce by increasing transport costs and reducing access to international markets.

Land and property rights in the West Bank have been affected by a series of Israeli policies and laws, and a third of the West Bank land is reserved by the Israeli government for a number of purposes, including the establishment of settlements. Illegal under international law, settlements have not only resulted in the seizure of large tracts of Palestinian land but Israeli support to their establishment and continuation is considered a major obstacle to peace in the oPt. In

the agriculturally-rich Area C, which is under Israeli government control, any development, construction or building is subject to Israeli permission. Difficulties in obtaining permits cause many to build illegally but any illegal construction may be demolished. This includes permanent structures such as housing (even extensions to existing houses), water points, irrigation, roads and animal shelters.

Restrictions on freedom of movement and land rights are compounded by military activity by the Israeli Defence Force (IDF) and settler violence in the West Bank, as well as violence stemming from the conflict between Hamas and Israel in Gaza. Tensions between Fatah and Hamas only increase the risks facing Palestinian civilians, further undermining livelihoods. From the perspective of a large range of respected Palestinian, Israeli and international human rights and humanitarian organisations, the correct balance has not been struck between Israel’s security concerns and the protection of the rights and lives of Palestinians living under occupation.

The impact on protection and livelihoods in the West Bank

The study examined the protection and livelihood threats facing four distinct groups: people living in the H2 area of Hebron; farmers in the northern West Bank; Bedouin in the southern West Bank; and refugees living in Far’a and Arroub camps. This work clearly shows how rights violations have decimated livelihoods.

Aside from East Jerusalem, the Old City of Hebron is the only Palestinian city with an Israeli settlement in its midst. Interviews with Palestinian residents demonstrate how a combination of physical violence at the hands of Israeli settlers and the IDF, as well as systematic restrictions on freedom of movement, have drastically reduced livelihood opportunities in what was once a vibrant market city. Men spoke of turning down work in order to stay at home to protect their families and property.

Farmers living in the Biddu area of the northern West Bank had been shut off from their lands on the other side of the Barrier for three months at the time of the research. Access to land has been irregular and intermittent since the Barrier was

completed in 2006, and is usually restricted to landowners and one or two family members. Movement of agricultural inputs and machinery is also restricted, and crops needing regular tending cannot be grown. Production has been reduced, and even when there is a surplus to sell the closure regime makes it difficult to transport produce to markets. Having to ask for permission to farm their own land, and frequent harassment at Barrier gates, also represent threats to farmers' dignity. While some communities have tried to take legal action to challenge the routing of the Barrier, these efforts have had only limited success.

Bedouins – semi-nomadic people who traditionally rely on herding and farming as their main sources of livelihood – settled in southern areas of the West Bank in 1948. They too have seen their freedom of movement progressively restricted. Drought further threatens the viability of pastoralist livelihoods. Many Bedouin are so heavily indebted that they are abandoning their way of life.

For refugees living in Far'a and Arroub, the economic decline in the oPt, combined with movement restrictions and threats to safety and dignity, is having a serious impact on lives and livelihoods. Difficulties in travelling within the West Bank and between the West Bank and Israel restrict work opportunities for a population traditionally dependent on manual labour. Some find work illegally in Israel, but face difficult working conditions and arrest and fines if caught. Frequent incursions into camps by the IDF lead to injuries and detentions and cause high levels of psychological distress.

The impact on protection and livelihoods in Gaza

An almost total blockade was imposed on Gaza following its takeover by Hamas in 2006. The blockade has devastated the economy, disrupting markets and distorting prices, and has led to a serious degradation in the infrastructure and basic services. Conditions within the Gaza Strip are desperate: 48% of Gazans are unemployed, 80% live in poverty and the great majority depend on aid. Gazans are effectively trapped inside the Strip. With the exception of patients in need of lifesaving treatment, crossing points have largely been closed since June 2007. Farmers living near the border fence surrounding Gaza have seen their greenhouses, orchards and fields destroyed, and access curtailed. Farmers attempting to reach their lands risk being shot at by Israeli soldiers

(B'Tselem, 2002b). Access to the sea for Gazan fishermen is also restricted. The fishing limit of 20 nautical miles off the Gaza coastline agreed in 1994 has been reduced to 12 miles, and in some areas to between three and six miles.

The disastrous effects of these restrictions on movement and access are compounded by bouts of violence stemming from the conflict between Hamas and Israel. Operation Cast Lead, launched by Israel in December 2008, resulted in the deaths of 1,450 people; a further 5,400 were injured and over 50,000 displaced. There were widespread allegations of war crimes on both sides. Meanwhile, ongoing tensions between Fatah and Hamas reinforce the risks facing ordinary civilians.

Current efforts to link protection and livelihoods

Agencies including the ICRC, Save the Children UK, UNRWA and Oxfam, in partnership with local organisations, have sought to link protection and livelihoods in their work. Protection activities such as monitoring and documenting rights violations and advocacy are linked with livelihoods support activities to address consequences of rights violations. Farmers affected by access constraints are a key target group. UNRWA and OCHA liaise with the Israeli authorities to agree predictable opening times for farmers and communities, and then monitor the opening times to ensure adherence, sometimes using agricultural calendars to show the need for continuous access. Livelihoods support activities include cash for work, the provision of basic inputs such as seeds and tools, water projects such as the renovation of water systems, support to cooperatives and training in improved production practices. Complementary policy and advocacy initiatives include research and advocacy on the impact of the Barrier; 'buy-local' campaigns to stimulate markets; fair trade programmes; and advocacy to ensure that products from settlements in the West Bank are clearly labelled. Whilst the effects of this work are often localised and time-bound, farmers regarded these efforts as critical to their ability to maintain their livelihoods and stay on their land. In Hebron, communities also indicated that the presence and assistance of humanitarian organisations helped reduce some of the threats they faced.

Conclusion

The research for this paper confirms the interconnection between threats to protection and livelihoods. It highlights how communities

balance risks to their lives and livelihoods in their response strategies and making the case for greater linkages between livelihoods and protection programming and advocacy. The impact of efforts to integrate protection and livelihoods in the oPt shows the viability of this approach, both here and in other contexts where protection and livelihoods are closely linked.

Better integration of protection and livelihoods will not fundamentally affect the overall pattern of Palestinian life, but it does allow the humanitarian community to engage on the basis of both principle and pragmatism, ensuring that livelihoods responses (and humanitarian action more generally) are framed with questions of responsibility and accountability in mind. It allows agencies to operate at multiple levels: addressing violations that affect the livelihoods of the population as a whole through advocacy; taking specific measures that impact on community or individual livelihoods and protection; and responding to the consequences of violations through direct assistance. It also expands the nature of the response, from efforts merely to address the consequences of threats to attempts to prevent threats from occurring or recurring. Integrating protection and livelihoods provides a more holistic understanding of the causes of vulnerability, enabling more appropriate and effective responses. Finally, incorporating greater livelihoods assistance into humanitarian response supports, not only people's livelihoods, but also their protection and their dignity.

Approaches in the oPt and in other contexts can be improved by better and more proactive efforts to ensure that analysis and assessments take account of the causes, as well as the

consequences, of protection and livelihoods concerns. The strong focus on protection in the oPt is clearly reflected in inter-agency planning and appeals documents such as the Common Appeals Processes. However, agencies could do more to better integrate protection and livelihoods in their assessments by focusing on the causes and consequences of protection and livelihoods threats facing different groups. The most effective approaches are based on strategies by agencies or a group of agencies to address both the causes and consequences of risks to people's lives and livelihoods. Work by individual agencies to integrate protection and livelihoods should be supported, as should inter-agency coordination mechanisms such as the Displacement Working Group. Although there are signs that the Protection Working Group has become more active and influential, particularly in response to the conflict in Gaza, protection agencies readily admit that there is little coordination between this group and other sectors.

A more concerted integration of protection and livelihoods in the oPt requires longer-term funding to support interventions that move beyond emergency relief to tackle the underlying policies and practices creating humanitarian needs. Donors must recognise that, in substituting for the responsibilities of Israel as the occupying power, they have an obligation to become more active partners in challenging violations of IHL, as well as current restrictions on assistance. Greater engagement with the Palestinian Authority by donors and agencies alike is required to ensure that efforts by humanitarian organisations are linked to broader development approaches, so that development activities also benefit the most vulnerable.

1. Introduction and Methodology

This Working Paper is part of a study on 'Livelihoods and Protection in Conflict' by the Humanitarian Policy Group (HPG) at the Overseas Development Institute (ODI). The aim of the research is to understand how greater complementarity between protection and livelihoods approaches might strengthen analysis and intervention in order to reduce the risks facing conflict-affected populations. It highlights the causes and consequences of different protection threats on people's livelihoods and draws on analysis of responses of those at risk in order to provide recommendations for humanitarian programming, with a view to achieving maximum impact on both protection and livelihoods.

This study is based on independent HPG research into the threats to protection and livelihoods affecting people in the occupied Palestinian territory (oPt). While the research includes analysis on both the West Bank and Gaza, the situation in the West Bank is a particular focus. The West Bank is more stable, allowing for a greater level of livelihoods work by humanitarian actors, and access difficulties in Gaza meant that the West Bank offered greater predictability.

The report begins in Chapter 2 with a brief background on the history of conflict in the oPt and a discussion of its consequences in terms of protection and assistance for Palestinians. Chapter 3 provides an overview of key issues affecting people's physical safety, freedom of movement and access to land and property in the West Bank and Gaza. Issues include: the legal framework governing the oPt; protection of refugees and displaced populations; military laws and detentions; threats from Palestinian violence; settlements and settler violence; land and property rights; and movement and closure restrictions. The implications of these different issues for people's protection and livelihoods are the focus of four case studies in the West Bank, featured in Chapter 4 and a further case study on Gaza discussed in Chapter 5. Drawing on field research, these chapters highlight the strong interconnection between protection and livelihoods threats in the oPt. They present an overview of the key threats facing different communities, the implications of these threats for their protection and livelihoods, and the strategies that they employ to manage their situation. Chapter 6 discusses the work of different

humanitarian agencies undertaking protection and livelihoods programming in the oPt. This includes an introduction to humanitarian programming, as well as protection and livelihoods approaches, in this context. The next part of the analysis describes efforts by different agencies to link protection and livelihoods in their work, including joint programming, as well as livelihoods interventions with protection benefits (and vice versa). This chapter indicates how communities report that joint protection and livelihoods interventions are most effective in addressing some of key issues they face. Chapter 7 concludes the report.

1.1 Methodology

This study builds on an HPG Working Paper published in 2007, which drew on secondary literature and interviews with practitioners to examine efforts by humanitarian agencies to link livelihoods and protection in analysis and action. Additional field research was undertaken in 2008 in Darfur, Chechnya and Sri Lanka, as part of a global review of the work of the Danish Refugee Council on protection and livelihoods. These papers can be found on HPG's website at http://www.odi.org.uk/HPG/protection_livelihoods.html.

Data for the research in oPt came from four sources: individual interviews, focus group discussions, field site visits and a review of the literature on the livelihoods of particular groups. Primary data collection included extensive in-depth qualitative interviews with the following groups: farmers directly affected by the Barrier; communities in the H2 area of Hebron; Bedouin communities in Hebron governorate; and refugees in two camps. The interviews focused on threats to physical safety, freedom of movement and access to land and property as these were protection threats which have direct implications for people's livelihoods. Research in Gaza was unfortunately limited to three days of discussion with communities and key informants in Beit Hanoun, Beit Lahiya and Al Zaytoon. Key informant interviews with Palestinian, Israeli and international agencies in the oPt and at headquarters complemented these discussions.

The terminology used in this report follows that of the United Nations. The occupied Palestinian

territory (oPt) refers to the West Bank, the Gaza Strip and East Jerusalem. 'The Barrier' refers to the structure that Israel is constructing around the West Bank; again, this term is used by the United Nations.

2. Origins and Effects of the Conflict

2.1 A history of conflict

The State of Israel was established in May 1948. This followed a UN General Assembly Resolution 181 of November 1947 recommending the partition of what was then the British Mandate for Palestine into a Jewish and an Arab state. The Arab–Israeli conflict that erupted immediately afterwards displaced up to 760,000 Palestinians. By the end of the war, Israel controlled more land than envisaged in Resolution 181 (Fast, 2006). In 1967, during the Six-Day war between Israel and Syria, Jordan and Egypt, Israel seized the Golan Heights, the Sinai Peninsula, East Jerusalem, the West Bank and the Gaza Strip. The Israeli occupation of the West Bank and Gaza had begun. The first Palestinian intifada (uprising) against the Israeli occupation and the expansion of Israeli settlements in the West Bank and Gaza broke out in 1987. For the next six years, demonstrations and clashes between Palestinians and the Israeli military and civilians took place regularly throughout the oPt.

The signing of the Oslo Accord in 1993 (officially known as the Declaration of Principles on Interim Self-Government Arrangements between Israel and the Palestine Liberation Organisation (PLO)) and a series of further agreements in 1994 and 1995 led to hopes of reconciliation. The Oslo Accord provided for the creation of the Palestinian Authority (PA) and established a framework for the creation of a separate Palestinian state. However, key issues were left unresolved, including the status of Palestinian refugees in neighbouring countries and their right to return or to compensation, the status of Israeli settlements in the oPt, the annexation of East Jerusalem by Israel and the demarcation of the borders between the two territories.

The Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip (known as Oslo II) was signed in 1995. This divided the West Bank and Gaza into three areas: Area A, under the full control of the PA; Area B, under Palestinian civil control and Israeli security control; and Area C, approximately 60% of the West Bank, under complete Israeli control for both security and civil administration. Area C consists of most of the agricultural land in the West Bank, whereas Area A constitutes towns and Area B Palestinian villages. Israel controls movement into and out of each of

the three areas (Israeli Ministry for Foreign Affairs, 1995; Diakonia, 2009). In addition, Oslo II provided for the transfer of the administration of the Gaza Strip from Israel to the PA. The PA became responsible for public order and internal security, while Israel retained authority over settlements, as well as controlling movement in and out of the territory and its sea and airspace.

Halting progress in the peace process culminated in the second intifada, also known as the Al-Aqsa intifada, which broke out in 2000. This marked the start of a period of renewed violence between Palestinians and Israelis and increased restrictions on movement and access for Palestinians living in the oPt. Permits for work in Israel became more difficult to secure and many Palestinians lost their jobs. The Palestinian economy shrank: according to the World Bank, in 2006 Palestinian GDP per head was \$1,129, compared to \$1,612 in 1999 (World Bank, 2007: 2). In 2002, the Government of Israel (GOI) began the construction of a separation barrier between Israel and the oPt, placing further restrictions on the movements of Palestinians and on their access to land and water, employment and services.

In 2004, the GOI approved a unilateral plan to withdraw from Gaza. The process was completed by September 2005, with the evacuation of approximately 8,000 settlers and the removal of military installations and ground troops. Although Palestinian and Israeli leaders announced an informal ceasefire, hopes of a reconciliation were quickly dashed following the Islamic Resistance Movement (Hamas)'s victory in Palestinian parliamentary elections in January 2006. Hamas is designated a terrorist organisation by Israel, the US, the EU and others. In the immediate aftermath of its win, the Middle East Quartet (the US, the EU, Russia and the UN) imposed an economic embargo on the Hamas-led PA. Israel withheld \$50–60 million of tax revenue collected on behalf of the PA and imposed further restrictions on freedom of movement in and out of the Gaza Strip. In June 2006, militants from the Gaza Strip attacked an Israeli military post near the border, killing several soldiers and capturing one, Corporal Gilad Shalit. Israel responded by launching Operation Summer Rains, a major ground incursion. Meanwhile, tensions between Hamas and the Palestinian National Liberation Movement (Fatah) culminated in June 2007, when Hamas

seized control of Gaza. PA President Mahmoud Abbas responded by declaring a state of emergency and dissolving the National Unity Government. The Quartet immediately lifted the economic embargo imposed on the PA the previous year. The GOI declared Gaza a 'hostile entity', and on 27 December 2008 Israeli forces launched Operation Cast Lead, an intensive military offensive consisting of air strikes followed by extensive artillery bombardments and ground operations. The offensive, which lasted 23 days, resulted in widespread casualties as well as destruction on an unprecedented scale.

2.2 The current humanitarian context

The conflict between Israel and the Palestinians has been associated with persistent low-level violence and human-rights violations, interspersed by periods of acute conflict and displacement. The result has been a gradual but relentless reduction in people's security, freedom of movement and access to resources. Worldwide, there are an estimated seven million displaced Palestinians, making them the world's largest displaced group (Badil, 2007: vii). An estimated 1,836,000 refugees live in the oPt, with a further 2.7m in Syria, Lebanon and Jordan (UNRWA, 2008c). Thousands of Palestinians, and smaller numbers of Israelis, have been killed.

OCHA characterises the situation in oPt as a crisis of human dignity, where the entire Palestinian population is denied basic requirements such as movement, self-determination, employment and services (OCHA CAP, 2009). According to the World Bank, unemployment in the West Bank stands at around 19% and almost 30% in Gaza (World Bank, 2008: 2). As the economy has declined, more Palestinians have become reliant on aid. Prior to Operation Cast Lead in December 2008, approximately 80% of the population of Gaza received some form of assistance; 56% of the population were food insecure, a figure thought to have risen to over 76% as a result of the conflict (Gaza Flash Appeal, 2009). According to a March 2008 study, one-quarter of West Bank households are food insecure, with a further 16% at risk of becoming so (WFP/FAO, 2008). Meanwhile, food prices have risen sharply thanks to the combined effects of lower local production, higher import costs due to Israel's closure policy and international market movements.¹ Unfavourable weather has damaged the agricultural and herding economies which support many vulnerable Palestinians. Drought in 2006 and 2008 combined with harsh frost and snow reduced agricultural productivity, whilst overgrazing coupled with limited rainfall has affected pastoral and agro-pastoral communities.

¹ Locally produced food only accounts for 4% of Palestinian consumption, while imports are 96% (UNRWA, 2008i: 17)

3. Key Issues Affecting Protection and Livelihoods in the West Bank and Gaza

The rights of Palestinians in oPt are governed by a legal framework comprising international humanitarian and human rights laws, as well as Israeli and Palestinian legislation. However, despite these legal protections, Palestinians face constant threats to their physical safety due to Israeli incursions, settler violence and clashes between Palestinians themselves, limitations on freedom of movement resulting from the blockade of Gaza and a sophisticated 'closure regime' in the West Bank and the curtailment of land and property rights through land confiscation and restrictive property policies. This section describes the legal framework governing the occupation and conflict in the oPt, and details a number of different measures in place affecting the physical safety, freedom of movement and land and property rights of Palestinians.

3.1 The legal framework governing the West Bank and Gaza

The international community almost unanimously considers the oPt to be under occupation by Israel as a consequence of its invasion and effective control in 1967 (Harvard Program on Humanitarian Policy and Conflict Research (HPCR), 2004). The military occupation has been recognised as such by the ICRC (see for example ICRC, 2007) and the UN Special Rapporteur on the Situation of Human Rights in the Palestinian Territory (see for example Dugard, 2008), and was reaffirmed by the International Court of Justice (ICJ) in 2004. While greater debate exists in relation to Gaza, the predominant international view is that the withdrawal of troops from there in 2005 does not mean that the territory is unoccupied (Diakonia, 2009; OHCHR, 2009; Bashi and Mann, 2007), and the nature of the military and administrative measures that Israel has put in place is perceived to amount to 'effective control'.²

The law of occupation sets out rules regulating the relationship between the occupying power and the population of the occupied territory (including refugees and stateless persons). The primary purpose is to ensure that civilian life under occupation continues as normally as possible. The occupying power cannot introduce changes in

laws and governance, social and economic policies and demographic and ethnic composition (HPCR, 2004). According to Article 27 of the Fourth Geneva Convention:

Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof ... However, the parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.

Israel's position on the legal framework applicable in the oPt centres on the fact that under international law, occupation occurs in territory that has been taken from a recognised sovereign. As Egypt and Jordan, which controlled this territory prior to Israel's invasion, did not have legitimate sovereignty, Israel's view is that the territory is not occupied and is instead 'disputed' (Israel Ministry of Foreign Affairs, 2007). While rejecting the overall application of occupation law to the oPt, Israel states that, even if it did apply to Gaza, Israel's disengagement means that it no longer has the 'effective control' required for occupation. As Israel does not view itself as an occupying power, it maintains that it is not obliged to comply with the Fourth Geneva Convention. It also denies the applicability of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (HPCR, 2004: 8). However, Israel states that it complies with what it refers to as the 'humanitarian provisions' of the Fourth Geneva Convention, although it has never clarified what this entails (B'Tselem, 2002: 37).

IHL also regulates the conduct of hostilities during armed conflict and occupation. The principle of military necessity is the only permissible justification for military operations (i.e. that military actions are necessary for the defeat of the enemy). IHL requires that a distinction be drawn between civilian and military targets; that due precaution be exercised to prevent incidental damage to civilians and civilian objects; and that

² Article 42 Hague Regulations and Article 6 of the 4th Geneva Convention.

any such damage is proportionate to the anticipated military advantage. During the second *intifada* the GOI characterised the situation as an armed conflict occurring both inside Israel and in the oPt, and stated that its military operations were undertaken within the legal framework of IHL.

3.2 The protection of refugees and displaced persons in the oPt

In 1948, a specific protection and assistance regime was established for Palestinian refugees. The UN Conciliation Commission for Palestine (UNCCP) was mandated to provide protection to Palestinian refugees, including to facilitate durable solutions (i.e. voluntary repatriation, resettlement or local integration). This effectively ceased to operate in the mid-1950s. The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), established in 1949, provides assistance to Palestinian refugees displaced in 1948, as well as others displaced in 1967 and subsequent hostilities. UNRWA's mandate includes a protection mandate for Palestine refugees. Meanwhile, UNHCR has made it clear that the 1951 Refugee Convention applies to Palestinian refugees who fall outside of UNRWA's area of operation (UNHCR, 2002). The limited protection available to Palestinian refugees and displaced is related to a larger question regarding the lack of durable solutions for this population. The 1951 Refugee Convention excludes Palestinian refugees from its scope of application. The question of whether Palestinian refugees have a right of return has perpetuated the Israeli-Palestinian conflict and is a critical factor in the continuing failure of peace efforts.

Today, nearly 700,000 refugees in oPt (37% of the total) reside in 27 official camps, with the rest scattered across the territory. Badil lists several factors which explain why Palestinian refugees have remained in camps after more than six decades. These include the family and village support structures in the camps; the lack of resources to rent or buy alternative accommodation (camp housing and utilities are generally free); lack of living space outside the camps due to overcrowding; and the status of refugee camps as symbols of the temporary nature of exile and reminders of the Palestinian demand for the right of return (Badil, 2007: 51). Although Palestinian refugees face similar protection and livelihood challenges as their non-refugee counterparts, refugee households have always been poorer than non-refugee ones (UNRWA,

2008a: 14). The majority of refugees worked in agriculture before their flight from what is now Israel, and most did not purchase land upon arrival in the oPt, meaning that they have traditionally depended on wage labour for income.

3.3 Military law, detentions and incursions in the West Bank

Israel's withdrawal from Gaza means that responsibility for ensuring public order rests with the PA. However, Israel still governs public order in Area C in the West Bank. Rates of arrest and detention of Palestinians in the West Bank are extremely high: according to the UN Special Rapporteur on the Situation of Human Rights in the oPt, some 700,000 Palestinians were imprisoned between 1967 and 2007. Human rights organisations have highlighted ill-treatment and torture in Israeli detention centres (Hamoked and B'Tselem, 2007; Center for the Defence of the Individual, 2007), with poor treatment of minors also reported (children as young as 12 can be imprisoned for up to six months) (Defence for Children International, 2009). Palestinians released without charge are subject to 'security prevention' measures which make it impossible for them to obtain permits to work in Israel and access particular areas of land. Palestinians are also subject to a different legal regime than that which applies to Israelis, as the age of criminal responsibility in oPt is set at 16 for Palestinians, whereas it is 18 for Israeli citizens irrespective of whether they live in Israel or settlements in the oPt.

Incursions into residential areas by the IDF are a daily, or more often nightly, occurrence (B'Tselem, 2007: 61). Search and patrol operations are often associated with deaths or injuries to Palestinians, the damage, loss or theft of property and harassment and disruption. Operations are particularly frequent in refugee camps. In the first quarter of 2009 alone, UNRWA recorded 118 search operations in West Bank camps. Operations are frequently accompanied by night-time curfews (there were 3,855 curfew hours in the West Bank between 2005 and 2008 (OCHA, 2008)) and the use of stun grenades and tear gas. Civilian residences may be occupied by the IDF in order to serve as look-out points.

3.4 Threats from Palestinian violence

Conflict between Fatah and Hamas constitutes a further source of insecurity for Palestinian civilians. The fighting that followed Hamas'

election win in January 2006 culminated in full-blown conflict in June 2007 which left 161 people dead and 700 more injured. Over 2007 as a whole, according to B'Tselem, 353 Palestinians were killed by other Palestinians. While the level of killing has decreased since, both Hamas and Fatah have continued to target each other's activists, leaders and supporters. In April 2008, Human Rights Watch documented the arbitrary detention of hundreds of people, the torture of detainees by both PA and Hamas forces and the closure of media organisations run by or sympathetic to Hamas. B'Tselem has documented 18 deaths due to Palestinian in-fighting in 2008. The suspension of aid by Western donors and the withholding of tax revenues by the GOI following the 2006 political turmoil have been reversed. Despite progress on some reforms on the part of the PA, corruption and lack of capacity continue to curtail progress.

3.5 Settlements and settler violence in the West Bank

Israeli settlements in the West Bank have been established and expanded under every Israeli government since 1967. At the end of the 1967 war, Israeli law was applied to establish settlements to annex areas to the north, east and south of West Jerusalem. The 'Allon Plan' outlined a strategy for the establishment of settlements in other parts of the West Bank, with the objective of redrawing the borders of the State of Israel to include the Jordan Valley and the Judean Desert. Although never formally approved by the GOI, the Allon Plan has continued to influence settlement policy. Settlement in the West Bank has also been a strategy of religious groups, whose goal is to 'realize the vision of the Whole Land of Israel'. These settlements are located deep in the West Bank heartland, close to major Palestinian population centres such as Hebron, Ramallah and Nablus.

Settlements are illegal under international law as they violate Article 49 of the Fourth Geneva Convention, which explicitly prohibits the transfer

of the occupying power's civilian population into occupied territory. This illegality has been confirmed by the ICJ (ICJ, 2004), the High Contracting Parties to the Fourth Geneva Convention³ and the United Nations Security Council.⁴ Israeli policy ostensibly changed in 1995 as part of the Oslo peace process, when the Israeli government pledged that settlement establishment and expansion would end, with the exception of construction to meet the 'natural growth' of the local population. However, 'natural growth' has been interpreted to include growth by immigration as well as natural increase, while the freeze does not apply to settlements within the Greater Jerusalem area and in the Jordan Valley. Settlement has been promoted by financial subsidies, preferential loans, lower taxes and cheap housing, which means that a significant proportion of today's settlers are motivated by economic gain, rather than ideological drive (studies have found that settlers' income is almost 10% higher than that of Israelis living on the other side of the 1948 border (Peace Now, 2008)). Since 1995, ideologically-motivated settler communities have also continued their efforts to increase settlements through the establishment of 'outposts'. Outposts are first established through the erection of a number of caravans on a new site, often a few kilometres from an established settlement. The Israeli government usually refrains from challenging these moves, despite their illegality.

In 2008, the GOI recognised 121 settlements in the West Bank, in addition to 12 large settlements and other smaller groups in East Jerusalem. There were also a further 99 'outposts' and a large number of additional locations controlled by settlers but without a settler presence. The Israeli Central Bureau of Statistics estimates the settlement population in the West Bank at almost half a million. This figure is rising rapidly: in 2008, the growth rate in the West Bank (excluding East Jerusalem) was 4.7%, considerably higher than the 1.7% population growth in Israel (Peace Now, 2009).

³ See Declaration of the High Contracting Parties to the Fourth Geneva Convention, 5 December 2001. The High Contracting Parties are those States which have ratified and are bound by the Geneva Conventions.

⁴ UN Security Council Resolution 465, 1 March 1980, adopted unanimously at the 2203rd meeting of the Security Council. See also SCR 446, 452 and 471.

Box 1: Settler violence: a direct assault on the lives and livelihoods of Palestinians

Research on settler violence suggests a dramatic increase in 2008. A high proportion of attacks are undertaken by groups of Israeli settlers, with Israeli minors often implicated in order to limit criminal culpability. Incidents were recorded throughout the West Bank, but the Hebron and Nablus governorates were most affected, accounting for 42% and 21% of the total level of violence. In some areas (such as the H2 area of Hebron and hamlets in Msaffir Yatta), the severe and systematic nature of the violence has directly contributed to the displacement of Palestinian residents (OCHA, 2008). Many consider that settler violence has the twin aims of limiting the Palestinian presence in settled areas through displacement and furthering settlement by ensuring that the cost of evacuating even the smallest outpost is high in terms of violence against Palestinians and their property, as well attacks against and abuse of Israeli soldiers (Peace Now, 2009).

3.6 Land and property

Access to land and property is a critical issue affecting the protection and livelihoods of Palestinians. Land is a crucial question in the creation of a Palestinian state and is a major issue in the settlement problem; many Palestinians depend on land for their livelihoods, and its seizure affects farmers and pastoralists alike; lack of contiguity between different Palestinian lands affects freedom of movement, access to employment, commerce and access to services and social networks, and restrictions on the land and property rights of Palestinians affect urban planning and growth. The right to property is grounded in IHL, human rights law and Israeli law, holding that private property must be respected and that any destruction of private property is prohibited.⁵

The oPt was traditionally an agrarian society, and many Palestinians still own or co-own land. However, only a third of West Bank land, predominantly in the north, was registered before 1967, when Israel closed the registry. Most Palestinians no longer attempt to register land as the process is expensive and complicated and rejections cannot be appealed. Most agricultural land in the West Bank is in Area C, which is under Israeli control. Much of it has been classified by the GOI as either a nature reserve or a military

⁵ See articles 46 and 55 of the Hague Conventions, article 53 of the 4th Geneva Convention, Article 17 of the Universal Declaration of Human Rights.

zone, and thus closed for agricultural purposes. In total, 38% of the land area in the West Bank is reserved by the GOI for various reasons including settlements, military use, checkpoints or road closures and the Barrier (World Bank, 2008).

Box 2: Land seizures by legal and bureaucratic means

A number of legal-bureaucratic processes have been used to underpin the seizure of Palestinian land.

- Under IHL, an occupying power may take temporary possession of private land in order to house its military forces. Under the pretext of 'military need', approximately 11,750 acres of Palestinian land was seized in order to establish a large number of settlements, without the payment of compensation as outlined under IHL.
- The declaration of land as 'state land' through the use of the Ottoman Land Law of 1858 has permitted Israeli control of approximately 40% of West Bank land. 90% of settlements have been established on state land.
- According to Israeli regulations, any property whose owner left the West Bank before or immediately after the 1967 war is defined as 'abandoned'. Early in the occupation, some 107,500 acres of land were registered as abandoned. Much of this was later declared state land. The remaining areas are still considered abandoned and have been leased to relatives of the absentees and to settlement communities.
- Use of Jordanian law has allowed the annexation of over 6,000 acres of land in Jerusalem as well as the seizure of land for roads serving settlements. Some 7,500 acres of land were expropriated to build the Ma'ale Adumim settlement east of Jerusalem in 1975.
- Despite Palestinians considering the sale of land to Israelis to be an act of treason, settlements have been established through private sales. Some sales are undertaken in good faith, whilst others have been undertaken by fraudulent means.
- In the Jordan Valley in particular, settlements and outposts rely on agricultural activities, often undertaken on land outside the borders of the settlement. The area covered by this agricultural expansion is estimated at 10,122 hectares.

Source: B'Tselem, 2002: 63, OCHA, 2007: 40.

Restrictive planning regulations in West Bank areas under Israeli control further affect land use. Palestinians find it difficult to obtain building permits, and infrastructure projects for roads and services are also frequently denied or rejected. Only about 10% of Palestinian villages in Area C have the 'master plans' required for legal construction due to the high level of costs, time and bureaucratic obstacles involved. These difficulties cause many to build illegally, but illegal

construction – including housing, water points, irrigation structures, roads and animal shelters – may be demolished. Any economic activity within Area C is therefore limited to low intensity agriculture. Palestinians in east Jerusalem and Area C also face the threat of house demolition. According to the Israeli Ministry of Defence, fewer than one in ten Palestinian requests for building permits were granted between 2000 and 2007; for every building permit approved, 55 demolition orders were issued (Peace Now 2008b: 1). In contrast, demolition orders against illegal Israeli settlement constructions issued by the Israeli Supreme Court are rarely carried out (UNOCHA, 2008d: 10). Legal redress for Palestinians in Area C is limited to applications to Israeli military courts, or Israeli organisations filing petitions in civil courts on their behalf.

3.7 The closure regime

Freedom of movement is a critical protection and livelihoods issue. Movement is a prerequisite for basic elements of life, such as healthcare and education, work and social, cultural and family ties. As we have seen, a combination of physical and administrative measures – commonly referred to as the ‘closure policy’ – restricts the movement of Palestinian people and goods. The GOI justifies the closure policy as a necessary security measure to protect Israeli citizens in Israel and in the Israeli settlements in the West Bank. These restrictions are nonetheless a violation of Palestinians’ basic right to movement as set out under the Fourth Geneva Convention.

3.7.1 Movement within the oPt

Restrictions on the movement of Palestinian people and goods within the West Bank consist of physical measures including checkpoints, closed military areas, nature reserves, settlements and their boundaries and roads linking settlements to each other and with Israel.

In addition to physical closures, the GOI has progressively restricted movement through a number of administrative measures, such as the permit regime and population registry. Through the permit regime⁶ Israel controls the movement of Palestinian people and vehicles both within the West Bank and between the West Bank and Israel

⁶ The permit regime mainly relates to the West Bank residents; the number of Gazans able to obtain permits to move outside Gaza is negligible.

Box 3: Physical measures to restrict Palestinian movement in the West Bank

- Checkpoints include an infrastructure obstructing vehicular and pedestrian traffic and the permanent presence of Israeli security personnel. Security personnel check the documentation of people crossing the checkpoint and conduct searches of their vehicles and belongings.
- Partial checkpoints have similar infrastructure but are not permanently staffed.
- Flying checkpoints are mounted by the IDF or Border Police to conduct random stop and search checks of Palestinian people and vehicles.
- Earth mounds are mounds of rubble, dirt and/or rocks designed to prevent vehicle movement.
- Roadblocks are constructed from concrete blocks and are used to prevent vehicle access to land or roads.
- Trenches are dug across flat land or along the side of a road to prevent vehicles from going around a closure obstacle.
- Road gates are metal gates used to block access to a route. Some are permanently closed.
- Road barriers may comprise a continuous earth wall, fence or concrete barrier running along the side of a road.

Source: Adapted from UNOCHA, 2008d.

(for example, West Bank-ID holders require permits to access East Jerusalem). Control of the population registry means that changes of residence within the oPt due to marriage or for education or employment reasons are subject to the approval of the GOI, an often lengthy and unpredictable process. Palestinians also require permits to access settlements, and settlement boundaries and some roads are inaccessible to the great majority of Palestinians. Many West Bank residents are forced to use inferior roads, affecting trade and commerce.

The Barrier

Construction of the Barrier began in 2002, during the second intifada. In some urban areas, the Barrier consists of a 10m-high concrete wall. In the countryside it is a strip with ditches, trenches, wire fences, patrol roads and barbed wire. There is also a 30–100m-wide ‘buffer zone’ (CJPME, 2008). The planned length of the Barrier has increased over the years; currently, it is expected to stretch for 723km, more than twice the length of the Green Line marking Israel’s 1948 border.

The ICJ holds that the Barrier is illegal where it deviates from the Green Line. In an Advisory Opinion in 2004, the ICJ stated that the

construction of the wall and its associated regime could well become permanent, amounting to de facto annexation, which is forbidden under international law.⁷ Today, only 20% of the Barrier follows the Green Line, with the remaining 80% intruding well into West Bank territory, in some places by as much as 22km (UN ECOSEC, 2008). Thanks to the Barrier, a quarter of East Jerusalem's Palestinians have lost access to the city, and many Palestinians cannot easily reach land on the Barrier's western side. Getting permits to cross is extremely difficult: only landowners and first-degree relatives are typically allowed access; according to one estimate, fewer than in one five Palestinian farmers are given the visitors' permits they need to reach their land. Meanwhile, in October 2003 areas in Jenin, Tulkarm, Qalqilya and Salfit districts in the north of the West Bank, located between the Barrier and the Green Line, were declared closed areas, and a permit and gate regime was introduced to control access. Palestinians living in these zones require permanent residence permits. In the south, access to land similarly 'trapped' between the Barrier and the Green Line is controlled through a list and gate system.

The Agreement on Movement and Access (AMA) and the Israeli blockade of Gaza

In 2005, following Israeli disengagement from Gaza, Israel and the PA signed an Agreement on Movement and Access (AMA) 'to facilitate the movement of goods and people within the Palestinian Territory'. Among other things, the two sides agreed to open the Rafah crossing to people and goods travelling between Gaza and Egypt, and Israel undertook to facilitate passage between Gaza and the West Bank. Many of the measures stipulated in the agreement were, however, not implemented, and in 2007 Israel imposed a blockade on Gaza following the Hamas takeover of the territory. The Karni crossing, the largest commercial doorway into Gaza, has been closed, all exports are suspended and there are severe restrictions on the entry of cash and fuel. Palestinians are barred from using the Erez crossing, the only passenger link with Israel and the West Bank, and the Rafah crossing is more-or-less shut (OCHA, 2008a: 1).

The blockade has effectively strangled the Gazan economy. By the end of November 2008, an average of just 23 truckloads of food and goods (humanitarian and commercial) were being allowed into Gaza per day, down from 475 in May 2007, before the blockade was imposed (UN OCHA, 2008b). Export activity has ceased. As well as renegeing on the AMA, these restrictions constitute a derogation of Israel's responsibilities under IHL for the welfare of the population under occupation. In addition, the UN and the EU have repeatedly warned that the blockade constitutes collective punishment of the civilian population, which is prohibited under Article 33 of the Fourth Geneva Convention.

3.7.2 Movement of Palestinian people and goods between the oPt and Israel

During the first decades of the occupation, hundreds of thousands of Palestinians depended on Israel as a source of jobs and employment. Today, however, thanks to limits on the number of work permits issued to Palestinians, the Gaza blockade and movement restrictions from the West Bank, employment opportunities in Israel have declined markedly. In 2000, 146,000 Palestinians worked in Israel (116,000 from the West Bank and 30,000 from Gaza). By 2008, the official figure was 63,000 (62,000 from the West Bank and fewer than 1,000 from Gaza) (Palestinian Bureau of Statistics, 2008). The process for obtaining a permit to work in Israel is difficult, and effectively impossible for males aged between 18 and 30. As a result, many Palestinians cross the border to work illegally, risking attack, detention or fines if caught. Even if work is successfully found, conditions in illegal employment are typically poor. In 2007, B'Tselem documented the illegal mistreatment and exploitation of permit-less Palestinians, including the confiscation of identity cards, damage to property and coercion to obtain information and recruit collaborators (B'Tselem, 2007a).

⁷ Although an advisory opinion is not binding on the parties to the conflict, such an opinion is highly regarded as it comes from the most distinguished legal body in the world.

Box 4: Obtaining a permit to work in Israel

Getting a work permits requires a 'magnetic card', issued following a determination that the applicant does not have a security record. This excludes the thousands of Palestinians who have been imprisoned or detained or who have relatives who were detained, even if they were ultimately released without charge. Getting a card involves paying a fee and attending a series of meetings, which are often used as a means to pressure Palestinians to act as informants. If a card is obtained, the holder has to prove that they are married and in a certain age group (usually 30 years old or above), and that an Israeli employer has requested the permit. If quotas are full permits are not issued, even if the conditions are met.

Source: B'Tselem, 2007a.

The GOI has built commercial crossing points in the Barrier to regulate the movement of goods into and out of Palestinian-controlled areas. West Bank trade with and through Israel is administered by five commercial crossings, where goods undergo lengthy inspections by Israeli security personnel. The goods are then transferred from Palestinian to Israeli trucks (or vice versa) in order to continue their journey. In effect, Palestinians are dependent on Israel for access to international markets (World Bank, 2008c). Thanks to the closure regime, according to the World Bank, 'a high level of uncertainty and inefficiency' has been created, whereby 'the normal conduct of business becomes exceedingly difficult and stymies growth and investment' (World Bank, 2007b: 8). One effect of this uncertainty is that Palestinian businesses are unable to compete in the international market, while the higher transaction costs involved make economies of scale difficult to achieve (*ibid.*). The

cost to Palestinian businesses of delays at checkpoints has been put at 15,000 NIS⁸ a day (Garb, 2008).

3.8 Implications for protection and livelihoods

The measures imposed as part of Israel's occupation, including military actions in Gaza, incursions and detentions, support for settlement in the West Bank, the Barrier, restrictions on freedom of movement and limitations on land and property rights, severely curtail the daily lives and liberties of those under occupation and put their safety at risk. In Gaza, these measures cause high levels of death, injury and displacement. In the West Bank, the result is a gradual but persistent process of forced displacement. Conflict among Palestinians, coupled with the effects of poor governance, only compounds the problems ordinary Palestinians face.

While these are key protection concerns, they also have major implications for livelihoods. Violence and detentions reduce the productive capacity of families. Military activities destroy livelihood assets and reduce investment. The closure regime severely limits access to trade, markets and employment, and Israeli policies on land and property in the West Bank affect agricultural activity. Planning regulations and the destruction of infrastructure and property slow construction, limit investment and increase uncertainty. From the perspective of a wide range of respected Palestinian, Israeli and international human rights and humanitarian organisations, the correct balance has not been struck between Israel's security concerns and the protection of the rights and lives of Palestinians living under Israeli occupation.

⁸ 1 NIS = approximately 0.25 USD

4. Protection and Livelihoods Threats in the West Bank: Case Studies of Different Groups

This chapter draws on field interviews to analyse the physical safety, freedom of movement and access to land and property of four groups in the West Bank: populations affected by settlements in urban contexts (the H2 area of Hebron); farmers affected by the Barrier; Bedouins living in Area C and refugees in camps affected by IDF incursions. Each case study highlights the implications of protection concerns for people's livelihoods, and the actions that affected populations have taken in response.

4.1 People living in the H2 area of Hebron

4.1.3 Introduction

Hebron has a population of over 170,000 people, making it the second largest city in the West Bank after Ramallah. It is the only Palestinian city with an Israeli settlement in its midst.⁹ Jewish settlements in the city were established in 1968 and expanded from 1980. Additional, larger settlements are located to the north and east of the city in an almost-continuous arc.

In 1997, the Hebron Protocol divided the city into two administrative areas: H1, which came under the full control of the PA, and H2, which is under Israeli control. H2 accounts for one-fifth of the total area of the city, and includes the Old City, once a vibrant commercial centre; four settlements within the city centre housing approximately 600 Israelis; and the outlying Kiryat Arba settlement, where approximately 7,000 people reside. There are around 30,000 Palestinians in H2. The proximity of Palestinians and Israelis in the H2 area has led to violence and confrontation between the two communities. Meanwhile, with the outbreak of the second *intifada* in 2000 a series of military orders imposed a near-continuous curfew in the centre of Hebron between 2000 and 2002 and streets were closed to Palestinian traffic and in some sections, Palestinian pedestrians. Extensive prohibitions also resulted in the closure of hundreds of shops. The economy collapsed, driving many Palestinians from the area. Further, less extensive curfews have been imposed since, and a handful of streets have been reopened to Palestinian traffic. For the

thousands of Palestinians who still live in H2, a harsh combination of daily physical violence and systematic restrictions on freedom of movement have drastically reduced livelihood opportunities.

4.1.4 Physical safety

Residents spoke of threats to their physical safety as a consequence of violence by settlers as well as the Israeli military. The threat posed by settlers was considered more dangerous. Two main types of threat were reported. The first is random violence. This occurs routinely, on a weekly, if not daily, basis. Often, it involves young Israelis under 18 (and hence below the age of criminal responsibility), frequently accompanied by an older woman. The violence takes the form of harassment, obstruction of movement, physical attacks or stone-throwing. The second, less frequent but more serious form of violence involves planned attacks, often organised or led by a rabbi or other adults. Interviewees spoke of attacks by groups of between 20 and 200 settlers, resulting in serious casualties, property damage and the uprooting of trees. Men, women and children are all at risk, although those living closest to Israeli settlements are most affected. It was said that the aim of the violence was to remove Palestinians from their land. Inducements are also used to the same end, including offers of money, foreign nationalities/passports and other incentives to leave. Often, settlers were accompanied by IDF troops, who at best did little to shield Palestinians from attacks, and at times supported the violence. This testimony is supported by studies on settler violence which show that, in most cases, the IDF does not intervene to protect Palestinians. Police efforts to enforce the rule of law are little better: research has shown that 90% of police investigations end without indictment (Yesh Din, no date: 91).

Palestinians also face threats from IDF personnel manning checkpoints and patrolling the city. Residents spoke of house searches and the seizure of houses or rooms for military use, as well as violence, harassment, detention and degrading treatment at checkpoints. Tear gas is commonly used in the city centre during searches. One family spoke of nightly disturbances by bored soldiers using loudspeakers and throwing stones at their

⁹ Aside from East Jerusalem which was annexed immediately after the occupation in 1967.

door. Shopkeepers reported being told by the military to close the panels of their shops ‘for their own safety’; in case a soldier mistakenly identified them as a threat and shot them.

Box 5: The economic impact of violence

The Ks, an extended family of six adult males, live in the Wadi Hussein valley, under the shadow of the Kiryat Arbat settlement. The violence and movement restrictions stemming from the proximity of settlers and the prevailing situation in Hebron have led to a decline in their economic status. By 2000, one of the six sons had seen his work in the leather industry and in Hebron’s market disappear. Movement restrictions and the wider economic downturn in the city had reduced temporary work in a quarry to just one day a week. During 2007, even this limited employment was threatened by violence by settlers from Kiryat Arbat. The violence became so prevalent that the family decided that three male adults should be present in the house at all times to protect the family and its property.

4.1.5 Movement of people and goods

The combination of curfews, curtailment of movement in areas of the city and the large number of checkpoints has had serious implications for the daily lives and livelihoods of Palestinians living in H2. In addition to the closure policy imposed on certain areas of the city, shops and businesses are forced to shut on Friday afternoons and Saturdays, in addition to regular, random curfews and closures imposed by the military. All activity, including pedestrian, is ‘informally’ prevented during Jewish weekends and holidays, thus preventing commercial activity. Businesses closest to checkpoints are most vulnerable to closures. Businesspeople spoke of losses of up to 80%. Materials had to be carried by hand, bicycle or donkey due to restrictions on vehicular access, limiting the type of goods that could be transported. The Israeli authorities have indicated that the main road through H2 may be reopened to vehicles owned by residents, subject to receiving a permit. However, as many Palestinian vehicles do not meet registration requirements, due to unpaid annual fees or because they have not passed mechanical tests, few residents are likely to benefit.

The large number of checkpoints in the heart of the city compounds these movement difficulties. In 2008, Ma’an reported 89 movement restrictions in the Old City, including 14 checkpoints, 13 iron walls, 44 road blocks and 13 road gates, together with five observation towers (Ma’an, 2008: 17).

Physical checks (such as the removal of clothes or searching through bags) and delays at checkpoints can last anywhere from a few minutes to a few hours. Interviewees said that the unpredictability of passage through checkpoints caused people to reduce travel, while workers left home early in the morning to be sure of arriving at work on time. Delays had resulted in a number of people being fired from their jobs. Others spoke of humiliating or degrading treatment at checkpoints: one man reported that at least once a week he was ordered to spend up to four hours at the checkpoint in a spread-eagled position; others reported frequent verbal insults.

Box 6: Movement restrictions causing loss of livelihoods

Mohammed and his family ran a chicken farm next to his house for ten years. Chicken rearing operates on a time-sensitive cycle, requiring suppliers to provide chicken feed and deliver/collect chickens at specific times. The killing of Israelis by Palestinians in 2002 caused a tightening of restrictions on the city, including a continuous curfew of 40 days. When the area was first under curfew Mohammed lost his entire flock due to lack of feed. Road closures meant that the family had to hand-carry supplies, eggs and chickens past a checkpoint and over a distance of 150 metres. Prolonged curfews also meant that it was difficult to get buyers to take the eggs, and transportation costs for the supplier more than doubled due to the number of checkpoints. The curfews, difficulties in carrying stock and increases in prices resulted in losses over the last three production cycles and the family decided to close the business. Today, Mohammed has debts of 70,000 NIS and relies on humanitarian assistance.

4.1.6 Access to land and property

The high number of settlements in and around Hebron has resulted in the confiscation of Palestinian land or restrictions on access, either directly, as a result of military orders, or indirectly, through violence on the part of settlers. The Kiryat Arba settlement covers 1,039 dunam¹⁰ of land (approximately 260 acres), over half of which is privately owned by Palestinians. An additional ring of land of approximately 765 dunam (190 acres), three-quarters of which is privately-owned Palestinian land, is designated a ‘special security area’ (SSA) linked to the settlement, making access difficult and dangerous.

¹⁰ 1 dunam = 1000 square metres.

4.1.7 Implications for people's livelihoods and community response strategies

The main livelihoods of people in Hebron before the closure regime included the glass, ceramics and textiles industries, marketing and trade, casual labour in Israel and farming. Today, however, very few people in the Old City of Hebron can fully rely on their former livelihoods. A survey in 2007 indicated that 1,829 businesses had closed, amounting to over 75% of businesses surveyed. There has been an acute decline into poverty; a 2008 ICRC survey of 1,038 families in the area showed that 72% were living on or below the absolute poverty line (ICRC Operational Update, 2008). The only responses open to people in H2 are going into debt, relying on family and friends living outside H2, the sale of any valuable assets (most have by now been sold) and, for some, increasing levels of child labour in nearby quarries, to supplement the family income. The high levels of violence mean that male members of the household are too frightened to leave their homes. Most families are dependent on humanitarian assistance which they claim helps in providing them with 'safer choices' in terms of managing the risks they face. The livelihood prospects of future generations have also been seriously affected. Children and young people reported being unable to reach schools during curfews and periods of settler violence, or were having to work to supplement household income, causing them to drop out of school. Tertiary education is affected as many no longer travel to university, relying instead on distance learning. Even the emergency services have to get authorisation from the Israeli authorities to access the Old City.

The response of a large percentage of the original population of H2 has been to flee. A survey by B'Tselem in 2006 indicated that 42% of the residents in the most affected areas in H2 had left for H1 or other parts of the West Bank. Some families who remain have done so because they see their presence in H2 as active resistance to the occupation and efforts by the settlers to take over their land. Resistance is both passive, a refusal to move, and active, in terms of violently confronting the settlers. Others are frightened to leave in case they are branded collaborators should their house be taken over by settlers. Indeed, collaboration is a means of managing protection threats for some Palestinians.

Efforts to manage threats are often ineffective, however. Interviewees claimed that they had little

or no influence over the actions of the IDF or settlers, although some women claimed that at times they could influence the behaviour of individual officers at checkpoints to win more favourable treatment. As women can face less severe violence than men, some mentioned that they moved around more than men, although the nature of the violence means that everyone is affected. Men spoke about how the restrictions forced them to risk life and liberty to earn a living, including having to break the curfew to get work; opening shops during closures; or others selling goods from Jordan which have not been declared at customs in order to supplement their income. Finally, some men spoke about avoiding the threats by sleeping in their areas of employment, such as in quarries or other areas.

Box 7: Confrontation: the evacuation of the Al Rajabi building

An Israeli court order in November 2008 ruled that settlers living in the Al Rajabi building should be evicted because their occupation of the building was illegal. The ruling prompted intensified attacks by settlers. In late November, 200 tried to attack Palestinians in the valley, but were restrained by police. On the day of the eviction, 35–40 masked settlers attacked a Palestinian house, smashing water tanks, solar panels and a satellite dish. They also set fire to houses and trees in the valley. Two Palestinian men were shot while soldiers stood by, and even stopped some Palestinians from defending their houses. However, the IDF prevented the arrival of additional settlers in Hebron. The Palestinian family that came under attack credits the intervention of an Israeli journalist (who was trapped with the family in their house) with the arrival of a special security force, compelling the settlers to withdraw.

Social capital in Hebron is also affected. Hebron has also seen an influx of newcomers, as there are incentives in the form of subsidised housing and utilities to help people to remain or relocate to the Old City. This further contributes to the fragmentation of Palestinian society in Hebron, in particular since some of the newcomers are involved in crime and drug abuse. Concerns about collaboration are another way in which social cohesion is reduced.

4.2 Farmers affected by the Barrier

4.2.1 Introduction

The village of Biddu lies just east of the Barrier. It has a population of almost 7,000. Since the second *intifada* agriculture has been an important

livelihood source, but it has been severely affected by the Barrier. Construction began in Biddu in 2004, and was completed at the end of 2007. Of the 5,400 dunum of farmland belonging to Biddu villagers, 2,400 are behind the Barrier.

4.2.2 Freedom of movement and access to land

Villages such as Biddu, with land to the west of the Barrier, are subject to a list system controlling access. This list is prepared by the Palestinian District Coordinating Office (DCO), and approved by the Israeli civil administration. In the case of Biddu this is done every two weeks. The list system generally limits access to certain days and certain times during the day. According to an OCHA survey of the northern part of the West Bank, more than 50% of communities directly affected by the Barrier no longer have regular access to their land and 60% of families owning land behind the barrier were denied permits (OCHA, 2007a). Barrier gates (there are three for Biddu) are manned by the Border Police (BP) – part of the Ministry of Interior – but the Palestinian DCO coordinates with the Israeli District Civilian Liaison (DCL) (Ministry of Defence), who in turn coordinates with the BP. These various layers of command mean that approving a list can take up to ten days; names that appear on the DCL list may not appear on the BP list, and access can still be denied even if a farmer's name is present and correct on the list.

In March 2009, when the research team visited, farmers had been informed by the DCO that the list had to be limited to 50 people. Only the landowner and close relatives were allowed access. Before the Barrier was built, whole families farmed on the land which in some cases would have been 10 people or more farming from one (extended) family. At the time of our research, with the exception of one elderly woman no women were included on the list. No reason was given for the exclusion of women. The limited numbers of people allowed to access land seriously limits production. There are also restrictions on the movement of vehicles such as tractors and in movements of animals across the gates, which affect the quantity produced, and create problems in transporting produce.

Opening and closing regimes for the gates have changed over time, and are erratic and unpredictable, making forward planning difficult. At the time of the study, the official opening times for the Biddu gates were 9–9.30 in the morning and 12–12.30 and 4–4.30 in the afternoon. Before

the Barrier was built, people in permanent employment used to farm either before or after work. Now they can only work their farm during school holidays or have to take a day off. Nonetheless, people are often made to wait for an hour or more before the Border Police arrive to open the gate.¹¹ Agricultural gates are opened for short periods only, so if farmers are not at the gate at the exact opening time, they will miss a day's work on the farm. Farmers can wait up to two hours to exit. Although in 2007 access was granted every day, in 2008 it was reduced to three days a week, ostensibly because the number of farmers at the gate was consistently lower than that given on the access list. Gates are often closed at important times during the agricultural season. The reduction in access to three days a week in 2008, for instance, was imposed when delicate crops such as peaches, grapes and figs were ready for harvest. When the research team visited, the agricultural gate in Biddu had been closed for three months, from December to February, a key time for pruning grapes and spraying crops with pesticide.

4.2.3 Dignity

The Barrier in Biddu presents a threat to the dignity of farmers: they are forced to ask for permission to access their own land, and sometimes face verbal and physical mistreatment at the gates, although if international agencies are present, treatment is usually better. Physical safety was an issue in Biddu mainly when the Barrier was first being constructed. Farmers were verbally abused and threatened at gunpoint, and farm equipment was stolen. Very few people risk going to their land when the gates are closed. If caught, farmers risk being beaten and/or it would mean the opening of a security file, which in turn would mean that access is denied to Israel or the west side of the Barrier.

4.2.4 Impact on livelihoods and community responses

Before the second *intifada*, Biddu had a diverse economy. Cash crops, mainly nectarines, grapes and olives, were sold in Israel, Ramallah and Jerusalem. Other sources of income included employment in Israel, livestock and remittances from overseas, for example the US. Many families lost income from employment in Israel following the second *intifada*, as workers were not able to

¹¹ The study team waited for 1.5 hours with farmers to cross the gate.

get permits to work inside Israel. The Barrier further restricted livelihood options. Livestock holdings have been drastically reduced because land behind the Barrier is inaccessible, which means that farmers have to buy costly fodder to maintain their animals. Overall, agricultural production has declined (see Table 1) and the type of crops grown has changed to low maintenance crops like grapes and olives, although even still limited access means that farmers sometimes

can't prune grapes or plough olive groves which is essential for soil aeration and tree health. One farmer reported that he used to produce about 30–40 tankat of olive oil (1 tanaka = just under 18 litres), but now produces just 12–15 tankat. Sale of cash crops has become more difficult as the route to Ramallah has become longer due to newly built Israeli roads and checkpoints, pushing up transport costs.

Table 1: One farmer's changes in production as a result of the Barrier

Crop	Before	Now
Vegetables: tomato, cauliflower, cucumber, etc	Main crop; 55 dunum. Took it in pickup truck to Ramallah and sold it there.	Growing none now. Stopped when the Israelis started building the Barrier. Vegetables need continuous care and the farmer does not have sufficient access.
Grapes	Has 1,500 vines. Planted grapes together with vegetables and used to harvest about 15–20 MT per season. Value: 17,000 NIS.	Was not able to spray the grapes last April with pesticide, and all were damaged. The last harvest was only 0.2-0.5 MT. The loss in 2008 was around 20,000 NIS. Israelis usually stop the farmer from visiting his land when crops need to be sprayed. Getting pesticide is not a problem, but carrying sufficient quantities of water to dilute it is.
Olives	Planted eight years ago. He has 2,000 trees. He planted them because he knew they would be there for a long time, and his sons could always say that this was their land.	He only started producing two years ago, so production has gone up between 2006 and 2008. Had no problems accessing his land during the harvest as entire family was on the list. Most olives were used for consumption, but some were sold.
Peaches/ almonds/figs	Had 45 peach trees, 200 almond trees and 15 fig trees. Mainly for own consumption but used to sell some.	The farmer was not able to spray due to erratic gate opening times and most of the harvest was lost to pests or eaten by wild animals which entered his farm because he was not able to repair his fences.

Reduction in agricultural production means a greater reliance on other work. Finding work in the West Bank is however hard, and wages are lower and less reliable than in Israel. Employment opportunities in construction have decreased in the West Bank because of a shortage of materials and lack of investment. There is also greater competition for work. A month's wages in Israel for construction was up to 3,500 NIS, compared to just 500 NIS in the West Bank. At the same time as a reduction in income, expenditure has increased in line with rising prices for food, transport and other basic commodities. People now have to buy food that they would normally have grown themselves, in particular vegetables. In response, people have reduced their food intake and the

variety of the food they eat. Many people reported eating less meat. Expenditure is also limited to essential items. For example, women reported buying clothes only occasionally, for example school uniforms or clothes for special occasions such as weddings. Many households are also purchasing food and other essential items on credit. Some are reported to be selling their land, either out of economic necessity or because of access difficulties.

Meanwhile, as in Hebron, many affected people have simply left: according to OCHA, 26 out of 67 communities in the north reported that households had left, while in 36 communities household heads have left the home to find work

elsewhere in a process amounting to the gradual expulsion of people from their land (OCHA, 2007d). For others, staying and continuing to cultivate one's land constitutes a form of resistance. This means continuing to farm, even if no profit is made from the farm or if they are operating at a loss. It also means taking risks to access your farm illegally, i.e. outside of the official opening times of the gate. Resistance is not only a strategy of farmers affected by the Barrier, but also other farmers whose means of subsistence is decreasing through limitations on access to land, water and agricultural inputs, and restricted access to markets (for instance in the Jordan Valley) Others take more active forms of resistance. In some communities, villagers rebuild their homes from the rubble after these have been demolished due to lack of permits, in others (e.g. Ayn Jwaiza), the community collectively paid to rebuild houses. It has also involved active resistance, in the form of marches, demonstrations, and media campaigns. People also respond by contacting the DCO, ICRC, or the UN for assistance when access through the gates is denied. According to UNRWA, between July and October 2008, the gates were only opened 6 times without direct intervention.

Box 8: Cultivation as a form of resistance in the Jordan Valley

Bardale Village is in Area B in the Jordan Valley, but the villagers' farm land is in Area C. The area was declared a military zone in 1967, following which there has been a curfew from 6 pm to 6 am. Much of the farmland is across an (Israeli) road, which makes it difficult to access. Village water (for personal and agricultural use) is controlled by the Israeli Water Authority. Water for farming is provided only once a week which has caused a reduction in irrigated crop production. The village used to plant 5 or 6,000 dunam which has now reduced to 3000. They used to produce: cucumber, tomato, aubergine, soybean, melon, watermelon, but now only grow cucumber and squash which require less water. They also plant barley and wheat now as rainfed crops so that they can continue to plant the same area of land. If they do not, they fear the Israelis will take it.

4.3 The Bedouin of Msafir Beni Naim and Um El Kher

4.3.1 Introduction

The research team visited the Bedouin of the Azazme and Khanajare tribes in Musafir Beni Naim, and the Jahalin (Hathaleen clan) in Um El Kher. Both locations are to the south-east of

Hebron, in the Dead Sea Hills. The Azazme and Khanajare live in dispersed clusters and isolated areas between Musafir Beni Naim and Wadi Maaza Msalem and the Sahel range in the south. A total of 61 families live in Musafir Beni Naim, 41 of whom are registered with UNRWA. The Bedouin in Um El Kher are less isolated, and live close to an Israeli settlement (Karmel). The expansion of the Karmel settlement includes the construction of a patrol road, which when finished will come within 20 metres of the community well and residential dwellings. The Bedouin of Um El Kher are unusual in that they purchased their land shortly after they arrived in 1948, though much of their land is under collective, rather than registered, title, a status which may not be enough to stop the construction of the road and the potential confiscation of land.

Bedouin are traditionally semi-nomadic people, relying on herding, gathering and traditional farming for their main sources of livelihood (Abu-Saad, 2004: 1). Numbers of Bedouin in the West Bank are currently estimated at about 25,000, spread from the south Hebron hills to the northern Jordan Valley. Most (like the Azazme and Khanajare) rent land from local Palestinian owners. Land is insufficient to support the traditional Bedouin system, and tribes were forced to disperse into smaller units to ensure sufficient grazing and access to water (UNRWA, March 2009). Today, 50–60% of West Bank Bedouins are concentrated in the Jordan Valley in Area C and thus face major planning restrictions for any construction (including water sources, domestic dwellings and agricultural shelters (Ma'an Development Center, 2008b: 2)). The area visited by the research team has been severely hit by drought in the past five years, and in some places grazing plants and feedcrops have died. These problems are compounded by restricted movement due to the closure regime. In the past, young men from Um El Kher used to move to Jericho for work, but this is no longer possible.

4.3.2 Freedom of movement and access to land

The closure regime has restricted the Bedouins' freedom of movement. Of the 1,500,000 dunum of rangelands in the eastern part of the West Bank, only 225,000 are open for grazing. Taking livestock out to pasture is forbidden in rural areas near Jericho and the Jordan Valley. The Azazme and Khanajare used to travel to Ramallah, Jenin and Tubas for the dry summer months, but can no longer use these routes. Going on foot is too dangerous, and getting permits to transport

livestock by road is almost impossible. In Um El Kher, Bedouins used to travel up to 15km for seasonal livestock movement. Today, movement is limited to 1km or 2km around the village. Movement and access to grazing grounds in both areas is also restricted near Israeli settlements. Azazme interviewees said even children had been shot at when coming too close to the settlement. In Um El Kher, close to Karmel settlement, Bedouins have been prevented from reaching land they have used for grazing since 1948. The Azazme and Khanajare face additional problems with local Palestinian farmers, who are erecting fences around their land in order to protect it from grazing animals. The Bedouin see this as a way of forcing them out of the area. Other aspects of marginalisation include the high rates that Bedouin are charged for renting land and transport and buying water, and employment exclusion in the local town (UNRWA, 2009). Living in area C also means vulnerability to home demolitions and limited access to services due to restrictions on the construction of infrastructure. People in Um El Kher have suffered two 'administrative demolitions' in recent years, the latest on 29 October 2008, when 8 families were made temporarily homeless. Although the community had been appointed a lawyer by the PA, little progress on stopping the demolitions or the road building had been made and in March 2009, efforts were underway by humanitarian organisations to secure an additional lawyer.

Closure and movement restrictions have had a severe impact on access to services. Problems getting permits to construct schools, clinics, boreholes and irrigation systems mean that Bedouin have to travel long distances to obtain these services. The lack of deep wells results in a reliance on expensive tractor-towed water tanks, in some cases bought from settlements. Um El Kher Bedouin get water from the settlers, but supplies are not always reliable and can be cut off for several weeks. According to UNDP, per capita water consumption is dangerously low, at 15 litres a day (UNDP 2007: 1). Many people in Musafir Beni Naim are leaving. The original 150 families are now reduced to 50. Some have gone to Ramallah and Jenin, where they continue to live as herders. Some of those who remain rent land from local farmers near Beni Naim and farm there during the winter.

4.3.3 Physical safety

Although both communities faced risks to physical safety due to settler violence, this was much more

severe in Um El Kher due to the proximity of the settlement at Karmel. Incidents ranged from stone-throwing and taunts from settler youths to the shooting of livestock and working dogs. The settlement guard frequently abuses community members (including children), both physically and verbally. Other examples of settler violence mentioned by interviewees included the poisoning of wells, running over livestock by vehicles, slashing tyres, the theft of livestock and harassment. While the Israeli security forces are responsible for the safety of all civilians in the area, in practice the police take little action to protect Palestinians or in response to specific Palestinian complaints, including against the settlement guard at Karmel. In the absence of police action, residents of Musafir Beni Naim have developed their own strategies to improve safety, including travelling in pairs when herding.

4.3.4 Impact on livelihoods and community responses

With the loss of work opportunities in Israel from 2000, the Bedouin became almost entirely dependent on herding and farming. The main source of income for many was the sale of livestock and livestock products like yoghurt and cheese. The trade in dairy products has however been affected by the reduced quality and quantity of animals and by the closure regime, as products are often spoilt during delays at checkpoints. The Bedouin have lost large numbers of livestock in the past few years, both as a result of restricted movement and drought. Limited access to grazing areas has resulted in overgrazing. The Bedouin are forced to buy fodder for their livestock, at a cost of approximately 100 NIS a month for each head of livestock (OCHA, 2008). In Beni Naim, interviewees said that a family's livestock holdings had on average gone down from about 100–150 to only 50. Bedouins in Um El Kher used to own about 3,000 shoats; now there are only 200. Meanwhile, food and income from farming have drastically declined over the past 4–5 years. Many people in Musafir Beni Naim have stopped altogether, and drought and the risk of settler violence has curtailed farming in Um El Kher.

There are few other livelihood opportunities, in part because of a lack of skills other than livestock herding, in part because of discrimination against the Bedouin and in part because of wider competition for work among Palestinians as a whole. In Um El Kher, people reported that it was only possible to find unskilled labour on an ad hoc basis. In Musafir Beni Naim, the research team

was told that, in one family of 20, perhaps eight or 12 people could find work for about one month a year. Even skilled workers are usually unable to find employment. A recent UNRWA assessment gives current income sources as the sale of farming and herding products (21.1%), wages (23.5%), self-employment (17%), aid payments (29.1%) and other sources of revenue (9.3%) (UNRWA, 2008e: 30).

As elsewhere, prices have risen as income has declined. As a result of drought and increased demand fodder prices more than doubled in 12 months, from 850 NIS/MT (\$230) to 1,850 (\$500). At the same time, sheep prices fell from 600 NIS (\$73) to 350 NIS (\$45) (FAO, 2008). As water cisterns are empty for seven or eight months of the year, communities like Musafir Beni Naim are now entirely dependent on bought water and fodder (Harrison and Anselmo, 2008). A tank of water sufficient for a family of ten and 50 goats for one or two days costs about 200 NIS. In Um El Kher, the total debt for water is 12,000 NIS, split between the community's families. The main response to these difficulties is to sell livestock or go into debt. A recent ACTED survey shows that 70% of Bedouin households had sold livestock over the previous year, and that there had been a 21% decrease in herd size overall (ACTED/FAO, 2009). Unsustainable running costs were cited as the main reason for these sales.

In both communities visited, interviewees said that they could only purchase on credit, and that credit was becoming more difficult to get. On average, in Musafir Beni Naim people had a debt of about 10,000–15,000 NIS. In addition to the interest on these loans, goods bought on credit are more expensive. For example, 1 MT of fodder bought on credit may cost 1,500 NIS, compared to 1,200 when bought outright. Even future, unborn generations of goats are used as credit, and are thus in effect already owned by local fodder traders. For families who can no longer get credit, one of the only options left is begging. Another is to leave the community. Young men travel with some livestock to places where they used to herd before, but this time they stay there rather than making the return journey. Drought and restrictions on movement are forcing some people to move into less safe areas. Pressure towards displacement has led to high levels of urbanisation among West Bank Bedouins.

Herding in the arid south of the West Bank is becoming increasingly difficult. Unless restrictions on movement are eased, and herders and Bedouin

are assisted with meeting their debt obligations, herding may soon die out. The crisis in herding is also reflected in a loss of social and cultural values. Women used to make tent material and traditional Bedouin rugs out of goatskin and hair, but are no longer able to do so because of the loss of livestock. Increasing indebtedness is also damaging social cohesion within communities as people borrow money that they are not always able to pay back. Education has become an important long-term strategy for the Bedouin in Um El Kher. Almost all children go to school. Parents realise that agriculture and herding will be more difficult in future, and without an education it will be much more difficult to find work. However, herding will remain an important part of the Bedouin identity. Their identity is not just connected to their ethnicity but to their way of life. Herding is part of this, and many want to preserve it even if it means operating at a loss and going into debt.

4.4 Refugees in Far'a and Arroub camps

4.4.1 Introduction

Interviews were conducted in Far'a and Arroub refugee camps. Both camps have been in existence for over 50 years, and today are made up of permanent multistorey brick houses. Far'a camp is situated in the area of Tubas in the Jenin governorate in the northern West Bank. UNRWA has registered 7,632 refugees in the camp (UNRWA, 2007). The camp is close to the Jordan Valley where some agricultural labour is available on Palestinian farms or Israeli settlements. Access to the valley and to the central and southern West Bank is controlled by the notorious Hamra checkpoint, where the treatment meted out to Palestinians is particularly harsh. Far'a camp is subject to regular, if not nightly, patrols and incursions by the IDF.

Arroub camp is located in the Hebron governorate, 15km north of the city. There are 10,444 registered refugees in the camp (UNRWA, 2007). Residents are mainly dependent on wage labour. The location of the camp alongside Road 60 – a highway used by Israeli settlers – has implications for the security of the people living in Arroub. Patrols and military incursions into the camp are frequent.

4.4.2 Threats to physical safety

Residents of both camps reported living in constant fear of the IDF. In Far'a, the IDF patrols

the camp in jeeps and on foot almost nightly from about midnight to 4 or 5 in the morning. On rare occasions soldiers stay longer and curfews are imposed. These patrols and searches have been ongoing for over 20 years, since the first *intifada*, although in recent years they have got worse. Stun grenades and tear gas are often used during raids. Camp residents believe that the level of IDF activity in the camp is linked to its remoteness, which allows the IDF to use it as a training ground for operations; others claim that the fact that militant groups operate in the camp is also a factor. Similar searches are conducted in Arroub, although less frequently, and during the day, as well as at night. When soldiers enter during the day, it is common practice to shoot into the air to disperse crowds.

In both camps, soldiers enter houses, order the family into one room or onto the street and conduct searches. One woman in Far'a reported the IDF entering her house six or seven times over the previous year. Houses along the main thoroughfare are most at risk during these raids. Significant damage can result, including to windows, doors and furniture. Raids can also involve injury and theft. Soldiers may also go from house to house along rooftops, damaging water tanks. Another tactic, known as 'through walls', involves destroying partition walls between neighbours' homes to reach targets without being exposed in the narrow streets. Larger incursions are also undertaken, usually when the military is searching for a particular individual. These incursions involve much larger numbers of soldiers and greater risk to civilians. An example of an incursion in Far'a camp is provided in Box 9.

Young men between the ages of 14 and 35 are most affected by IDF activity; they are often targeted in raids, and form the core of the resistance that camp residents mount in the face of ongoing incursions. Rates of arrest and detention in Arroub camp were mentioned as particularly high, with young people between 14 and 18 rounded up and detained following incidents along Road 60 (a practice viewed as collective punishment by the residents). One 18-year-old told the study team that 85% of his classmates had been detained at one time or another.

The psychological impact of the violence in the camps is immense. People do not feel safe in their homes; in Far'a camp, women spoke of sleeping in their headscarves or fully clothed due to concerns

Box 9: Military incursion in Far'a Camp

In late 2008, large numbers of IDF soldiers on foot and in jeeps entered Far'a camp, reportedly searching for wanted persons. According to 'S', the female head of the family, at 5am the IDF banged on the house door and screamed at the family to come out. The husband answered and was ordered outside at gunpoint. As the soldiers were entering, 'S' ran to get her two-year-old son from another room, but claimed that she was pushed aside by a soldier who threatened to shoot her if she moved. The soldiers ordered the entire family into the room where the son was sleeping. 'S' claimed that they were kept there until 11am without food, and with just one bottle of water for the family. The soldiers used one of the windows of the house to shoot at people on the street, who responded by throwing stones, terrifying the family. Later, taking her children to the bathroom, she claimed to have found the soldiers resting on their beds with their dogs. 'S' alleged that, when the soldiers left after five and a half hours, furniture and windows had been destroyed, along with clothes and food. The only help she received was 900NIS cash assistance from UNRWA, which although helpful did not cover the much higher cost of the damage.

about their dignity if IDF soldiers saw them unveiled or forced them onto the street. Women also reported increasing levels of domestic violence, with out-of-work men turning on their wives, and mothers in turn becoming aggressive towards their children. Lack of sleep due to IDF incursions affects performance, both at work and at school.

Although violence and harassment by the IDF was the main form of insecurity reported, women also mentioned tensions in the camps as a result of friction between Hamas and Fatah supporters. While it was claimed that these tensions had not led to violence, there were reports of discrimination in terms of access to jobs and assistance.

4.4.3 Threats to freedom of movement

Residents in both camps reported problems travelling within the West Bank, as well as travelling to Israel for work. At checkpoints, young men in particular were often met with harassment or delays. The combination of delays at checkpoints and the daily 'curfews' in Arroub – which residents claimed were implemented arbitrarily by soldiers manning the gates – has major implications for people with jobs in nearby cities. As it is almost impossible to return by the appointed time, many are forced to stay in their workplace or walk for another half an hour to the

back entrance of the camp. Travel into Israel has become virtually impossible since the Barrier was erected. Camp residents told us that just 50 refugees had managed to obtain permits for work in Israel.

Box 10: Travelling to work in Israel with and without a permit

Tareq lives in Arroub camp. He managed to get a permit for work in Israel through an employer and a lawyer. To get to work, he leaves home every day at 3am and travels to Gilo terminal (a checkpoint near Bethlehem which acts as the main entry-point into Jerusalem for Palestinian ID holders from the southern West Bank). He arrives by taxi at Gilo by 3.30am in order to get in the queue early. The gate at Gilo is due to open at 5.00am, but is often late. With the delays, Tareq reaches work at 9 or 10am. He is supposed to get there by 7am but he never does, which causes problems with his employer and means that he has to work late. He is paid 100 NIS per day, but after the cost of travel he receives half that amount, so he often stays illegally in Israel. Even with a permit his job is not secure. In March 2009, he worked just three days a week.

Two brothers in Far'a used to find employment as construction workers and blacksmiths in Israel. Today, however, they work illegally in Israel or in settlements, and are lucky if they find work for 12 to 15 days a month. Without a permit, the daily wage is 70 or 80NIS. The brothers use a combination of tactics to travel around, including different resident cards to facilitate travel through checkpoints in the West Bank. To get into Israel they either go through sewage pipes or over the Barrier where it is incomplete, or they pay settlers to transport them through the checkpoints, which can cost up to 250NIS. Once in Israel they often stay for weeks, sleeping at construction sites to minimise travel, with its attendant risks and costs.

4.4.4 Implications for people's livelihoods and community response strategies

Residents of Far'a camp depend mainly on seasonal agricultural labour on Palestinian- or Israeli-owned farms, and on employment in the public or voluntary sector, small businesses and wage labour in the construction, service or other industries. Many work illegally in Israel. In Arroub livelihood strategies are similar, but residents have less access to agricultural labour.

The closure regime and daily threats to people's security further curtail livelihood options. Women spoke of the loss of livelihoods opportunities due to detentions of male members of the family. Most of those interviewed found it impossible to get permits to work in Israel and now either work

illegally there, or try to find work in Palestinian cities. Men reported that the quality and availability of work had declined dramatically, with skilled workers like blacksmiths and builders forced to take unskilled jobs. Many spoke of discrimination against camp-based refugees in the West Bank. In Far'a, it was claimed that non-refugees were better treated than refugees working on the land, and that refugees often received lower salaries. Men reported working fewer days, on average two or three days per week rather than the six or even seven they worked in the past. Differences in salaries (for instance in construction) reflect this decline: relatively well-off people who earned up to 2,000 NIS a month in the past now reported earning about half that, and supplementing their income with assistance from UNRWA. According to UNRWA, some 40% of refugees are living below the official poverty line, while a quarter are mired in deep poverty (UNRWA, 2008a).

Key responses were to reduce expenditure, sell assets and go into debt. Houses are falling into disrepair; hospital bills are unaffordable and people are becoming more food-insecure. Residents in Far'a, which is surrounded by agricultural land, also spoke of trying to cope by eating leftover agricultural produce and wild foods. Others limited the number of children in university in distant towns, thus reducing travel costs and expenditure. Respondents in Arroub camp claimed that they no longer paid utility bills, ignoring threats of disconnection from the utility company; others spoke of debts ranging between 15,000 and 100,000 NIS. According to UNRWA, in March 2008 28% of respondents reported taking out a loan in the previous six months; in over 50% of cases the loan was used to buy food (UNRWA, 2008a: 17). Very few people received remittances from abroad, while *zakat* (charitable donations) could no longer be relied upon as it was allegedly 'stolen' by corrupt PA officials. There was also deep frustration at declining UNRWA assistance, as a result of funding difficulties.

Teenagers and young men are disproportionately affected by the violence, restrictions in movement and limited income-earning possibilities. In Far'a camp, many quit school at around 15 years of age as they cannot afford to pay the costs associated with attending the PA school (UNRWA free education stops at 15). Others are forced to work in the evenings or during the agricultural season in order to supplement household income. Mothers spoke of younger children selling beans in the market to make extra money, or sending children

to nearby farms to collect leftover vegetables. Children are often gone for up to four hours, and can face harassment from the IDF or from farmers who think they are stealing vegetables (some do). Job opportunities are limited: statistics show that the highest unemployment rates are recorded amongst Palestinians aged 15-19 (36.3%) and 20-24 (30.8%) (UNRWA, 2008a).

A final response is resistance. Leaders in Arroub camp claimed that they had two meetings with the Israeli authorities regarding the level of incidents in the camp, but requests for the IDF to stop its incursions went unheeded. Meanwhile, one group of young people reported waiting at the entrances

of the camp each night in order to throw stones at IDF troops, forcing them to disperse. Those most heavily involved tend to be youth not in school or work. Although fighting puts them at much higher risk of injury or even death, as well as arrest and detention, men and male youth deemed resistance to be part of 'the struggle', and a justified attempt to defend the Palestinian population. Female interviewees were less convinced, stating that perpetrators were endangering themselves and the camp, and making life more difficult. They also claimed that they were tired of the fighting; their husbands had already put themselves at risk, only to be jailed or exiled.

5. The Impact of Protection and Livelihoods Threats in Gaza

This section explores the key protection and livelihood threats in Gaza. It reviews three different periods: from the second *intifada* in 2000 until the blockade in 2007; the period between 2007 and 2008; and the aftermath of the conflict in December 2008 and January 2009. Interviews with farming communities in Gaza and a review of secondary sources reveal continuing threats to people's physical safety, freedom of movement and access to land and property, causing the progressive impoverishment of the population and a significant deterioration in the humanitarian situation.

5.1 Introduction

Gaza is a narrow strip of 365km² (see map on page 4). Home to nearly 1.5 million people, it is one of the most densely populated areas in the world. Ground, air and sea access in and out of Gaza is controlled by Israel. Since the occupation in 1967 the economy has been dependent on Israel for imports and exports, as well as on the Israeli labour market (Muhanna and Qleibo, 2008: 26). Before the 2007 blockade, the majority of the 3,900 industries in the territory were involved in manufacturing for export, predominately to Israel (World Bank, 2007a). Ninety-five per cent of raw materials and 80% of machinery were imported (PSC, 2007). The industrial sector provided jobs for approximately 35,000 people (OCHA, 2007c and 2007b).

The Gaza Strip has 70,000 dunum (700ha) of agricultural land and the capacity to produce approximately 300,000 tonnes of agricultural products a year (OCHA, 2007c). Before the blockade, the agricultural sector employed 40,000 people, generating livelihoods for a quarter of the population (WFP, FAO and UNRWA, 2009). Approximately 5,000 farmers were dependent on the export of cash crops (PSC, 2007). An estimated 24,000 Gazans worked in Israel in September 2000. In 1999, the unemployment rate in Gaza was approximately 17% (FAO and WFP, 2007).

5.2 Protection and livelihoods after the second *intifada* (2000–2006)

5.2.1 Protection threats

With the outbreak of the second *intifada* in 2000, house demolitions and frequent IDF incursions posed significant threats to the physical safety of Gazans (HRW, 2004; B'Tselem, 2002b). Between 2000 and 2004, approximately 2,500 houses were demolished. Communities living near settlements, settler roads and army positions were particularly exposed (*ibid.*). Restrictions including road closures and checkpoints limited freedom of movement both within Gaza and between Gaza and Israel (HRW, 2004). Starting in 2001, Israel also began to reduce the number of permits issued for work in Israel.

In 1994 the GOI erected a 60km border fence around Gaza. A 150–500m-wide 'buffer zone' was added on the Palestinian side, consisting of a bare strip of land alongside the border fence. The buffer zone was never clearly demarcated and has been progressively expanded over the years. Farmers living near the buffer zone saw the destruction of greenhouses, orchards and fields, and accessing land became difficult and dangerous (B'Tselem, 2002b). Sea access for Gaza's fishermen was also limited. A fishing limit of 20 nautical miles off the Gaza coastline, agreed in 1994, was restricted to 12 miles and in some areas to three to six miles (WFP with FAO, 2003). On occasion Israel forbade fishing altogether on security grounds, with closures ranging from a few days to a full year (OCHA, 2007b). The IDF periodically fired at fishing boats on the grounds that fishermen had gone beyond the officially permitted distance. Several were killed, injured or arrested.

The withdrawal of ground troops and settlement blocs from Gaza in 2005 led to improvements in freedom of movement within the Strip. At the same time, however, administrative and physical constraints on the movement of people and goods in and out of Gaza have become increasingly tight, despite the provisions set out in the AMA. Israel's five-month military offensive in 2006, Operation Summer Rains, led to a high number of Palestinian casualties. Direct attacks on civilian infrastructure, including Gaza's sole power plant, severely impacted the lives and livelihoods of Gazans (OCHA, 2006).

5.2.2 Implications for livelihoods and community strategies

This period saw a marked economic decline and deterioration in livelihoods – including job opportunities, access to livelihood assets, trade and export – resulting in rising unemployment, food insecurity and poverty. In 2005, the unemployment rate in Gaza reached 30.3%, compared to the 1999 level of 17% (PCBS, 2006, in FAO and WFP, 2007). In 2002, a staggering 70% of the population was living below the poverty line; by 2005, this had reached 80% (*ibid.*). Between 2000 and 2001, approximately 7% of agricultural land (13,500 dunam) was destroyed by the IDF, decimating farmers' livelihoods (B'Tselem, 2002b). Meanwhile, fishing restrictions saw catches decline from 3,651 tonnes in 1999 to 1,604 tonnes in 2006 (OCHA, 2007b).

An increasing number of Gazans resorted to selling assets, using up savings and running up debts (WFP with FAO, 2003). Many fishermen sold household appliances and sometimes even their boats, became heavily indebted to workshops responsible for boat maintenance and left their nets in a bad state of repair (*ibid.*). Reduced expenditure, including on food, was also another common strategy. The poorest households cut the number of meals they ate, and meat was often replaced by pulses; dairy products, fresh fruit and vegetables became too expensive for the most vulnerable households (*ibid.*). A number of farmers interviewed said that before 2001 they used to work as skilled labourers in Israel in the construction sector, earning 100NIS a day, but now many rent land to farm. Others started to work with local employers, but, in addition to significant lower wages, there were complaints of unregulated jobs, long working hours and unpaid overtime (Muhanna and Qleibo, 2008).

5.3 Protection and livelihoods threats resulting from the blockade and intra-Palestinian violence (2007–2008)

Factional fighting between Hamas and Fatah in mid-June 2007 was marked by serious violations of IHL by both parties, including summary executions, torture, fighting in densely populated areas and the blocking of medical care for the injured. The conflict led to the deaths of 41 civilians, with another 700 or so injured (HRW, 2008). Since Hamas' takeover of Gaza, there has also been a marked deterioration in the rule of law. In 2007, Hamas dismissed judges and staff of the Higher Justice Council and replaced them with

pro-Hamas individuals, many of whom had inadequate experience or qualifications. Victims of violations were often reluctant to report abuses to human rights groups or the media because of fear of reprisals. The security forces are not held properly accountable for abuses or for the use of excessive force (*ibid.*).

As outlined above, the Israeli blockade of Gaza has devastated virtually all sectors of the territory's economy, disrupting markets, distorting prices and leading to a serious degradation in the infrastructure and basic services. Gazans are effectively trapped inside the Strip, while import and export bans have decimated the industrial sector (World Bank, 2008b). Unemployment increased by 65% between 2007 and 2008 (WFP and FAO, 2009). The blockade has led to decreased agricultural production and significant economic losses. One response has been to expand the highly lucrative 'tunnel economy' (see HRW, 2004) smuggling goods into Gaza from Egypt.

Box 11: The impact of the blockade on cash crop farmers

The export ban has significantly affected the livelihoods of the 5,000 farmers who were completely reliant on the cultivation and export of seasonal cash crops. Cash crop farmers, no longer able to export to Europe, have been forced to sell in the local market, where the profit margin is negligible. While they used to sell one kilo of strawberries for 25 NIS, since the blockade they can only sell strawberries in the local market at 1 or 2 NIS per kilo. Because of the blockade, farmers discontinued the cultivation of carnation flowers and cherry tomatoes. No longer able to export produce and with no local demand, their flowers and tomatoes simply rotted away. However, farmers continue to grow strawberries in the hope that export restrictions may be reduced.

The blockade has also done further harm to the livelihoods of Gaza's fishermen. Exports have decreased dramatically, from 1,784 tonnes in 1997 to just 54.9 in 2007 (FAO, 2008). Shallow coastal waters are being overfished, depleting stocks and compromising the future viability of the industry (FAO, 2008). Other strategies, such as selling disposable and durable assets and taking on debts, have been mostly exhausted, and some fishermen have been forced to stay ashore (*ibid.*).

Rising prices and declining income mean that increasing numbers of Gazans are becoming food-insecure (WFP, FAO and UNRWA, 2008). Fresh meat, flour, fruit and fresh vegetables are

becoming prohibitively expensive for many urban residents. The most acutely affected have resorted to distress strategies such as reducing the number of meals consumed, eating smaller quantities of food, selling disposable assets, increasing levels of debt, taking children out of school and the early marriage of daughters (*ibid.*; Oxfam, 2007). In December 2008, OCHA warned that the blockade had caused a 'profound human dignity crisis, leading to a widespread erosion of livelihoods and a significant deterioration in infrastructure and essential services' (OCHA, 2008c) In this context, only PA salaries, social allowances and high levels of aid have prevented a worse humanitarian disaster.

5.4 Protection and livelihoods during Operation Cast Lead (2008–2009)

5.4.3 Protection threats

Operation Cast Lead, launched in December 2008, resulted in 1,450 deaths; 5,400 were injured, and over 50,000 displaced. There were widespread allegations of war crimes. Hamas failed to distinguish between civilian and military targets in its rocket attacks on Israel, and allegedly used civilian premises for military activities. Meanwhile, the Israeli military operation was widely criticised as excessive and disproportionate (UNOHCHR, 2009). Civilian premises such as schools, mosques and medical facilities were repeatedly targeted, and there were widespread claims that the IDF used civilians as human shields (Amnesty, 2009). There have been claims that Israel's use of weapons such as phosphorous gas and depleted uranium may amount to a violation of the IHL prohibition on weapons and tactics that are 'cruel' or cause 'unnecessary suffering' (UNOHCHR, 2009). A leaked summary of a UN investigation report¹² states that Israel was responsible for nine attacks on UN premises and convoys, with a Palestinian faction, most likely Hamas, responsible for one attack on a UN building.

The effects of the violence were compounded by the blockade. The inability to move freely in and out of Gaza meant the denial of the most basic responses of civilians to conflict: to flee (O'Callaghan and Pavanello, 2009). Places where civilians sought shelter and refuge were also

attacked,¹³ which meant that even *within* Gaza options for safe flight became severely restricted. The blockade also meant that humanitarian convoys and personnel faced severe restrictions. Despite the significant increase in the number of trucks allowed into Gaza compared to the months prior to the conflict (a daily average of 122 during the first 18 days of January 2009, compared to 23 in the whole of the previous November), imports were still well below pre-blockade levels (475 truckloads in May 2007) and inadequate to meet humanitarian needs (FAO and WFP, 2009).

5.4.4 Implications for livelihoods

The military offensive severely impacted the already weak agricultural sector. Farmers in Al Zaytoon, east of Gaza City, reported that IDF tanks and ground troops had camped on their land for three days, causing massive destruction. During the 23 days of the conflict, nearly all agricultural activities were paralysed, an estimated 224 dunum of greenhouses and 40 dunum of nurseries destroyed, 300,000 trees uprooted and 250 wells demolished (WFP and FAO, 2009). Many farmers living near the buffer zone with Israel lost access to their land; around a third of all arable land in the northern, eastern and southern parts of the Strip have been annexed following the conflict (*ibid.*).

Farmers renting land near the buffer zone in the Beit Lahya area stopped farming for almost a month. When they returned, they found their crops destroyed and their land contaminated with white phosphorous and unexploded ordnance (UXOs), which resulted in some injuries. Farmers claimed that Hamas had helped them to clear their land, though at the time of the interviews for this study some larger UXOs remained in situ because the machinery needed to remove them was not available. Many cleared their land of white phosphorous themselves, covering it with soil to avoid ignition on contact with oxygen and carrying it away. While the farmers do not know if white phosphorous contamination carries any dangers to themselves or their agricultural produce, they have nevertheless resumed production, planting corn, potatoes, beans, carrots and onions.

¹² Summary of the report available at <http://image.guardian.co.uk/sysfiles/Guardian/documents/2009/05/05/4MayGltrtoSCBrd.pdf>

¹³ Including an attack on 6 January on the UNRWA school where civilians who fled their homes following air force bombings were seeking refuge: http://www.btselem.org/english/gaza_strip/20090111_bombing_unrwa_school.asp.

Box 12: Lives and livelihoods under threat: women farmers in Beit Hanoun

A group of farming women from Beit Hanoun reported that, during the first days of the conflict, IDF tanks arrived and soldiers ordered them out of their homes. They then allegedly destroyed their houses, razed their fields and orchards and shot their livestock. The women's husbands faced severe threats including killings, injuries and detentions. The IDF denied access to medical staff for approximately five hours, although one female IDF soldier helped the women to provide first aid to some of the injured. Some, but not all, of the women have been able to locate their husbands in detention, but they have not been able to see or speak to them. Following the end of the war the majority of the women have tried to access their lands and property a number of times, at great personal risk. One woman said that her 14-year-old son had suffered injuries to his leg and arm while trying to reach the family's demolished house.

The main response of farmers affected by the violence has been to take refuge with relatives in safer areas. Women farmers from Beit Hanoun were either still living with their relatives or renting a small room with cash assistance from Hamas or humanitarian organisations. Conditions were overcrowded, and those who were still living with their relatives spoke of friction and tension due to lack of space and their reliance on the help of their relatives. Many farmers feel that it is no longer safe for them to be on their fields after dark.

Fishermen were also affected. The fishing distance was reduced to 2–3 miles, and some fishermen lost their fishing assets and/or jobs; only 35% of boats have resumed fishing (WFP and FAO, 2009). Losses relating to closures and restrictions during the conflict have been estimated at \$1.75 million (ibid.). The further reduction in the fishing distance means that fishermen have not been able

to take advantage of the sardine season, which starts every year in April, as sardines are only found over six miles out. This means a substantial loss of income as sardines make up approximately 70% of the annual fishing catch (OCHA, 2007b; WFP and FAO, 2009).

For many people, the destruction of civilian infrastructure, widespread displacement and lack of safe shelter have affected psychological wellbeing. Youth and children, who account for almost half of the Gazan population, have been especially affected. Interviewees spoke of their children being terrified by loud noises and wanting to be with their mothers at all times. According to a survey conducted by UNDP, 'common signs of stress in children ... have tripled and in some cases quadrupled since the recent Israeli military operations' (UNDP, 2009: 57).

Severe restrictions on freedom of movement, high levels of insecurity and the lack of physical safety and constraints on access to land and other livelihood assets, in particular for farmers in the buffer zone and fishermen, have had a devastating impact. Although the high levels of violence that characterised Operation Cast Lead have dissipated since the ceasefire on 18 January 2009, intermittent clashes between Palestinian militants and the IDF have continued. Rockets from Gaza are still fired into southern Israel, Israel continues to carry out military activities especially near the buffer zone and fishing boats are fired on by Israeli naval vessels. The conflict has further exacerbated the deleterious effects of the prolonged blockade on the Gaza Strip. The implications for people's lives and livelihoods will be felt for many years to come, especially in view of the fact that recovery and reconstruction activities remain paralysed by the ongoing blockade.

6. Linking Protection and Livelihoods Interventions in the oPt

6.1 Overview of the humanitarian, livelihoods and protection response in the OPT

6.1.1 Overview of the humanitarian response

The outbreak of the second *intifada* in 2000 marked a shift in the aid response, from longer-term development assistance to emergency relief. Aid budgets doubled, to about \$1 billion per year, allowing for a tenfold increase in emergency assistance as well as significant budgetary support to the PA, whilst development assistance dropped to around 30% of pre-*intifada* levels. Since then, the oPt has consistently been amongst the top recipients of aid globally; per capita, it is the largest aid recipient in the world (Shearer, 2004).

This very high level of support has given rise to several concerns. On the one hand, commentators highlight that the readiness of international donors to foot the bill for the consequences of conflict and occupation in the oPt at best undermines Israel's accountability for its actions, and at worst implicates donor governments in the policies of the occupation and the cycle of destruction and reconstruction in the territory. Concerns about humanitarian assistance substituting for Israel's responsibilities as the occupying power led the ICRC to temporarily close its relief operation in the West Bank in 2003 (Schorno, 2004). In 2004, the head of OCHA in the oPt remarked that 'Despite the direct correlation between the collapse of the Palestinian economy and Israeli security measures, there is little pressure on Israel to account for or modify its military strategies' (Shearer, 2004). This continues to hold. Following Operation Cast Lead, donors pledged \$4.5 billion primarily for reconstruction in Gaza, dwarfing the \$2.5 million requested by the PA. One objective is to influence the governance structure in the oPt by reinforcing the authority of President Mahmoud Abbas and denying Hamas any international legitimacy. Similar efforts to influence the behaviour of Israel are largely absent.

Humanitarian assistance has shielded Palestinians from the full effects of the conflict and occupation. Humanitarian activities are almost entirely undertaken by international actors due to Israel's failure to meet its IHL responsibilities and the PA's lack of interest in humanitarian work;

indeed, according to some interviewees the PA views humanitarian aid and aid agencies as competitors for resources. The provision of mainly relief-oriented assistance in a context of strong local capacities and good (if difficult to access) local resources is indeed difficult to justify. During interviews, communities repeatedly reported that emergency assistance was welcome as it reduced expenditure and costs, but did little to address their major concerns: unemployment and economic decline. Given the increasing levels of vulnerability, however, humanitarian assistance must continue.

Most relief assistance has been in the form of food and cash (including emergency job creation schemes). There are 669 organisations currently distributing food aid in the oPt (Palestine Economic Policy Research Institute, 2009). UNRWA started the provision of food aid to Palestine refugees in 1948, and by 1989 this had evolved into relief and social services. Under this programme, UNRWA provides relief to 'special hardship' cases, such as the elderly, disabled and sick, as well as people living in extreme poverty. About 10,000 households receive this relief as part of UNRWA's regular programme in the West Bank. Many more households meet the criteria than are currently being helped. The social services component includes micro-credit and community programmes (e.g. vocational training). Other social assistance and safety net programmes are provided or supported by zakat committees, the Ministry of Social Affairs and international agencies including WFP, CARE and the ICRC. As described above, many of the PA schemes were affected by the sanctions against the National Unity Government in 2006/07, and are now supported through the EC's PEGASE programme (see below). Our research with the Bedouin in Musafir Beni Naim showed that the social assistance provided by local charitable organisations was highly appreciated. Emergency programmes are also in place to address problems stemming from reduced income, including food parcels, cash grants and job creation schemes (or cash and food for work).

Despite deteriorating conditions, UNRWA's programming in the West Bank has decreased due to lack of funding; the number of emergency food aid beneficiaries, for instance, has fallen from 90,000 households in 2006 to 60,000 in 2008.

WFP provided food aid to 665,000 of the most vulnerable non-refugee population in early 2008. This figure has since increased by 365,000 due to the conflict in Gaza (Palestine Economic Policy Research Institute, 2009). Interviewees complained that only a basic amount of assistance was available from UNRWA, and that it was not possible to benefit both from the regular relief programme and from the job creation programme or cash for work. Others said that Special Hardship Case assistance was stopped when a male member of the family reached 18, irrespective of whether they received an income or not. This meant that some poorer families married off their sons at 17 or 18, to ensure that they continued to receive assistance.

There was much resentment at differences in the levels of assistance provided by different agencies. In Hebron, refugees indicated that non-refugees received a much higher level of assistance from the ICRC than registered refugees received from UNRWA. A similarly negative comparison was made with assistance from WFP. Current practice within UNRWA and WFP means that, in areas where less than 30% of the population are non-refugees, these individuals do not receive any food assistance irrespective of need. This is currently the subject of review between WFP and UNRWA. Refugees also resented the fact that, despite the diminishing assistance received from UNRWA, other organisations generally did not provide assistance in camps. While differences in the level and type of humanitarian assistance provided by different agencies are likely to persist, agencies are beginning to move away from status-based targeting (such as families with elderly or disabled members, female-headed households and medical cases, as well as income status) to needs-based targeting, using proxy means testing based on dietary diversity and expenditure information. This reform applies not only to WFP and UNRWA, but also to social assistance provided by the Ministry of Social Affairs.

Relief assistance has also been provided to address the humanitarian consequences of drought and increases in global food prices (of particular concern in the oPt due to the territory's high dependence on imported food). Drought response has focused on herders and farmers, providing water, fodder and seeds, as well as food aid. The main response to food price rises has been by WFP, which provides vouchers which can be exchanged in local shops for bread, cheese, yoghurt and milk. The programme targets 46,000

poor, unemployed people in urban areas. There are few other large-scale programmes for urban populations, despite the fact that city-dwellers have suffered the highest increase in food insecurity and enjoy the least coverage under existing safety net programmes (FAO/UNRWA/WFP, July 2008; WFP, November 2008).

Cash grants, cash for work (CFW) and voucher programmes are all appropriate as food is often available on markets, but people lack the money to buy it and have high levels of debt. These programmes, including food for work (FFW), often have livelihood objectives as well, which by many is taken to mean assisting people to retain access to their land. For example, WFP implements FFW projects specifically to help farmers to stay on their land. Cash or food for work programmes also provide a safe form of employment close to people's homes (UNRWA makes a special case for olive picking and CFW on land owned by Village Councils). Voucher interventions are appropriate in this context because they provide goods to vulnerable households to meet their basic needs, and can also support asset-building and trade by promoting local purchase of products.

6.1.2 Livelihoods interventions

In addition to the food security interventions outlined above, livelihood support in the West Bank and Gaza is designed to meet basic needs, provide or protect assets and address some of the obstacles people face in accessing markets, land and services. Longer-term livelihood support is however limited by funding constraints (many programmes are on emergency funding cycles of a maximum of 12–18 months), and infrastructure problems. A further constraint on longer-term livelihoods programmes was the international boycott of the PA between 2006 and 2007, which eroded services and allowed important infrastructure to decay as the PA was unable to pay its 160,000 employees. In response, the Middle East Quartet endorsed the Temporary International Mechanism (TIM; now PEGASE), designed by the EU to provide an alternative mechanism to support the PA's most important functions. PEGASE provides direct support for PA employees who deliver essential social services. Allowances are intended to reach 80% of civilian employees on the PA payroll. Through its member states and the Commission, the EU allocated an additional 651m Euro in 2006.

Interviewees indicated that the majority of recovery or developmental funding is channelled

through the PA, while most humanitarian relief is routed through UN agencies. This creates problems with coordination and an unhelpful divide between relief and recovery/developmental activities. It also means that certain issues or sectors are prioritised over others. For instance, the PA's agricultural policy focuses on agricultural development, but fails to integrate an export component. There is also a focus on large-scale economic development, but less emphasis on the very poor. In Gaza, an additional complication is that international agencies cannot work directly with ministries due to their Hamas affiliation. Instead, agencies engage only at a technical level, for example by exchanging technical information, but do not provide funding or capacity-building support.

In addition to cash and voucher interventions, a number of other livelihood support interventions support or protect people's assets. These include income generation and micro-finance programmes, vocational training and livestock and agricultural support. Agencies like Oxfam, CISP, ACF and the ICRC have used a number of innovative approaches to provide people with alternative income-earning strategies, such as beekeeping and the provision of roof gardens for the urban poor, fishponds for fisherfolk in Gaza and agricultural and livestock inputs such as seeds, fertilizer and fodder. Dairy processing and beekeeping are two of the most successful vocational training activities. However, in the absence of more structural support to address the lack of services these are temporary measures at best. Most of these interventions complement food assistance, and do not enable people to be self-sufficient. Work on promoting access to markets is an important livelihoods activity in the West Bank, but is much more limited in Gaza. UNRWA's micro-finance programme in Gaza increasingly targets individual consumers, whereas in the West bank the majority of loans go to businesses and industry.

Advocacy by agencies involved in livelihoods, such as ACF and Oxfam, is usually intended to promote access to markets. It can include local-level negotiation or efforts to promote Palestinian goods on international markets. Some agencies actively boycott settlement products.

6.1.3 Protection activities in the West Bank and Gaza

A wide range of local and international agencies are engaged in protection work in the oPt. In interviews, humanitarian actors consistently emphasised that the humanitarian crisis was the result of a lack of protection, and stressed the importance of a rights-based approach in humanitarian response. The humanitarian community is thus well-informed on protection issues; violations of international humanitarian and human rights laws are comprehensively documented and analysed and capacity is relatively strong, not least due to the involvement of Palestinian and Israeli human rights organisations. Protection activities in the oPt are also unusually well-funded. A protection cluster co-chaired by OHCHR was established in mid-2008, and according to local and international agencies it has played an important coordination role. This interest, capacity and support allow for a variety of activities at international, national and local levels.

The focus on analysis gives rise to a vast amount of public reporting, advocacy and denunciation. During Operation Cast Lead, for instance, UNRWA and the ICRC consistently highlighted issues such as the lack of medical access and indiscriminate attacks, and their humanitarian consequences. OCHA's protection work includes managing a database, which provides the information for weekly updates. Indeed, OCHA's level of engagement in protection and information management has given rise to charges by some operational agencies that it is neglecting its coordination function. Many Palestinian and Israeli organisations believe that engaging international governments and the wider public is the most effective means of changing policy in the oPt, and to that end B'Tselem, an Israeli human rights organisation, has opened a new advocacy office in Washington. The organisation also runs an innovative video project aimed at raising awareness of protection issues in the oPt, providing visual evidence to try to ensure accountability (see Box 13).

Box 13: Shooting back against protection violations in West Bank and Gaza

B'Tselem has distributed over 130 cameras, mainly to Palestinians living in and around Hebron. Families are provided with training on the use of the cameras, and B'Tselem uses the footage to generate public awareness and help ensure accountability. In 2008, B'Tselem used pictures of an attack in Mount Hebron to attract media attention to the problem of settler violence and impunity. The footage was aired on major international networks and Israeli TV stations, and covered in international and Israeli newspapers. Two settlers were arrested on suspicion of participating in the attack, and the Israeli Knesset Law Committee convened an urgent discussion on settler violence. Communities in Hebron described the cameras as being 'as effective as a gun' in deterring attacks. B'Tselem intends to expand the project into Gaza.

Monitoring and analysis also form the basis for a large number of demarches or private dialogue with the Israeli authorities. As discussed below, the ICRC, UNRWA and OCHA, as well as NGOs and other operational UN agencies, all intervene with the Israeli authorities in relation to violations.¹⁴ Less effort is made to influence the PA. Interviewees raised concerns about the lack of neutrality of aid actors, a criticism echoed by commentators (Fast, 2006). The large level of documentation and public and private reporting has little impact on the overall policies of the GOI, though many believe that this pressure may delay or prevent policy implementation at a very local level.

In addition to efforts to hold the authorities to account, there are also activities aimed at building capacity in protection. After the Oslo agreements, OHCHR established an office to provide capacity-building to the PA, as well as to provide reports to the UN Human Rights Council. OHCHR's mandate has expanded since the conflict in Gaza, to include reporting and monitoring and coordination as well as capacity-building. UNICEF also plays a capacity-building role, supporting the development of policies and processes to protect children. In light of the embargo on Hamas, neither organisation provides technical assistance to the authorities in Gaza.

¹⁴ This level of engagement has given rise to concerns in other contexts about inconsistency in the interpretation of the law, reducing the credibility of the interventions and allowing the authorities to play off different agencies against each other (Pantuliano and O'Callaghan, 2006).

A large number of assistance or substitution activities are also undertaken aimed at reducing civilian exposure to risks or helping civilians to deal with the consequences of such exposure. These include community protection committees in Gaza, psycho-social activities in Gaza and the West Bank and programmes providing prosthetic limbs to victims of political violence in Gaza. One major feature of the response in the West Bank is legal assistance for communities facing protection threats. This includes actions to reroute the Barrier and legal support to communities faced with eviction or demolition orders; at the international level, action has been taken to increase accountability, such as Al Haq's taking a case against UK ministries for inaction in relation to the recent conflict in Gaza. Most legal action is undertaken by Israeli or Palestinian organisations.

A variety of mandated and voluntary actors are also involved in protection by presence, ranging from the Temporary International Presence in the City of Hebron (TIPH), a civilian observer mission, to NGOs deploying international staff to deter violence, for instance at checkpoints, and Arab-Israeli volunteers farming the land of Palestinians who have lost access, to prevent the land from being confiscated. While this presence does little to change policy, communities claimed that the presence of international actors can influence behaviour in certain instances. The ICRC, OCHA and UNRWA also monitor the opening and closing of Barrier gates.

6.2 Linking protection and livelihoods in analysis, strategy, targeting and programming

There is a close link between protection and livelihoods in the oPt. IDF incursions, Palestinian factional violence, restricted movement and confiscation of and lack of access to land are not simply rights issues. They also fundamentally undermine people's livelihoods in both the West Bank and Gaza. Those affected are faced with difficult choices as they seek to balance the risks they face: families in Hebron sacrifice work opportunities in order to protect their houses and families; farmers who own land near the buffer zone in Gaza farm only at certain times; poor people across the oPt are withdrawing their children from school in order to increase the productive capacity of their households.

6.2.1 Analysis and assessments

The strong focus on protection in oPt is clearly reflected in planning and appeals documents such as the CAPs (see the Gaza 2009 Emergency Flash Appeal and OPT 2009 CAP). However, while the over-arching analysis integrates protection issues, the needs assessments that form the platform for livelihoods and food security interventions do not necessarily follow suit. Assessments include household economy assessments, needs assessments, and food security assessments, either just for refugee populations (i.e. by UNRWA) or all conflict affected populations (led by WFP and/or FAO), as well as more specific studies on land, markets and trade (for example by the World Bank). Needs assessments in the West Bank generally consider sectoral needs in different geographical areas (e.g. UNRWA, 2008, June), or on assessing the socio-economic status of refugee households overall (UNRWA/Tango, 2008, July). Food security assessments consider a large number of food security indicators for refugee and non-refugee populations. Each of these types of assessment has provided extremely valuable information on the effects of the humanitarian crisis, the level of assistance required and the targeting of assistance. However, although some assessments incorporate an analysis of the causes of food or economic insecurity, this is generally limited to stating that the closure regime is the cause of economic decline. Rarely is there any analysis by livelihood or risk group, of the kind presented here.¹⁵ Conversely, while protection and human rights analyses provide comprehensive and wide-ranging documentation of the denial of people's rights, the humanitarian consequences of this denial do not generally feature strongly. Greater incorporation of these elements may not affect the overall policy environment, but it would allow for pragmatic interventions that help address the implementation of these policies at a local level, as well as mitigating the consequences of violations and reducing the likelihood that people affected by them will place themselves in further danger by adopting risky strategies. Integrating a protection analysis into food security, household economy or needs assessments, and a livelihoods analysis into protection assessments,

¹⁵ By looking at the food security and resilience of chronic poor and new poor, recent FAO work on strengthening resilience represents a move towards this kind of approach. In this approach, the 'new poor' include farmers whose land has been confiscated, sheep herders whose movements have been restricted due to the Barrier and families confronted by settler violence (FAO, 2007).

is necessary for the development of a coherent assistance strategy.

6.2.2 Strategy

Agencies with a strong protection component to their work, such as the ICRC and SC-UK, are more likely to have an integrated protection and livelihoods approach. For example, the ICRC adopted an integrated protection and economic security (or livelihoods) programme in the oPt in 2006. In the West Bank, the protection department raises issues relating to the overall occupation as well as specific violations of IHL with the responsible parties, whilst the economic security team implements food security and livelihoods programmes that address the consequences of these violations. This approach includes prioritising or targeting areas or groups most vulnerable to protection and livelihoods threats. Thus, a major component of ICRC's work in the West Bank focuses on farmers whose livelihoods have been undermined as a consequence of the routing of the Barrier through their land. In Gaza, ICRC undertook an economic survey in 2008 to highlight the impact of the closure regime at community level, whilst large-scale relief and livelihoods activities were undertaken to address the consequences of the closure. There are fewer opportunities to undertake integrated work at a programme level in Gaza, although farmers in the buffer zone are one group for whom this is possible (see below).

Save the Children UK's strategy is to focus on the prevention of forced displacement and the protection of those affected in both the West Bank and Gaza. Like the ICRC, Save focuses on those populations most at risk, which means that communities in the Jordan Valley and in northern Gaza are prioritised. Similarly, UNWRA has an integrated strategy for damage and demolitions resulting from military incursions, involving interventions with the IDF on protection issues affecting refugees through the Operations Support Office, as well as direct response in the form of cash or in-kind assistance and psycho-social counselling. Oxfam is also seeking to better integrate protection into its livelihoods programming, working with Israeli partners to help overcome the trade and movement barriers affecting farmers' ability to grow and export produce. Oxfam focuses on restrictions on specific farming inputs such as manure, and works with Israeli human rights organisations to help raise awareness of the impact of trade barriers on people's lives.

Save the Children UK is one of several agencies participating in the Displacement Working Group which has developed an inter-agency strategy for protection and livelihoods. The group's aim is to help prevent as well as respond to forced displacement in the West Bank. The Working Group coordinates a range of agencies, from the prevention stage to emergency response, as well as immediate, intermediate and longer-term measures in the aftermath of displacement. However, while greater attention is being placed on town planning and other efforts to prevent displacement and demolitions, most efforts tend to focus on emergency response rather than prevention or long-term integration.

More generally, protection actors highlight specific groups affected by protection threats (e.g. Gazans, farmers affected by the Barrier, settlements and the closure regime, people in East Jerusalem), while agencies starting from a food security, agriculture or economic perspective tend to prioritise according to economic status (e.g. the poor or unemployed or specific livelihood groups, such as farmers, herders and fishermen). Protection agencies could do more to assess whether higher exposure to protection risks results in greater need for specific groups. If and when this is shown to be the case, protection agencies should seek to induce their livelihoods counterparts to target their interventions accordingly. The 2009 CAP is a step in this direction, given its focus on areas/communities affected by protection problems (Area C, the seam zone, East Jerusalem).

6.2.3 Joint protection and livelihoods programming

Agencies have gone further in linking livelihoods and protection in the oPt than in other contexts, and a number of programmes have had positive benefits for people's rights as well as their livelihoods. Much of this work focuses on communities or groups facing destruction or denial of livelihoods assets due to Israeli policies or practices. In most cases, projects include livelihoods and protection activities aimed at a common objective of preventing displacement or retaining access to land. All include a range of protection and livelihoods work, for example the

provision of goods or services (from food aid to cash to agricultural inputs), monitoring (of access to land through the Barrier, or of displacement), local and national-level lobbying and advocacy and legal assistance. Three examples are given below: farmers at risk of losing their land, people at risk of displacement because of demolitions and refugees affected by hostilities.

Farmers at risk of losing their land

A number of different protection agencies and agencies involved in livelihoods programming are working on the problem of land confiscation and access arising from the Barrier, the buffer zone or settlement expansion. In the West Bank, the ICRC's primary objective is to help ensure access to land and to reduce the risk of confiscation, although there is often also a secondary aim of supporting the dignity of those whose lands and livelihoods are under threat. Activities are undertaken on both a case-by-case basis, where individual farmers are assisted in maintaining access to their lands through liaison with the Israeli authorities, as well as on a policy level, where the overall issue of violations of IHL is addressed with the relevant authorities. This work therefore adopts both principled as well as pragmatic components (i.e. promoting adherence to the relevant laws and addressing the consequences of non-adherence). Beneficiaries are selected on the basis that they have lost consistent access to their land, are in economic need and are willing to engage in the project. Livelihoods interventions include cash-for-work to support olive and vegetable farmers at planting and harvesting times, the provision of basic inputs such as seeds and tools, water projects, such as renovating water systems, support to cooperatives and training in improved production practices. ICRC also supports farmers in applying to the Palestinian DCL, which then coordinates with its Israeli counterpart to allow access to land. Permits are often issued only for the duration of the project (e.g. three months), although there are increasing efforts to expand this as much agricultural work requires year-round rather than periodic access. Whilst ICRC does not monitor the opening and closing of the Barrier gates, when there are problems farmers can contact the ICRC, which in turn asks the Israeli DCL to open the gates. The ICRC also uses information from these projects to inform interventions with the authorities by highlighting the humanitarian implications of IHL violations.

Table 2: UNRWA’s agricultural calendar for olive growing (adapted)

Jan-March	April-June	July-Sept	Oct-Dec	Comments
			Harvest	Harvest is most labour-intensive period. Starting date depends on crop maturity, the duration of the harvest depends on its quality/quantity, and on manpower
2 nd Ploughing	3 rd Ploughing		1 st ploughing	Ploughing depends on the rains, with at least 3 needed
1 st pesticide spray	2 nd pesticide spray	3 rd pesticide spray		1 st spraying required before flowering, 2 nd during flowering and third before full maturity of fruit
			Trimming	Trimming happens during or just following harvest
			Fertilising	Usually conducted once per year
Periodic monitoring and ad hoc visits				Bi-monthly visits in between peak times are needed to assess needs, tree and crop health, and required action.

Agencies also work together to address land problems. For example, OCHA and UNRWA liaise with the Israeli DCL to ensure adherence to approved opening times for farmers and communities, and then monitor these opening times to ensure adherence. To facilitate greater access, UNRWA has provided the Israeli authorities with agricultural calendars, showing how consistent land access is required for cultivation, as well as the specific times of the year when access is crucial. This work requires effort, both in liaising with the Israeli authorities and monitoring the opening and closing of the Barrier, and has had some success on an individual or local basis. As described above, a number of agencies undertake livelihoods support activities which help increase productivity despite limited access, or assist in marketing and trade, which helps farmers maintain access to their land. In interviews in Biddu, farmers reported that, while they appreciated the livelihoods interventions they received (mainly food aid and cash for work), the most important support was UNRWA’s work in monitoring the gates.

Similar activities are undertaken in Gaza in relation to the buffer zone. For security reasons, agencies focus on working with farmers nearby, rather than inside, the zone (agency staff venturing inside the zone risk being shot). Ensuring that nearby land is cultivated also has the potential benefit of restricting the expansion of the buffer zone. Actual livelihoods activities may include anything from agricultural and road rehabilitation to seed distribution and training farmers in the production of crops that require less maintenance and therefore less time on the land.

Box 14: Unpredictable opening at Biddu

Following consultations with farmers in Biddu and coordination with the Palestinian DCL as part of UNRWA’s monitoring work, gate openings on four week days and one day at the weekend were identified. UNRWA spent months liaising with the Israeli DCL and finally agreement was secured and communities were informed. The following Thursday farmers queued at the appointed time, but the gate didn’t open, requiring another round of negotiations with the Israeli DCL. The Israeli DCL decided to replace Thursdays with Friday even though farmers generally return from their fields at 11.30 for Friday prayers.

Preventing displacement and assisting people affected by demolitions

Save the Children UK’s strategy to reduce and respond to displacement involves a number of integrated programmes covering prevention, emergency response and advocacy. Preventive work includes establishing systems for the monitoring and documentation of forced displacement (with a particular emphasis on children); supporting communities at risk of displacement with water, health and educational services; and providing them with legal assistance to challenge demolitions, land confiscations and other displacement-related issues. A key feature of this preventative work is the involvement of local organisations such as Ma’an, which undertakes livelihoods support activities to reduce the risk of displacement resulting from lack of services or assistance. ‘Protection committees’ are established in communities, in order to educate people on their rights and help them establish links with observers and other protection

initiatives. Emergency response activities centre on the provision of assistance, as well as referring affected groups to psycho-social care. Finally, the advocacy component includes research and lobbying, and leading on advocacy by the Displacement Working Group.

As is the case with farmers at risk of losing their land, tackling demolition and displacement involves a number of agencies. Many help those at risk with legal assistance to delay the demolitions (see below), provide emergency assistance to those suffering demolitions or provide livelihoods support to those most affected. ICHAD's work (see Box 15) is an example of a more activist approach to the issue, combining preventative action with assistance and advocacy. Despite these interventions, the lack of a coherent and large-scale strategy to prevent and respond to displacement and in particular the fact that current responses hinge on emergency relief rather than support for durable solutions, has been recently highlighted (MacAllister, draft).

Box 15: Israeli activists integrate protection and livelihoods

The Israeli Committee Against House Demolitions (ICHAD) is a small direct action organisation focused on resisting home demolitions in East Jerusalem and the West Bank. It uses a combination of activities, including rebuilding demolished houses, both as a way of offering practical help to affected people and as an act of resistance and solidarity, and undertaking an innovative public information service, which offers 'alternative tours' of the oPt for tourists. Preventative work includes supporting volunteers to come to the oPt to participate in direct action protests, including using 'human shields' during demolitions. Finally, architects and urban planners help Palestinians overcome planning restrictions.

Refugees affected by hostilities

Although protection is part of UNRWA's mandate, its activities have traditionally focused on the delivery of assistance. However, the work it undertakes in the West Bank in the aftermath of IDF incursions into refugee camps adopts a joint protection and livelihoods approach. Staff first interview those affected to establish whether the incident amounts to a violation of IHL. Where this is deemed to be the case, UNRWA raises this at meetings with the Israeli authorities arranged to discuss such incidents, and feeds these cases into overall reporting on the West Bank. At the same time, UNRWA's emergency relief programme provides assistance in the form of food and cash

for repairs, and the people affected may also be supported with psycho-social assistance. It is difficult to gauge the impact of demarches on the Israeli civil administration, but as UNRWA is the largest relief agency in the West Bank, with significant political capital, the fact that the Agency is demonstrating that it is monitoring the actions of the IDF may contribute to some degree of accountability.

6.2.4 Livelihoods work with protection benefits

A wide variety of livelihoods interventions are undertaken to help Palestinians deal with the consequences of conflict and occupation, and to overcome the restrictive policies that undermine their livelihoods. Very few seek to address the overall policy environment.

Mitigating the humanitarian consequences of the conflict and reducing recourse to strategies that put people at risk

Given the large numbers of Palestinians who are food-insecure, food assistance and livelihoods support are critically important in the oPt. While it could be argued that this assistance substitutes for the responsibilities of the occupying power, there is no doubt that humanitarian assistance saves lives and reduces the suffering brought about by the occupation. In-kind and cash assistance, though still incommensurate with needs, is nonetheless helping to reduce reliance on risky or damaging strategies, such as begging, distress migration, the gathering wild foods in unsafe areas and illegal or exploitative work. In Hebron and the Jordan Valley, interviewees mentioned that assistance was a factor in helping them remain in these areas, thus serving to reduce displacement and help people retain access to their land. The Rural Centre for Sustainable Development (RCSD) is providing firewood to Bedouin who frequently venture into restricted zones due to the lack of available firewood in safer areas.

In addition to cash and food aid, agencies carry out a number of other livelihood support interventions to address the humanitarian consequences of the conflict. For example, local procurement, vouchers and "poor to poor" interventions provide ways of supporting income, trade and providing assistance to the most vulnerable. These interventions assist farmers to maintain their livelihoods despite the absence of an export market upon which many depended. 'Poor to poor' interventions, for instance, are carried out by Mercy Corps, CARE, Oxfam and

PARC. CARE provides fresh food to 70,000 vulnerable families to supplement their largely dry diet with fresh vegetables and protein-rich food. The products are bought from poor farmers, female farmers and small farmers, in order to ensure a continuous market at a fixed price. Only half of their produce is purchased, in order to allow them to take advantage of price fluctuations in the market. Other organisations, such as WFP and Oxfam, try to buy locally to provide income and support trade. WFP supports farmers through the local procurement of oil and wheat. Efforts to provide alternative sources of livelihood focus on the urban poor, both in Gaza and the West Bank. Backyard and rooftop gardening are common interventions, particularly in Gaza, where fresh food is in short supply. Another common intervention, offered by the Danish government, Oxfam and the ICRC among others, involves the provision of rabbits and roof top gardens. Although intended as a supplement to food assistance, rabbit rearing can earn up to 600 NIS a month. Also in Gaza, FAO has started a small-scale project supporting inland fishing as a way of providing an alternative option for fishermen whose livelihoods are threatened by military restrictions on where they can fish at sea. Fish farms are relatively easy to establish, and this basic project offers a valuable means of maintaining livelihoods by providing fish for the market; it also helps combat the environmental impact of catching too many juvenile fish. The project aims to enable 100 beneficiaries to start their own fish farm by providing them with the necessary inputs and technical assistance. As many fishermen in Gaza identify fishing exclusively with being at sea, female family members have been included to increase acceptance (FAO, 2008).

Targeting vulnerable livelihood groups to address protection risks.

While protection is not an explicit objective for many local and international agencies in the oPt, livelihoods work often prioritises groups facing protection concerns, such as farmers affected by the Barrier and the buffer zone, women's groups

and Area C families. Farmers affected by the Barrier or by the closure regime in the Jordan Valley (as well as fishermen and farmers in the buffer zone in Gaza outlined above), are a target group for many agencies involved in livelihoods activities. Carefully targeted, livelihood support interventions can contribute to protection objectives. These interventions also constitute a form of protection by presence, as some communities in rural areas indicated that they felt safer when international organisations were nearby.

Targeting people in Area C with livelihood support poses particular challenges due to Israeli restrictions on building and development. Some work is possible, however. For example, CHF obtained permission to undertake livelihoods projects north of Abu Dis in Area C and Oxfam secured funding from ECHO to undertake shelter projects. FAO projects focus particularly on the Bedouin, and aim to protect livestock assets by distributing fodder, providing veterinary services, distributing improved livestock and promoting adaptive practices, including animal hygiene, health and feeding. FAO also provides animal shelters to herders in Area C, despite permit restrictions. The IDF has issued orders to demolish some of the shelters, but FAO has agreed with the Bedouin affected that the shelters will be moved to nearby areas in Areas A and B, where they will still be accessible.

PARC undertakes a wide variety of interventions in the West Bank, including food aid and agricultural and market support. A number of local organisations also run legal programmes. PARC does not apply for permits to build in Area C, recognising that the process is difficult and unpredictable, but instead undertakes small projects using portable or temporary structures. It then draws on advocacy and international visibility to reduce the risk to services, or helps with referrals. The Jordan Valley Solidarity Network has recently successfully lobbied the PA to provide a lawyer for the area (see Box 16).

Box 16: Reducing displacement or encouraging demolitions in Area C?

Fasayil is a Bedouin village in the Jordan Valley, comprising two communities: Fasayil Fouka and Wasta. A number of the Bedouin have left due to the repeated demolition of their tents by the IDF, as well as the destruction of water tanks and tractors and the killing of livestock. The Ma'an Development Centre and the Jordan Valley Solidarity Network (JVS) are operational in this area, and have provided water tanks, food and tents to help prevent further displacement.

In 2007, the JVS supported the building of a school in the village, in response to concerns that a lack of educational facilities was also causing families to leave. The IDF ordered construction on the school to stop, as the area was designated a nature reserve. Despite the order, building work continued. According to the villagers, this was the first new community building in the village since 1967; after its completion, some villagers had sufficient confidence to build permanent shelters to replace their traditional tents. Villagers have also erected another structure to serve as a clinic and a small shop has opened in a container. Despite concerns that building without permits may attract the attention of the IDF, the school remains standing, an achievement that the JVS attributes to its work attracting high-profile actors to visit the school and its lobbying of the Israeli authorities. So far, the strategy appears to have worked although concerns remain that this strategy may also jeopardise people's protection in the long run.

Livelihoods interventions to promote dignity

As described above, a number of livelihood support interventions provide people with alternative or supplementary income-earning strategies. In addition to bolstering household food security, these programmes also have an important protective function in that they promote dignity. Many interviewees reinforced the importance of cash not only because of its flexibility, but also because it was considered a more dignified form of assistance, as it promotes choice and shows a level of trust by external agencies that conflict-affected people are in the best position to manage their livelihoods. Bedouin in Musafir Beni Naim said that the best assistance they received (unconditional) cash contributions through an agency from the UAE, and zakat from a private individual. They felt that this assistance was an ongoing act based on solidarity, rather than a one-off, short-term intervention, and that it was empowering, as the money was given directly to the community, which was trusted to decide how best to spend it. Similarly in Hebron, the provision of alternative livelihoods had important

psychological benefits, even if the income was insufficient to meet basic needs (see Box 17).

Box 17: Dignity returned: beekeeping in Hebron

'S' is a 70-year-old Palestinian man. In the past, he made a living from olive and fruit farming on his 50-dunam (13-acre) farm. When the Kiryat Arba settlement was built in Hebron, about 30 dunam of his land were confiscated by military order, and a further 15 dunam were later restricted as the settlement expanded. 'S' can still access about five dunam, but needs to go through an arduous process with the Israeli authorities for just one day's entry. This has meant that he is no longer able to survive from farming alone. In addition to food packages, the ICRC provided him with seven beehives. He has built a plastic shed to house the bees and a hut beside them from which he can tend them and watch them by day. This structure shuts out the settlement which dominates the skyline, and his work with the bees allows him to forget that his lands have been confiscated. Whilst he does not make enough money to live from his bees, the honey he produces supplements his family's diet and he sells the surplus. From his perspective, the most important benefit is psychological, as producing honey makes him feel like a farmer again.

Overcoming market and trade barriers associated with the closure regime

Assisting traders in accessing markets and overcoming export barriers is an important feature of livelihoods programming in the OPT, particularly in the West Bank. Market interventions generally focus on high-value agricultural commodities, like vegetables and olive oil, in order to compete with Israeli and international products. Marketing activities include improving production, quality and processing, through training and extension services, the provision of tools and capacity-building of producer groups. It also includes providing information on markets (local and international), assisting Palestinians in overcoming trade barriers and facilitating links with buyers. The Swiss Development Cooperation is supporting projects aimed at stimulating Palestinian consumer confidence in, and support for, Palestinian goods. Activities include increasing the capacity of small and medium sized enterprises by upgrading the management and marketing skills of SMEs; developing quality assurance branding and creating media and marketing campaigns encouraging people to buy-local. In the West Bank, cooperatives promote farmers' power in, and access to, markets, and improve the coordination of production, minimising surpluses and helping to maintain prices. The formation of cooperatives and

community-based organisations enables people to exchange information, facilitating collective action.

Given the oPt's dependence on the Israeli market, many marketing initiatives seek to create and develop links between Palestinian and Israeli traders. This is a sensitive issue, and working with Israeli companies focuses on the business rather than political implications of these transactions (see Box 18). A number of actors including the Danish Foreign Ministry, ACF and Oxfam have established trade fairs in order to increase economic activity between Israeli traders and Palestinian producers. Other initiatives have sought to help Palestinian farmers secure international certification for their products. Fairtrade certification is supported by several agencies, including PARC and Oxfam, and work is also in hand to strengthen the Palestinian certification authority. Although certification can take more than ten years to achieve, many Palestinian organisations are making efforts to apply fair-trade principles, opening up markets in North America and in Arab and European countries. The importance of these interventions in helping farmers overcome the restrictions they face cannot be overestimated: interviewees reported that, without this assistance, many more farmers would have stopped planting and quit their land.

6.2.5 Protection work with livelihoods benefits

Many protection initiatives in the oPt have direct implications for people's livelihoods. Some of the more comprehensive examples are described below.

Legal assistance for Palestinians suffering violations which affect their livelihoods

Unlike other conflict contexts, there are opportunities for Palestinians suffering rights violations to seek legal redress, either through military courts or through the High Court in Israel. Cases that impact on people's livelihoods range from personal injury stemming from settler violence, to land confiscations and house demolitions or delivery of humanitarian assistance to Gaza. As many Palestinians lack the financial resources to secure legal assistance, cases are often taken pro bono by Palestinian and Israeli human rights organisations or the PA (including

Box 18: Promoting equitable trade between Palestinians and Israelis

ACF has a long-standing programming in the Tubas area in the north-east of the West Bank. In the past four years, the agency has implemented a marketing programme assisting agricultural trade between Tubas and Israel. The main products are cucumbers, tomatoes, squashes and courgettes. The project aims to develop farmers' technical capacities, including training, farm management and cooperative work. Farmers are also assisted in sending sample produce to Israeli companies for quality testing. Ensuring that Palestinian products satisfy quality standards in Israeli and international markets is critical as the Border Police check goods to see if they are certified. (Even if certified, goods may still be destroyed.) ACF also assists in developing connections between Palestinian and Israeli traders, including improving farmers' presentational and negotiation skills, and maintaining a blacklist of traders who have reneged on contracts. ACF also facilitates links with lawyers, to help farmers understand their trading rights, and works with the Israeli authorities to overcome restrictions on trade. Due to the sensitivities involved, this is the only ACF programme in the oPt managed by an international staffer.

the President's Jerusalem Fund which is a multi-million dollar initiative supported by a number of donors). Despite strong support for this work, demand outstrips the capacities of the agencies involved.

There are concerns that, while in some cases individuals receive redress, (for instance in securing a delay to demolitions, during which time it may be possible to get planning), it is almost impossible to secure a change in overall policy. In one instance, highlighted by Israeli human rights organisations, problems in the transit of medical supplies through the Rafah crossing were resolved by the High Court, but this did not change the overall blockade of medical supplies. Some organisations have decided to boycott the Court, arguing that taking cases to it gives the impression of justice, whereas in fact in the majority of cases the court simply provides a judicial rubber-stamp for the policies of the occupation. Many are instead turning to international justice mechanisms, though their influence too is limited, as Israel's lack of adherence to the ICJ's Opinion on the legality of the Barrier demonstrates.

Box 19: Re-routing the Barrier following a legal challenge in Jayyus

Jayyus, a community of approximately 3,500 people, is in the fertile Qalqiliya district. The Barrier follows one of its most circuitous routes here, deviating some 6km from the Green Line and cutting off about 8,600 dunam of land, including 50,000 fruit and olive trees, greenhouses and all of the community's wells. According to Israeli human rights organisations, the primary consideration in determining the route of the Barrier concerned was to leave free areas planned for the expansion of the Zufin settlement and an industrial zone. In a series of petitions to the Israeli High Court, changes to the route were ordered around Jayyus and elsewhere. On 1 June 2008, the IDF issued a map outlining revisions of the route in two sections, restoring about 2,500 dunam of land. Re-routing, if and when it occurs, will result in the uprooting of more trees, in addition to the 4,000 destroyed during the first construction.

Source: OCHA, 2007

Advocacy on closure and access

OCHA undertakes a wide-ranging set of activities aimed at highlighting the impact of closures on Palestinian life, and advocating for a change in policy. This includes monitoring implementation of the AMA in Gaza and movement within the West Bank, including changes in the types of roadblocks and closures. OCHA also monitors agreements on convoys between Gaza and the West Bank and seaport and airport operations. This work provides clear data on the continuing access restrictions and in some cases has helped secure some items being permitted to enter Gaza. A set of 'principles of engagement' has also been developed to promote coordination between humanitarian agencies, and it has been agreed that the Humanitarian Coordinator will act for agencies facing access restrictions in negotiations with the relevant authorities.

7. Conclusion

Systematic restrictions on movement within and outside the oPt and the curtailment of access to, and confiscation of, land fundamentally undermine the livelihoods of Palestinians by limiting their access to employment and trade and reducing their livelihoods assets, including land, equipment and supplies. In Hebron, fears of settler violence make men reluctant to go to work and leave their families and homes unprotected. In areas near the Barrier, farmers are losing access to their land, while Bedouin are unable to reach grazing land because of the expansion of settlements, military zones and nature reserves. These restrictions – a daily reality for many Palestinians – are compounded by military activity by the IDF and settler violence in the West Bank, as well as conflict between Hamas and Israel. Ongoing tensions between Fatah and Hamas only reinforce the risks facing ordinary civilians. Livelihoods are being systematically undermined through loss of productive capacities through death, injury, displacement and detention, as well as additional damage to livelihoods through destruction or loss of livelihood assets.

There is a strong interconnection between threats to protection and threats to livelihoods in the oPt. It is clear too that people's responses to these threats are linked. Many simply try to *manage* the main outcome of violations, namely economic vulnerability, through a series of strategies which damage current and future livelihoods. Such strategies include selling assets and going into debt, reducing expenditure by decreasing the quality and quantity of food and taking children out of school or marrying them off. Although the main strategies appear to be livelihood-related, there are indications that people in the West Bank also try to manage or reduce threats by collaborating with the GOI or settlers, although as this is considered treason this also places them at high risk. Some also try to negotiate with those in power, although interviews in the West Bank suggested that people felt they had little influence. People also try to reduce their exposure to threats through flight or displacement, particularly in Gaza, or by reducing travel to areas where they are at risk, for instance around the buffer zone. Resistance is another key strategy, either indirectly, through support for militant groups such as Hamas, or directly, as is the case in Hebron and in refugee camps, through demonstrations and stone-throwing. Less violent

forms of resistance are also employed. Some saw continuing to farm or refusing to move as a form of resistance, whilst others tried more active means such as challenging policies through the courts. While some people are at risk due to their military/political activities or simply by virtue of where they are, within groups facing protection threats poor people are most vulnerable and have to respond by undertaking livelihoods strategies which place them at greater risk. The fact that people need to engage in these strategies to meet their basic needs indicates that recent reductions in assistance due to lack of funding are not justified in the face of increasing restrictions on movement, drought and the global food crisis. Cash transfer programmes are particularly needed as people's main problem is loss of income or employment and food is generally available on markets.

The conflict is characterised by an elaborate, long-standing and multi-faceted bureaucracy of restriction and control, with periodic, rather than continuous, violence. This means that the heavy toll it exacts on the Palestinian population is both less obvious to outsiders and more difficult to address. Crucially, the controls Israel imposes appear rational: Israel has the right to protect its own civilians from militant rockets, suicide bombings and the ongoing resistance of the Palestinian population. The fact that Israeli courts uphold many of the policies and practices of the occupation adds to a sense of legality. There is a marked imbalance, though, between the attention Israel pays to its own security, and its efforts to fulfil its responsibilities towards the protection and wellbeing of Palestinians living under occupation. Although furthering its own interests or those of the Israeli population to the detriment of those living under occupation is against both the letter and the spirit of IHL, the danger is that, with every passing year in this long conflict, violations become more entrenched or normalised, especially given lack of international pressure. This risk was made all too evident in the aftermath of Operation Cast Lead, when senior international diplomats expended significant political capital on efforts to secure passage for pasta into Gaza, rather than concentrating on allegations of serious breaches of IHL by Israel and Hamas.

Humanitarian action is not capable of resolving the crisis in the oPt, nor is it intended to do so. At

the same time, however, by substituting for the responsibilities of the occupying power assistance risks undermining accountability and becoming complicit in injustice. As the international response, for political reasons, is primarily concerned with short-term relief rather than the developmental assistance and policy support that the oPt really requires, emergency assistance risks becoming a replacement for more robust and effective political action by the international community. While better integration of protection and livelihoods analysis will not address all these issues, it could allow the humanitarian community to engage both on the causes and the consequences of the threats that people face, ensuring that livelihoods responses (and humanitarian action more generally) are designed with questions of responsibility and accountability firmly in mind.

Complementary livelihoods and protection work means that humanitarians not only address people's economic vulnerability, but also their political vulnerability. It entails operating at multiple levels: addressing violations that affect the protection status and livelihoods of the population as a whole, specific measures that impact on communities' or individual's livelihoods and protection and responding to the consequences of violations through the provision of direct assistance. Operating at multiple levels is critical in contexts such as oPt given the multiple different policies and practices affecting people's lives. It also expands the nature of the response from merely responding to the consequences to also trying to prevent threats from occurring or recurring. Integrating protection and livelihoods provides a more holistic understanding of the causes of vulnerability, allowing for more appropriate and effective responses. Finally, incorporating livelihoods assistance more fully into humanitarian response is important not just for supporting people's livelihoods, but also their protection and their dignity.

Integrating protection risks into a livelihoods analysis and vice versa requires taking into account the causes, as well as the consequences, of protection and livelihoods concerns; it means adopting strategies aimed at preventing as well as responding to these threats, and undertaking activities aimed at addressing protection and livelihoods issues at both the policy and programmatic levels. Some agencies in the OPT have already explicitly or implicitly adopted this approach to their work, although it tends to be

agencies with an understanding of protection such as ICRC, Save the Children UK, UNRWA and more recently, Oxfam, which are more proactive in this regard. Whilst impact is often local and time-bound, farmers indicated that the joint approach and most especially the work of different agencies in helping secure access to their lands, was of critical importance to them being able to maintain their livelihoods. In some cases, they indicated that it helped reduce the need for them to displace from their lands.

A more concerted integration of protection and livelihoods in OPT requires longer-term funding to support interventions that move beyond emergency relief to tackle the underlying policies and practices giving rise to humanitarian needs. It demands that agencies and donors alike engage on the basis of both principle and pragmatism; that measures to address the policies driving humanitarian need are integrated into humanitarian action; and that efforts to address policy issues are accompanied by practical, local interventions. It also involves humanitarian donors and actors engaging more proactively with the PA.

As the study shows, there is a large level of innovative policy work on the causes and consequences of the occupation in the oPt. With some major exceptions – such as for example advocacy on the need for investigation into war crimes in Gaza – agencies struggle to identify high level policy successes. However, it is important for accountability, for the successes that are achieved, and to guard against complicity, that humanitarians continue to work at this level. However, it must also be borne in mind that the willingness of international donors to fund protection and advocacy work reflects a dissonance in donor policy. Unwilling, and perhaps unable, to directly hold the GOI and the PA to account for their responsibilities to the civilian population, they instead sub-contract aid actors to highlight this lack of accountability. As the advocacy is often directed to western governments, it also demonstrates the limited influence that local donors and diplomats have over the policy of their headquarters.

Donors must recognize that in substituting for the responsibilities of Israel, they have a responsibility to become more active partners in challenging violations of IHL, and obstacles to assistance. A striking example of this is Area C, where neglect of the resident population and reluctance to challenge Israeli restrictions on working there is contrary to the principle of

impartiality. The relative vulnerability of the resident population demands greater involvement of donors in helping to secure permission for more appropriate, longer-term interventions aimed at promoting people's livelihoods. Assessments of the potential risks of these projects should be undertaken in partnership with Area C residents, with donor involvement when projects are rejected, delayed or demolished. The vulnerability of residents of Area C to shocks such as drought and rising food prices largely stems from their reduced resilience as a consequence of the policies of the occupation and the ongoing lack of appropriate interventions to address these and the associated undermining of livelihoods. This is particularly true for Bedouin and herder communities who like other pastoralist communities world-wide, require long-term social protection and livelihoods support to remain viable. But there are indications of self-censorship on the part of aid actors working in Area C; due to concerns about difficulties in gaining permission for projects, many donors and organizations limit the type of projects requested to emergency response, rather than continually challenging the restrictions. There is an urgent need to expand and complement the current, relief-oriented response with a coordinated multi-agency strategy to address these longer-term dimensions.

Working to address the policy environment as well as the consequences of Israeli policies requires coordination between protection and livelihoods actors, as well as between agencies with different expertise. Although there are signs that the protection cluster has become more active and influential, particularly in response to the conflict in Gaza, protection agencies readily admit that there is as yet little coordination between this group and other actors. This should be prioritised. Mainstreaming protection across other sectors would also help in directing assistance to those most at risk of protection violations. The Displacement Working Group provides an excellent model for such coordinated action, as it incorporates both policy and programmatic interventions. However, this work could be extended beyond its current focus on emergency response. Coordinated action between international and local organisations is already a strong feature in the response, and should continue.

Israel's reluctance to accept its responsibilities under IHL, even when violations are clearly identified through international mechanisms such

as the ICJ, suggests a need to complement efforts to highlight and demand accountability with practical interventions at local level to assist communities in demanding their rights. This could include expanding the provision of legal assistance to communities at risk of land confiscation, demolitions and displacement, as well as greater support to efforts to deflect these risks, such as assistance with planning applications, and support for innovative human rights interventions. Evidence from this study shows that well targeted livelihoods interventions can help people retain access to key livelihoods assets such as land, contribute to preventing displacement and reduce the need for at-risk populations to adopt strategies that place them in further danger. Agencies working on livelihoods in the oPt have undertaken a number of innovative approaches in the face of often overwhelming constraints, and these must continue to be supported. The move to needs-based targeting by agencies involved in food aid and other forms of social protection is welcome as it not only ensures that the poorest are targeted, but if they receive more assistance, it reduces the need for them to adopt livelihoods strategies that put them at risk. Any food security or livelihoods programme will, however, have limited impact in the context of the structural constraints caused by continued military occupation. In a context like the oPt, it is therefore essential that programming on the ground is combined with advocacy and policy work to address some of the causes of livelihoods (and protection) risks.

Better incorporation of protection and livelihoods approaches offers the potential for humanitarian agencies to challenge the status quo, at least to a degree. It cannot be emphasised enough, however, that only prompt and creative political action can fundamentally influence the harsh reality of the long-standing occupation and conflict in the oPt, restore normal social and economic life to the Palestinian people and allow them to live their lives in dignity.

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