

CASE STUDY

The Impact of Israeli Settler Violence on the Palestinian Olive Harvest

THE CASE OF AL MUGHAYYIR VILLAGE

Al Mughayyir is a Palestinian village located north-east of Ramallah, with a population of approximately 2,700. The community has traditionally relied on farming and herding, with olive oil the main agricultural produce.

In 1998, the Adei Ad settlement outpost was established without official Israeli authorization, partially on private land belonging to the Palestinian villages of Jalud and Turmus'ayya, and adjacent to agricultural land owned by Al

Mughayyir. Over the past ten years, Palestinian families whose agricultural land is in the vicinity of the outpost have been subject to violent attacks by Israeli settlers when accessing their plots. Attacks have included physical assault and the damage to trees and property. The Israeli army has also imposed restrictions on the access of Palestinians to some of the agricultural and grazing lands in the vicinity of the outpost.



In October 2012, Israeli settlers damaged 140 olive trees belong to Jamil and Rateeb Al N'asan in their land adjacent to Adei Ad

The photo by Mwaifiq Al N'asan, October 2012

SETTLER VIOLENCE

Hussein Abu Alia, a 72-year-old father of nine from Al Mughayyir, owns a 60-dunum plot of land in the vicinity of the Adei Ad outpost, which was originally planted with 600 olive trees.

I have faced endless troubles from Adei Ad outpost. In the beginning, we caught the settlers stealing olives from our trees. Then they started breaking off the branches, but they grew back and we also planted new trees to replace those damaged. Then, three years ago when we went to pick our olives we were shocked to find the trees all yellow and dried up. We called the police who discovered that the settlers had drilled into the trunks and injected them with a poisonous substance that killed the trees from the roots up. To date, I've had around 300 olive trees vandalized by Israeli settlers.

The family of Halima Al Na'san, a 65-year-old mother of nine, owns an eight dunum plot of land near Adei Ad, originally planted with 160 olive trees. She recalls an incident that took place in 2004.

“This land was our only source of income. We worked hard on it, my husband, our sons, and I. We planted olive trees, almonds, figs. After 20 years of hard work, when it was time for our investment to pay off, the outpost was established and we began to suffer from recurrent losses.”



Zakia Abu Alya

My husband Jamil was driving the tractor home and two of my sons and I were driving in a car behind, when a group of armed settlers started chasing and shooting at us. We drove faster to escape and as we got close to the village, they threw some type of explosive device at our car. Luckily, we'd jumped out of the car a few moments before, because it was completely burned, together with three large containers of olives we'd picked that day that we were transporting. Everyone ran in a different direction. My son Muayyad, who was only 13, hid inside a cave. A settler



found him and put a gun to his head but people from the village came to help us and the settlers fled. Since that day, I've been constantly worried for my sons and Jamil and I encouraged them to go abroad. They could no longer continue working on the land, and there was nothing else they could do here. It hurts so much to lose your family, but we had no other choice to protect our sons.

LACK OF ACCOUNTABILITY

The failure by the Israeli authorities to adequately enforce the rule of law in relation to Israeli settler violence against Palestinians is a longstanding concern. Certain aspects of the current system, including the lack of thorough investigations and the requirement for Palestinians to file complaints or testify at police stations located inside Israeli settlements, actively work against the rule of law and discourage Palestinians from lodging complaints. According to Yesh Din, over 90 per cent of complaints about settler violence filed with the Israeli police in the past six years were closed without indictment. Additionally, continued Israeli government support for unauthorized settlement activity, including the allocation of resources and retroactive 'legalization' of

settlement outposts, promotes a culture of impunity that contributes to ongoing violence.

Over the past 14 years, the Al Nasan and Abu Alia families have submitted dozens of complaints to the Israeli police regarding the attacks by Israeli settlers against them and their property. The majority of complaints were closed on the grounds of 'offender unknown', despite the families providing evidence, including video footage taken during some of the attacks.

Hussein Abu Alia: *I got tired of complaining to the Israeli police. You can't imagine how humiliated we feel every time we approach an Israeli police station to make a complaint. Sometimes, they didn't even allow us in. I've submitted so many complaints that I can hardly count. I've gone back and forth between police stations and the courts for many years, but in the end the attackers are never held accountable for their actions. After the damage to my olive trees three years ago, they said they'd prosecute the attackers and compensate me for all my losses. But each time I call, they tell me they'll get back to me once they are done with my case, but they've never called. I no longer call because I've given up on them.*

LIMITED PALESTINIAN ACCESS TO LAND IN THE VICINITY OF SETTLEMENTS

An estimated 90 Palestinian communities in the West Bank which have land within, or in the vicinity of, 55 Israeli settlements and settlement outposts can access their land only through 'prior coordination' with the Israeli authorities. If 'prior coordination' is approved, access is generally granted for a limited number of days during the annual olive harvest, when Israeli soldiers are deployed in the area. In some of these cases, entrance of Israelis is forbidden by military order during the olive harvest period. Farmers requesting this 'prior coordination' during the

Israel, as the occupying Power, has the obligation to maintain public order and ensure that protected persons – Palestinian civilians – are safeguarded against all acts or threats of violence. This includes the obligation to protect Palestinians from settler violence, and to ensure the effective, prompt, thorough and impartial investigation of criminal attacks and prosecute those allegedly responsible. Despite repeated concerns raised by the Secretary-General, as well as statements by Israeli officials noting that steps would be taken to address this phenomenon, Israeli authorities continue to fail to prevent settler violence, protect Palestinians and their property, and ensure accountability for these criminal acts.

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, Report by the Secretary-General, 22 August 2013, para. 25.

“I've submitted so many complaints that I can hardly count. I've gone back and forth between police stations and the courts for many years,”



Hussein Abu Alia

2012 olive harvest were generally able to access their olive groves at the coordinated times and relatively few incidents of settler violence were reported during these scheduled occasions. However, despite these measures, settler attacks during the olive harvest period continued. In addition, the current system has

also proven largely ineffective in preventing attacks by settlers against Palestinian trees and crops, as most of these attacks occur outside the times allocated through the 'prior coordination' process. Overall, the 'prior coordination' regime places the onus on farmers whose access to their own lands is restricted, rather than enforcing the rule of law on Israeli settlers.

The Israeli army has made three classifications of Palestinian agricultural land in villages in the vicinity of Adei Ad, based on the proximity to the outpost: 'no entry zone' areas; areas to which entry is subject to 'prior coordination' and accompaniment by the Israeli army; and 'unrestricted-access' areas. Furthermore, during the olive harvest period, Israelis are officially forbidden to enter areas near Adei Ad that require prior coordination. The olive groves that belong to Al Nasan and Abu Alia families are among the areas designated as requiring 'prior coordination' and escort by the army. The families are permitted access to their olive groves twice a year: in spring for ploughing and in autumn for harvesting. On these occasions, permission is granted for a few days

for a designated number of hours. To obtain permission, they need to apply in advance through the Palestinian District Coordination Liaison (DCL), which in turn transfers the applications to the Israeli DCL, which then grants or rejects the request.

According to the farmers, this entails a lengthy process, with no guarantee that the application will be approved. Hussein elaborates:

This year, they didn't give us a permission to plough at all; they told us that the settlers were angry after an incident at Za'tara Junction in April 2013, when a settler was fatally stabbed, and the army said that they couldn't guarantee our safety against reprisals. Another problem is that the coordination for the olive harvest is restricted to olives only. Once the soldiers stopped my grandsons from picking almonds, claiming that the coordination is only for olives, even though the almond trees are in the same field!

Last year I was allowed to plough my land. I hired 12 workers so I could finish the job within the limited time we were given. The next morning, an Israeli officer called to tell me that the army would not be able to escort us that day. It wasn't easy to go home after paying workers 200 shekels

each, so we started working without the army escort. Shortly after, armed settlers approached us, pointed their guns at us and told us to leave. When I reported this to the Israeli DCL, they told me it was my fault because I entered my land without their authorization, and that I should do as the settlers told me.

UNDERMINING RURAL LIVELIHOODS

Since 2006, nearly 1,000 olive trees belonging to the Abu Alia and An Na'san families were vandalized. Settler violence has severely undermined the livelihoods of many families in this area, contributing to the relocation of some people in search of better livelihood opportunities elsewhere, including abroad. Those who continue to farm incur financial losses, partly because of difficulties in cultivating their land consistently, and because of the damage to their property or theft of their crops by settlers, in which case they lose both

"The Olive Harvest is a key economic, social and cultural event for Palestinians", according to Mr. James W. Rawley, the UN's Humanitarian Coordinator. "However, restrictions on access to their lands and persistent violence have made it difficult for many farmers to sustain themselves from this once profitable income source. Palestinian farmers just want to be able to cultivate their land and support their families - I urge the Israeli authorities to ensure that they can."

"We're afraid that if we stop cultivating our land, we will lose ownership of it. It will be declared as 'state land' and we will lose it to the settlers."



Jamil Al Nasan

the money invested as well as the potential earnings from selling the crops.

Jamil Al Nasan: *Our olive grove used to give us about 30 jerry cans of olive oil a year. The income we made covered all the expenses of maintaining the land; we were self-sufficient. But the settlers destroyed my olive trees. Now we have to cover all the expenses ourselves, hiring tractors and workers, just to hold on to our land. We're surviving on the money that our sons abroad send to us, otherwise we'd be depending on charity and handouts.*

