



## WEST BANK MOVEMENT AND ACCESS UPDATE

NOVEMBER 2009

1. Over the course of the past six months (May-October 2009), the Israeli authorities continued to implement measures that increased the freedom of movement of Palestinians between most Palestinian urban centres in the West Bank. However, during the same period, there has been no significant improvement when it comes to access to land and use of space by Palestinians. In particular, Area C, which covers 60 percent of the West Bank has remained, to a large extent, off-limits for Palestinian use and development. Moreover, access of Palestinians to and from areas behind the Barrier, including East Jerusalem, and the Jordan Valley, as well as within the Israeli controlled area of Hebron City (H2), continued to be severely restricted.
2. The most significant measures improving the flow of Palestinian traffic between the main cities and towns throughout the West Bank, implemented mostly during June and September, were the following:
  - the removal of two staffed checkpoints that controlled access into Qalqiliya and Nablus cities;<sup>1</sup>
  - the shifting of four staffed checkpoints that controlled access into Ramallah, Jericho, Qalailiya, and Salfit into “partial checkpoints”, that are checkpoints staffed at an ad-hoc basis only;<sup>2</sup>
  - the relaxation of the crossing procedures at most checkpoints to the east of the Barrier, including the lifting of permit requirements, the extension of opening hours, and the performance of searches and documentation checking on a random basis only;<sup>3</sup>
  - The removal of 46 earthmounds and roadblocks that prevented vehicular access to main routes from various communities. The majority of these communities are located in the southern West Bank, particularly along roads 60 and 35.<sup>4</sup>
3. The above measures added up to other movement easings implemented by the Israeli authorities, mostly since April 2008, which have resulted in a significant reduction in travel time between the main Palestinian urban centres (excluding East Jerusalem), as well as in the level of friction between Palestinians and Israeli forces at checkpoints.
4. The gradual relaxation in Palestinian movement between cities, which has been ongoing for the last year and half, has taken place alongside a process of entrenchment of some of the mechanisms used to control and restrict Palestinian movement. This process includes, among other elements, the expansion of the alternative (“fabric of life”) road network and of key permanently staffed checkpoints. While some of these measures have contributed to the easing of movement, they exact a price from Palestinians in terms of land loss, disruption of traditional routes, and deepening fragmentation of West Bank territory.<sup>5</sup>
5. The Barrier continues to be the single largest obstacle to Palestinian movement. During the reporting period, no improvement was observed regarding access of Palestinians holding West Bank IDs to areas isolated between the Barrier and the Green Line, including East Jerusalem, which continued to be subject to a restrictive permit regime. Following the declaration of new areas behind the Barrier in the central and southern West Bank as “closed military zones” (also known as the “Seam Zone”) in January 2009, the Israeli authorities gradually began requesting farmers “visitor permits” to access these areas. Even though for the olive harvest season that started in October the Israeli authorities issued additional permits and opened dozens of “seasonal gates”, the

productivity of groves located behind the Barrier was hindered due to the lack of access throughout the year.

6. In East Jerusalem, the Barrier and its associated permit regime continued to severely limit the access of Palestinians to specialized medical care, university education, work, social and family activities and events and places of worship. As in previous years, during the month of Ramadan (22 August – 19 September) the Israeli authorities only allowed West Bankers belonging to some age groups (men over 50 and women over 45) to access the Friday prayers at Al Aqsa Mosque without permits; moreover, due to poor preparedness at the four checkpoints, which Palestinians with West Bank IDs are allowed to use, those eligible suffered from long queues and severe overcrowding. The situation was particularly chaotic at the main checkpoint controlling access to Jerusalem from the central and northern areas (Qalandia checkpoint).
7. With few exceptions, construction of new sections of the Barrier continued to be frozen. In September, the Israeli High Court of Justice (HCJ) ordered the state to relocate the Barrier on three sections between Tulkarm and Qalqiliya cities, after ruling that the current route causes a disproportionate harm to Palestinians. While, once implemented, the new route approved by the Court will improve access of farmers to some areas, it runs entirely within the West Bank keeping thousands of dunums of agricultural land behind the Barrier. The relocation of another section of the Barrier, around the Alfe Menashe settlement enclave, following a previous HCJ ruling, was carried out during this period and is almost complete. The new route will reconnect three communities behind the Barrier with the rest of the West Bank, while cutting them off from large tracts of their agricultural land.
8. Similarly, no significant improvement can be reported regarding Palestinian access into the Jordan Valley, north of Jericho. Entry of

Palestinians into this area continued to be tightly controlled by four checkpoints. While since June 2009, all of these checkpoints are open 24 hours a day, the crossing of Palestinian-plated vehicles through them remained restricted to residents of the Jordan Valley and to limited numbers of permit holders. The opening of one of these checkpoints (Ma'ale Efraim) for Palestinian vehicles in late August 2009 was short-lived as the restriction has been re-imposed within less than two weeks.

9. Israeli settlements remained the most important factor shaping the system of movement and access restrictions, including the Barrier's route. During October, the Israeli HCJ ruled on a petition challenging the prohibition on the use of a segment of Road 3265 in the western Hebron governorate by Palestinians. This was imposed several years ago to protect Israeli settlers living in a nearby "unauthorized" settlement outpost (Neghohot), who use this road to commute with Israel. As a result, residents of 12 villages along the road have been forced to make a long detour to reach service centres. The HCJ ruled that the harm stemming from this prohibition on the everyday lives of Palestinians is disproportionate, compared to the relevant security considerations, and gave the army three months to open the road for Palestinians. The ruling did not address the petitioners' argument that the prohibition is also illegal because it discriminates between the residents of an area on the basis of their national origin.
10. Movement of Palestinians within the old city of Hebron (H2), where three Israeli settlements were established in the 1980's, remained severely restricted by military orders and a total of 93 closure obstacles.<sup>6</sup> In early August 2009, the Israeli authorities began allowing Palestinians living along a main road on this area, to travel on this road after obtaining a special permit. To enforce the new access regime, two new permanently staffed checkpoints were installed at both ends of the road. This development

follows the “entrenchment pattern” mentioned above, by which a movement easing is accompanied by an increase in the level of control.

11. As of the end of October 2009, there were a total of 578 closure obstacles inside the West Bank territory (i.e. excluding Green Line crossings), including 69 permanently staffed checkpoints, 21 “partial checkpoints”, and 488 unstaffed obstacles (roadblocks, earthmounds, earth walls, road barriers, road gates and trenches).<sup>7</sup> Of the 69 permanently staffed checkpoints, 37 are located along the Barrier and are used by the Israeli authorities for one or more of the following purposes:

- to allow Israelis to commute between the West Bank settlements to the east of the Barrier and Israel (19);<sup>8</sup>
- to control access of limited numbers of Palestinians holding special permits to East Jerusalem and to Israel (15);
- to control access to and from small Palestinian communities isolated by the Barrier (18);
- to control movement of commercial truckloads between the West Bank and Israel (2).

Regardless of their current use, all of these checkpoints restrict Palestinian access to West Bank areas on the other side of the Barrier. Of the 32 permanently staffed checkpoints not along the Barrier, 17 are located on main routes linking different areas of the West Bank, 11 inside the Israeli controlled area of Hebron City (H2), three on routes leading to agricultural areas within Israeli settlements, and one on a route leading into Israel.

While the large majority of closure obstacles are unstaffed roadblocks and earthmounds, most of them are designed to channel Palestinian traffic into staffed checkpoints, making the latter a key component of the closure system. As a

rule, fluctuations in the number of checkpoints provide an only partial indication of a trend regarding Palestinian freedom of movement. Indeed, the ability of Palestinians to move across a given checkpoint varies depending on the policy implemented by the Israeli authorities at that checkpoint at any given moment; therefore, movement on a specific area may significantly improve or worsen due to changes in that policy regardless of the overall number of checkpoints. Additionally, given that the checkpoints along the Barrier allow limited access to areas that would be otherwise blocked, a decrease in the number of these checkpoints may indicate a deterioration, rather than an improvement, in the freedom of movement of Palestinians, and vice versa. For example, during September 2009 the Israeli authorities removed a checkpoint (Lazarus) that controlled access to and from a Palestinian community isolated by the Barrier (Ash Shayyah); this removal resulted in inconvenience for the residents, forcing them to make a long detour to access East Jerusalem.

12. Equally important, the number of closure obstacles at a given time does not reflect other key dimensions of the access regime implemented by the Israeli authorities, such as the ability to use and develop land in Area C, which covers 60 percent of the West Bank. During the reporting period, this area remained, to a large extent, off-limits for Palestinians. While the overwhelming majority of the Palestinian population of the West Bank resides in Areas A and B, Area C holds the land reserves necessary for the development of the main population centres and a significant part of the agricultural and grazing land. Moreover, because Area C is the only contiguous territory in the West Bank, it is critical for the implementation of any large-scale infrastructure project.

13. Any Palestinian construction in Area C, for housing, health, education, infrastructure, tourism or industry is subject to a permit regime administered by the Israeli authorities.

In practise, Palestinians are prevented from obtaining such permits in the large majority of Area C, which was registered in the past as “state land” and subsequently included within the jurisdictional areas of Israeli settlements.<sup>9</sup> In other parts of area C, not allocated to settlements, Palestinian construction is constrained by the lack of adequate planning schemes and institutions. The use of Area C for farming and grazing is also severely limited. Approximately 45 percent of Area C (most of it overlapping with the settlements’ jurisdictional areas), was designated in the past as either “fire zones” or nature reserves. The use of these areas for agriculture is formally prohibited, while in the case of “fire zones” the mere entry is banned, except for people recognized by the Israeli authorities as permanent residents of these areas.

14. Israel is responsible under international humanitarian and human rights law for ensuring that the humanitarian needs of people under its occupation are met, and that these people are able to exercise their human rights, including the right to freedom of movement, work, housing, health, education, and to be free from discrimination, among others.
15. The easing of Palestinian movement between urban centres is a welcome step. However, further measures aimed at restoring Palestinian control over West Bank space are required in order to make progress towards the fulfilment of the above obligations. Initial steps must include (but are not limited to) the revocation of the permit regime associated to the Barrier, the opening up of closed military zones and nature reserves for Palestinian use, the lifting of the access restrictions to the Jordan Valley and within Hebron City, and the freeze of all settlement activity.

## End Notes

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1. ‘Izbat Jal’ud and ‘Asira Ash Shamaliya checkpoints
2. ‘Atara (Ramallah), Jericho DCO (Jericho), Qalqiliya DCO (Qalqiliya ) and Deir Ballout (Salfit)checkpoints.
3. Such is the case in key checkpoints like Wadi Nar, on the main route between the southern and the central areas, Tappuah, on the main route between the central and northern areas, Huwwara, on the southern entrance to Nablus City, and Enav, on the eastern entrance to Tulkarm City.
4. During September, the Israeli authorities announced the removal of 100 unstaffed closure obstacles. Based on GPS coordinates provided by the IDF, OCHA was able to confirm that only 35 of the 100 were actually removed. Of the rest 22 were still in place, 6 had incorrect coordinates and regarding 37, no evidence of an obstacle or of a removal was found. In the course of its fieldwork, OCHA identified the removal of an additional 11 obstacles, not included on the IDF list.
5. See, OCHA, Movement and Access Update, May 2009, pp. 5-8.
6. Due to historical data collection constraints, and in order to preserve the continuity of the data set, only 9 of the 93 obstacles, all of which are checkpoints, are included in OCHA’s closure count.
7. This figure does not include 84 of the 93 closure obstacles within the Israeli controlled section of Hebron city (see footnote *ibid*) as well as 63 “Barrier gates”, which control Palestinian movement into agricultural areas isolated by the Barrier.
8. Palestinians holding Jerusalem IDs are also allowed to use these checkpoints and are not required a permit.
9. Overall, approximately forty percent of the West Bank area were registered as “state land”. The large majority of this area was subsequently designated as Area C. See, B’Tselem, *Land Grab, The Israeli Settlement Policy in the West Bank*, May 2002, p. 51.

## Permanently staffed checkpoints within the West Bank

Checkpoint type	Checkpoint description	Number
<b>Israel &amp; EJ (East Jerusalem)</b>	Located along the Barrier (except one) and controlling access into Israel and East Jerusalem for Israelis (mostly commuting settlers); Palestinians holding Jerusalem IDs; and a limited number of other Palestinians holding special permits. Some of them are also used to control commercial traffic into and out of the West Bank.	21
<b>Isolated communities</b>	Located along the Barrier and controlling access of Palestinians holding special permits to and from small communities isolated by the Barrier; <sup>1</sup> some of them also allow access of permit holders to farming land isolated by the Barrier, as well as to workplaces within Israeli settlements.	13
<b>Israel &amp; EJ + Isolated communities</b>	Located along the Barrier and possessing both types of features outlined above.	4
<b>Main route</b>	Located on a main West Bank route on the eastern side of the Barrier and controlling vehicular movement of Palestinians from one area to another; some of them also prevent entry of Israelis into Areas A.	17
<b>Hebron City</b>	Located within or next to the Israeli controlled area of Hebron City (H2) and controlling movement of Palestinians into or within that area; some of them are also used to prevent entry of Israelis into the PA controlled area of Hebron (H1).	11
<b>Settlement entrance</b>	Located at the entrance of an Israeli settlement and controlling access of Palestinian farmers into significant agricultural areas within or next to that settlement; such access requires prior coordination with the Israeli Civil Administration.	3
<b>Total</b>		<b>69</b>

<sup>1</sup> Checkpoints controlling access to East Jerusalem for communities isolated by the Barrier are marked as “Isolated communities”

Name	Checkpoint type	People allowed to cross	Barrier route?	Governorate
Mitzpe Shalem	Israel & EJ	Israelis only	✗	Bethlehem
Al Jab'a	Israel & EJ	Israelis only	✓	Bethlehem
Atarot	Israel & EJ	Israelis only	✓	Jerusalem
Beit Yatir	Israel & EJ	Israelis and Palestinians	✓	Hebron
Beituniya	Israel & EJ	Commercial	✓	Ramallah
Ephraim	Israel & EJ	Palestinians only	✓	Tulkarem
Gilo	Israel & EJ	Palestinians only	✓	Bethlehem
Hizmah	Israel & EJ	Israelis and Palestinians	✓	Jerusalem
Kafr Kasem	Israel & EJ	Israelis only	✓	Salfit
Kafriat	Israel & EJ	Israelis only	✓	Tulkarem
Nilin	Israel & EJ	Israelis and Palestinians	✓	Ramallah
Qalandiya	Israel & EJ	Palestinians only	✓	Jerusalem
Ramot	Israel & EJ	Israelis only	✓	Jerusalem
Rantis	Israel & EJ	Israelis only	✓	Ramallah
Tarqumiya	Israel & EJ	Commercial	✓	Hebron
Tunnels	Israel & EJ	Israelis and Palestinians	✓	Bethlehem
Wadi Fukin	Israel & EJ	Israelis only	✓	Bethlehem
Zayem	Israel & EJ	Israelis only	✓	Jerusalem
Zaytoun	Israel & EJ	Palestinians only	✓	Jerusalem
Makkabim	Israel & EJ	Israelis and Palestinians	✓	Ramallah
Qawasmi	Israel & EJ	Israelis and Palestinians	✓	Jerusalem
Al Jib	Isolated communities	Palestinians only	✓	Jerusalem
As Sawahira ash Shariqiya	Isolated communities	Palestinians only	✓	Jerusalem
Azzun Atma	Isolated communities	Palestinians only	✓	Qalqiliya
Azzun Atma 2	Isolated communities	Palestinians only	✓	Qalqiliya
Beit Ikka	Isolated communities	Palestinians only	✓	Jerusalem
Jubarah	Isolated communities	Palestinians only	✓	Tulkarem
Nazlat 'Isa South	Isolated communities	Palestinians only	✓	Tulkarem
Ras 'Atiya	Isolated communities	Palestinians only	✓	Qalqiliya
Sheikh Sa'd	Isolated communities	Palestinians only	✓	Jerusalem
Shufat / Ras Khamees	Isolated communities	Palestinians only	✓	Jerusalem
Shufat Camp	Isolated communities	Palestinians only	✓	Jerusalem
Surkhi Qunbar	Isolated communities	Palestinians only	✓	Jerusalem
Tura	Isolated communities	Palestinians only	✓	Jenin
Reikhan Barta'a	Israel & EJ + Isolated communities	Israelis and Palestinians	✓	Jenin
An Nu'man	Israel & EJ + Isolated communities	Israelis and Palestinians	✓	Bethlehem
Jaljoulia	Israel & EJ + Isolated communities	Israelis and Palestinians	✓	Qalqiliya
Zufin	Israel & EJ + Isolated communities	Israelis and Palestinians	✓	Qalqiliya
At Tur	Main route	Palestinians only	✗	Nablus
Awarta	Main route	Palestinians only	✗	Nablus

<b>Beit Furik</b>	Main route	Palestinians only	✘	Nablus
<b>Bet El DCO</b>	Main route	Palestinians only	✘	Ramallah
<b>Enav</b>	Main route	Palestinians only	✘	Tulkarem
<b>Hamra</b>	Main route	Palestinians only	✘	Nablus
<b>Huwwara</b>	Main route	Palestinians only	✘	Nablus
<b>Jaba'</b>	Main route	Palestinians only	✘	Jerusalem
<b>Jericho (Musa Alami)</b>	Main route	Palestinians only	✘	Jericho
<b>New Beit Iba / West Shave Shomron</b>	Main route	Palestinians only	✘	Nablus
<b>Shave Shomeron</b>	Main route	Palestinians only	✘	Nablus
<b>Tappuah</b>	Main route	Israelis and Palestinians	✘	Salfit
<b>Tayasir</b>	Main route	Palestinians only	✘	Tubas
<b>Wadi Nar</b>	Main route	Palestinians only	✘	Jerusalem
<b>Ya'bad Mevo Dotan</b>	Main route	Palestinians only	✘	Jenin
<b>Yitav</b>	Main route	Palestinians only	✘	Jericho
<b>Ma'ale Efrayim</b>	Main route	Israelis and Palestinians	✘	Nablus
<b>Abu rish</b>	Hebron City	Palestinians only	✘	Hebron
<b>Al Shuhada st.</b>	Hebron City	Palestinians only	✘	Hebron
<b>Beit Hadassa</b>	Hebron City	Palestinians only	✘	Hebron
<b>Beit Romano</b>	Hebron City	Palestinians only	✘	Hebron
<b>Checkpoint 209</b>	Hebron City	Palestinians only	✘	Hebron
<b>Ibrahimi mosque</b>	Hebron City	Palestinians only	✘	Hebron
<b>Salayma-police</b>	Hebron City	Palestinians only	✘	Hebron
<b>Tel Rumeida</b>	Hebron City	Israelis and Palestinians	✘	Hebron
<b>Kiriat Arba 1</b>	Hebron City	Israelis and Palestinians	✘	Hebron
<b>Kiriat Arba 2</b>	Hebron City	Israelis and Palestinians	✘	Hebron
<b>Tel Rumeida 2</b>	Hebron City	Israelis and Palestinians	✘	Hebron
<b>Betar Illit</b>	Land within settlement	Israelis and Palestinians	✘	Bethlehem
<b>Efrat</b>	Land within settlement	Israelis and Palestinians	✘	Bethlehem
<b>Efrat 2</b>	Land within settlement	Israelis and Palestinians	✘	Bethlehem



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