

# A Complete Guide on the Rationale Behind Calling Israel an Apartheid State.

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Address: 6300 du Parc Avenue, Suite #312, H2V 4H8 Montreal, Quebec Canada Tel.: (514) 999-1948  
Website: <http://www.sphr.org>

**Israeli Violations of International Law - (10) APARTHEID: The State of Israel has a formal system of discrimination set up which technically fits the official UN definition of Apartheid**

**ISRAELI VIOLATION: HISTORY & THEORY**

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**Part 1: INTRODUCTION - BASIC THESIS**

The State of Israel has a [formal legal system of discrimination](#) set up both within Israel, and also within the occupied territories. Both of these systems intentionally systematize discrimination against Palestinian Arabs in many areas of society (from housing to finances to education to veteran's benefits), but also limits where they live in Israel and the occupied territories to small areas of the country (less than 5% of Israel, and less than 30% of the West Bank), areas which are then discriminated against in many ways (such as in terms of receiving development grants, educational funding and security services; some Arab villages have been deprived of basic services such as electricity and sewer maintenance). The system in use in the occupied territories is much more oppressive, and is used to exploit the economy of Palestine for the sake of Israel.

Much can be learned about these systems of discrimination just by studying the laws of the State of Israel, and the Military Orders the Israeli military uses in the occupied territories.

The discriminatory systems found within Israel and the one in use in the Israeli occupation both fit the formal official U.N. definition of Apartheid developed for the "[International Convention for the Suppression and Punishment of the Crime of Apartheid](#)", published in July of 1976.

Therefore Israel is technically and legally, an Apartheid State. Apartheid is considered to be a "Crime against Humanity". Even though the system used in Israel is much milder than what it employs in the occupied territory - it still hurts a lot of people, and thus must be ended, just as the one that is used in the occupied territories must be ended as well, and as soon as possible.

## **Part 2: OFFICIAL LEGAL DEFINITION OF APARTHEID**

Here is the formal definition of Apartheid found in articles 1 & 2 of the [International Covenant on the Suppression and Punishment of the Crime of Apartheid](#) (18 July 1976):

### **INTERNATIONAL COVENANT ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID (18 July 1976)**

#### **Article I**

- 1. The States Parties to the present Convention declare that apartheid is a crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination, as defined in article II of the Convention, are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.
- 2. The States Parties to the present Convention declare criminal those organizations, institutions and individuals committing the crime of apartheid.

#### **Article II**

- For the purpose of the present Convention, the term "the crime of apartheid", which shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them:
  - a. Denial to a member or members of a racial group or groups of the right to life and liberty of person:
    - i. By murder of members of a racial group or groups;

- ii. By the infliction upon the members of a racial group or groups of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment;
- iii. By arbitrary arrest and illegal imprisonment of the members of a racial group or groups;
- b. Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;
- c. Any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;
- d. Any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof;
- e. Exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour;
- f. Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid."

This definition of apartheid includes 6 categories of crimes:

- **(a) Massive violation of human rights and civil rights;**
- **(b) Imposition of inhumane living conditions, such as poverty;**

- **(c) Society-wide legalized discrimination in areas such as finance, housing, employment, education, as well as access to cultural events, etc.**
- **(d) Isolating the victim group geographically, such as in ghettos, or "Bantulands" (term used in South Africa);**
- **(e) Exploitation of labor, such as slavery or forced labor or discrimination in wages;**
- **(f) Inhumane suppression of rebellion against apartheid.**

**Part 3: SYSTEMS OF DISCRIMINATION PRACTICED BY STATE OF ISRAEL**

The system of legalized discrimination found within Israel is described in Essays and a Study Guide in the section of this Website on [Israeli Law](#). The system of legalized discrimination, oppression and exploitation in the occupied territories is described in the section of this Website on [Israeli Military Orders](#). Both systems fit the official, legal definition of apartheid given above.

Quotes from the Israeli laws and military orders listed in this section can be found in the Quote section at the bottom of this page, and in the Study Guides for [Israeli Law](#) and [Military Orders](#).

<p>Legalized Discrimination in Israel fits mainly in 6 areas:</p>	<p>Legalized Discrimination, Oppression &amp; Exploitation by Israel in the Occupied Territories fits in 5 areas:</p>
<ul style="list-style-type: none"> <li>• <b>(1) Land Laws</b></li> <li>• <b>(2) Immigration &amp; Citizenship</b></li> <li>• <b>(3) Government Participation</b></li> <li>• <b>(4) Allocation of Military Veteran Benefits</b></li> <li>• <b>(5) Violation of a Wide Range of Civil Rights</b></li> <li>• <b>(6) Daily Racist</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>(1) Land Laws</b></li> <li>• <b>(2) Isolation of Palestinian Communities</b></li> <li>• <b>(3) Two-Tier Legal System</b></li> <li>• <b>(4) Control of Palestinian Economy</b></li> <li>• <b>(5) Massive Violation of Human Rights</b></li> </ul>

<b>Harassment</b>	
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Here are brief summaries of the 6 categories of Israeli laws that defines how internal Israeli discrimination works:

- **(1) Land Laws:** where Palestinian Arabs are severely limited in land ownership, which thus limits them to living in either the cities or on less than 5% of the rural lands of Israel. Exercise of State Land-use laws has led to Palestinian landowners loosing even more land, and those left experience all sorts of discrimination and deprivations. For example, land development boards set up by the "Planning and Building Law" of 1965 have zoned out of existence approximately 40 ancient Arab villages, which have subsequently been denied basic services such as electricity.

Relevant Israeli laws: [Emergency Land Requisition \(Regulation\) Law](#) (1949), [Development Authority \(Transfer Of Property\) Law](#) (1950), [Absentees' Property Law](#) (1950), [State Property Law](#) (1951), [Land Acquisition \(Validation Of Acts And Compensation\) Law](#) (1953), [Keren Kayemet Le-Israel Law](#) (1953), [Prevention Of Infiltration \(Offenses And Jurisdiction\) Law](#) (1954), [Basic Law: Israel Lands](#) (1960), [Israel Lands Administration Law](#) (1960), [Planning And Building Law](#) (1965), [Agricultural Settlement \(Restrictions On Use Of Agricultural Land And Water\) Law](#) (1967) (quotes are found below in the Quote section).

- **(2) Immigration & Citizenship:** discrimination in how citizenship and entry permits are awarded, and ID cards are required which open a person to discrimination.
  - (a) Palestinian Arabs who lost their lands during various wars have been forbidden from returning to their lands, and many of their possessions left behind have been redistributed to Jewish immigrants. A minority of Arabs have been subsequently compensated for these losses.
  - (b) Then, Jews are awarded automatic citizenship in Israel, whereas Palestinian Arabs go through a comparatively more difficult system to qualify for citizenship.
  - (c) Then all inhabitants of Israel are required to carry "identification certificates" on which their nationality and religion are listed. This information has then been used to practice discrimination against certificate holders if their religion is listed as Muslim, or their nationality is listed as Palestinian.
  - (d) Then Arab spouses who come from the occupied territories have been forbidden from living with their spouses who have been living within Israel

(with a few exceptions, mostly whom are awarded only 3 month permits).

Relevant Israeli laws: [Registration Of Inhabitants](#) (1949), [Law Of Return](#) (1950), [Absentees' Property Law](#) (1950), [Nationality Law](#) (1952), [Entry Into Israel](#) (1952), [Prevention Of Infiltration \(Offences And Jurisdiction\) Law](#), (1954), [Population Registry Law](#) (1965), [Identity Certificate \(Possession And Presentation\) Law](#) (1982), [Nationality And Entry Into Israel \(Temporary Order\) Law](#) (2003), [Nationality And Entry Into Israel \(Temporary Order\) \(Amendment\) Law](#) (2005) (quotes are found below in the Quote section).

- **(3) Government Participation:** Zionist organizations that founded the State of Israel have been awarded important decision-making positions in a wide range of government agencies, such as budgetting, land use, and regulation of the agricultural industry. This ends up giving preferential treatment to Jewish communities, businesses and institutions often at the expense of Palestinian Arab communities, etc.

Relevant Israeli laws: [World Zionist Organization – Jewish Agency \(Status\) Law](#) (1952), [Keren Kayemet Le-Israel Law](#) (1953), [Peanut Production And Marketing Board Law](#) (1959), [Vegetable Production And Marketing Board Law](#) (1959), [Egg And Poultry Board \(Production And Marketing\) Law](#) (1963), [Planning And Building Law](#) (1965), [Fruit Production And Marketing Board Law](#) (1973), [Galilee Law](#) (1988), [Negev Law \(Amendment\)\(1988\)](#) (quotes are found below in the Quote section).

- **(4) Allocation of Military Veteran Benefits:** military veteran benefits are awarded mostly only to Jews. This includes benefits .
  - (a) Jews only are allowed to serve in the Israeli military (with a few exceptions), and then military veterans are awarded a wide range of government services and benefits mostly in the areas of housing, finance and education. In addition, veterans also get special benefits from many non-government sources as well.
  - (b) There is no comparable national service program available to Palestinian Arabs so that they too can receive comparable benefits. The end result is a society-wide form of discrimination.
  - (c) In addition, the full range of military benefits have also been awarded to full-time Yeshiva students (Jewish religious training).

Relevant Israeli laws: [Defense Army Of Israel Ordinance](#) (1948), [Defense Service Law](#) (1949), [Discharged Soldiers \(Return to Work\) Law](#) (1949), Grants to Soldiers

and their Families Regulations (1970), [Discharged Soldiers Law](#) (1984), [Israel Defence Forces \(Permanent Service\) \(Benefits\) \(Consolidated Version\)](#) (1985), [Discharged Soldiers \(Adjustment Grant\) Law](#) (1988) (quotes are found below in the Quote section).

- **(5) Violation of Wide Range of Civil Rights:**
  - (a) Inhibition of Freedom of Speech - laws affecting the freedom of speech of politicians and non-profit organizations make it risky to criticize Israel being a Jewish State. This has been interpreted as including advocating equal rights for all Israelis because if there is equal rights, then the State cannot give special privileges and services to the Jewish people, which is the major national goal of creating the State of Israel.
  - (b) Inhibition of Freedom of Association - the law regulating non-profit organizations requires the organizations to make available to its entire membership lists of all members and their contact info. This inhibits membership in controversial organizations because this opens the list to being obtained by government agents who might pose as members.
  - (c) Upto 1966, the Israeli government employed the [Defense \(Emergency\) Regulations of 1945](#) to suppress political descent. These regulations legalize imprisonment, deportation, property destruction, area closure, censorship and other inhumane measures, all without trial or charges, and all on individual or mass levels. The regulations do include limited rights to appeal. These regulations were originally developed by the British Mandate government, and were vigorously protested at the time by Zionist organizations, but are now employed by the Israeli government against Palestinian rebellion. They have also been employed against Zionist extremists as well whom the government has judged to be a danger to the State.

Relevant Israeli laws: [Defense \(Emergency\) Regulations](#) (1945), [Amutot Law](#) (1980), [Basic Law: Knesset \(Amendment 9\)](#)(1985) (quotes are found below in the Quote section).

- **(6) Daily Racist Harassment:** Arabs experience racist harassment in the streets of Israel, and throughout Israeli society, and find that the police and government will not help them.

In the occupied territories, the Israeli government has put the Israeli military in charge of governing the territories. The military makes no pretense at creating a democratic system

because it admits that the operation is a military operation. Thus the Israeli military has replaced virtually all government agencies with Israeli military committees and Israeli-controlled civil administrations, and when it has run democratic elections, it has often followed with cancelling the results when it did not like them, and even deporting the elected officials. But the military does employ a body of mostly published, named and numbered laws, which they call Military Orders (or Proclamations or Pamphlets) through which the structures of discrimination, oppression and exploitation by the Israeli government and military can be traced. Increasingly though, these orders are unpublished, unnamed and unnumbered.

The non-democratic and even imperious attitude of the Israeli military toward the Palestinian people is demonstrated in the opening statement of the Military Orders, which almost always begin with sentences such as:

Military Order #47 -- In accordance with the authority vested in me, and in my capacity as the commander of the Israeli Defense Forces in the West Bank region, I hereby order as follows:

Military Order #783 -- By virtue of my powers as the Area Commander and my other powers by virtue of any law and military legislation, I hereby order as follows:

Military Order #947 -- By virtue of my authority as Israel Defence Force Area Commander, and since I believe that this is required to preserve orderly administration and the public order, and in order to ensure the well-being and the good of the population and to supply and implement public services, I herewith order as follows:

Here are brief summaries of the 5 categories of laws named above that define the Israeli military occupation. Summaries of the Israeli military orders listed below can be found in Appendix 1:

- **(1) Land Laws:** military orders that allow confiscation of Palestinian-own lands under various pretenses (because it is unused, to use for the good of the people, for security reasons, for wilderness preserves, etc.) At this point, the Israeli military now controls more than 70% of the West Bank. In addition, large areas of Palestinian and Arab lands has been annexed into Israel directly (East Jerusalem and Syrian Golan) in direct violation of international law.

Relevant Israeli Military Orders: 58, 59, [291](#), 321, 348, 364, 569, 1060, 1091, and numerous unnumbered military orders (summaries given below in Appendix 1).

- **(2) Isolation of Palestinian Communities:** The land confiscated is chosen strategically so that Palestinian communities are largely surrounded by Israeli controlled lands, and the resources of the region fall under direct Israeli control (especially water and rich farmlands (Jordan Valley)). Then the roads between the communities are bisected by Israeli military checkpoints where Palestinian commerce are harassed to the point of significantly hurting the Palestinian economy (both in terms of movement of goods, and in terms of civilians being able to get to their jobs). In addition, Palestinian society is also severely hampered by this interference with movement between communities. This strangling of Palestinian economy, society and culture is considered to be a severe violation of Palestinian inalienable right of self-determination - a violation of international humanitarian law.

Relevant Israeli Military Orders: 58, 59, [291](#), 321, 348, 364, 569, 1060, 1091, and numerous unnumbered military orders (summaries given below in Appendix 1).

- **(3) Two-Tier Legal System:** A major use of Palestinian confiscated lands is for Israeli settlements (which is illegal as per international law). The settlements are given a different legal system than the Palestinian communities. The settlements are linked legally and economically to Israel's democracy with lots of economic benefits for the settlers and companies that operate there. In contrast, all Arab government agencies and functions have been replaced by Israeli military committees and Israeli controlled civic administrations. This extreme transformation of the local legal/government system is a violation of international law. And when the Israelis have allowed democratic elections to take place, they have often cancelled the results if they did not like them, and have even deported elected officials to nearby countries. The Israeli military have allowed appeals of their committee rulings to the Israeli Supreme Court, but that Court has been known to generally rule on behalf of the Israeli military "for security reasons".

Relevant Israeli Military Orders: 29, 30, 164, 172, 271, 297, 310, 348, [378](#), 406, 412, 561, [783](#), 841, 847, [892](#), 981, 1025, 1057, 1058, 1060, 1080, 1083, 1101, and numerous unnumbered military orders (summaries given below in Appendix 1).

- **(4) Control of Palestinian Economy:** Israeli military rule over the occupied territories has developed as a web of permits laid over the Palestinian economy

which are issued by the Israeli military, thus giving the Israeli military (and by extension the Israeli government) control over every aspect of the Palestinian economy. Investigations have then shown that the Israeli government then manipulates this permit system to benefit the Israeli economy, often at the expense of the Palestinian economy. For example, agricultural permits have been shown to be issued only when this complements Israeli agricultural output, and never in competition with it, and building permits are almost never issued to Palestinians, in order to inhibit the growth of the Palestinian communities, vs. the ongoing expansion of the Israeli settlements.

Relevant Israeli Military Orders: 25, 26, 33, 45, [47](#), 49, 50, 65, [92](#), 93, 128, 133, [134](#), 144, 158, 267, 361, 362, 379, 395, 398, 418, 450, 451, 514, 528, 555, 569, 745, 768, 780, 818, 825, 854, 936, [947](#), 950, 952, 973, 974, 998, [1002](#), [1010](#), [1015](#), 1070, 1103, 1198, and numerous unnumbered military orders (summaries given below in Appendix 1).

- **(5) Massive Violation of Human Rights:** Israeli violation of human rights takes place both on a daily basis, as well as in the inhumane suppression of Palestinian rebellion.
  - Daily violation of human rights can be seen in terms of restrictions on Palestinian economic activity and restrictions on movement around the territories, such as harassment at checkpoints, controlling who Palestinian businesses can employ and what they can sell, what organizations Palestinians can join or help organize, violate right to privacy and free speech and freedom of association, arming Israeli settlers, and then not stopping them from brutalizing Palestinian civilians, stealing their land and closing their neighborhoods to entry or exit, treatment by Israeli officials and military personnel in a threatening and disrespectful manner, and many other examples described in documents of the UN, Red Cross, and other human rights organizations and watchdog groups.
  - Israeli suppression of Palestinian rebellion has been marked by the use of the Defense (Emergency) Regulations of 1945, which violate a range of human rights such as imprisonment, deportation, property demolition, area closure, censorship, all without charges or trial and all on either an individual or massive level, and the practice of collective punishment whereby entire communities are punished for the actions of a few rebels. But the collective punishment has been so massive and so ongoing (building settlements and the wall and the highway and checkpoint systems and bombardment and destruction of entire Palestinian neighborhoods and

towns) that many believe that the collective punishments actually represent the game plan of the Israeli government, and the intermittent rebellion of the Palestinians, which Israel claims it is only defending itself against, is actually the righteous rebellion against the massive abuse of the Israeli actions which the Israelis claim is just punishment and prevention of Palestinian aggressions.

Relevant Israeli Military Orders: 50, 101, 107, 144, 244, 284, 290, 329, [378](#), 537, 1079, and numerous unnumbered military orders (summaries given below in Appendix 1).

Summaries of Israeli military orders listed above are given below in Appendix 1.

#### **Part 4: ISRAELI SYSTEMS OF DISCRIMINATION AND OPPRESSION EQUAL APARTHEID?**

The method to determine if Israeli systems of discrimination, oppression and exploitation of the Palestinian people fulfill the official legal definition of Apartheid is to list the 6 parts of the apartheid definition, and see if any Israeli systems or policies or actions fit in each one of them.

Here is a summary of the 6 parts of the apartheid definition given above:

- **(a) Massive violation of human rights and civil rights;**
- **(b) Imposition of inhumane living conditions, such as poverty;**
- **(c) Society-wide legalized discrimination in areas such as finance, housing, employment, education, as well as access to cultural events, etc.**
- **(d) Isolating the victim group geographically, such as in ghettos, or "Bantulands" (term used in South Africa);**
- **(e) Exploitation of labor, such as slavery or forced labor or discrimination in wages;**
- **(f) Inhumane suppression of rebellion against apartheid.**

Now lets see how Israeli actions and policies fit in each section of this definition:

##### **SYSTEM OF LEGALIZED DISCRIMINATION WITHIN ISRAEL**

- **(a) Massive violation of human rights and civil rights** -- the most significant violation of human rights within Israel is the expropriation of Palestinian-owned lands to build mostly Jewish communities on, and then the denial of Palestinian's rights to live anywhere they wish in the

land of Israel. In addition, the property of Palestinian Arabs who were not allowed back in the country following the end of fighting in 1948 (itself a violation of international law), was not protected, but there is not enough information as to how much was redistributed to Israeli citizens by the Custodian of Absentees' Property, and only a tiny number of property owners were compensated for their losses, or eventually allowed to re-enter the country. The most dramatic example of this is the struggle of 40 Bedouin villages in the Negev, which the Israel government has decided to zone out of existence, and then since the villagers have refused to leave, the government has cut many basic services to the villages such as electricity, sewer maintenance, etc. But this might fit more appropriately under part (d) in the definition of the crime of apartheid, which covers geographic isolation of the victim population.

The State of Israel employed from 1948 to 1966 the Defense (Emergency) Regulations of 1945, which legalized a wide range of human rights violations such as imprisonment, deportation, property destruction, area closure, censorship, etc., all without trial or charges, and all on either an individual or massive scale, but there is not evidence that these measures were employed against Palestinian Arabs on a massive scale. But this might fit more appropriately under part (e) of the definition of apartheid, which covers inhumane suppression of rebellion against apartheid.

There is significant evidence that Palestinian Arabs are denied equal access to many benefit programs in every area of Israeli society (finance, housing, employment, education, etc.), but this might fit more appropriately under part (c) of the definition of apartheid, which fits legalized systems of discrimination.

There are some laws that inhibit freedom of speech and freedom of association, but again we do not find these occurring on a massive scale.

- **(b) Imposition of inhumane living conditions, such as poverty** -- there is considerable evidence of Palestinian Arabs being forced to live a life of poverty in the State of Israel. This occurs first because Arabs are limited where they can live in the country, and then those areas are discriminated against in terms of government programs for community

development, education, etc. The end result is that Arabs and their communities are amongst the poorest in Israel.

- **(c) Society-wide legalized discrimination in areas such as finance, housing, employment, education, as well as access to cultural events, etc.** -- in Israel, there are a number of ways whereby discrimination against Arabs is institutionalized. The most important are the way military veteran benefits are issued mostly only to Jews because most Arabs are denied the right to serve in the Israeli military, and also that Jewish organizations are given special positions of influence throughout the government. Other important areas where Arabs are discriminated against are in terms of housing and community development programs, and in terms of citizenship and immigration laws. The most serious example of the latter is how Arab spouses who happen to be residents of the occupied territories are denied entrance into Israel, with a few exceptions who mostly are only awarded 3 month visas.
- **(d) Isolating the victim group geographically, such as in ghettos, or "Bantulands" (term used in South Africa)** -- Palestinian-owned lands have been expropriated from Arab landowners on a massive scale. The Arabs are then restricted as to where they can lease land to live on (with a few exceptions). Even though the Israeli Supreme Court ruled in year 2000, and the Israeli Attorney General concurred in 2005, that it was inappropriate for any Israeli government agency to discriminate in the leasing of land according to race, religion, etc., there has still not been any actual laws or regulations passed by either the Knesset or a government agency actually outlawing the practice, so that discrimination continues today, but in a much more careful manner. The end result is that Arabs are still mostly only allowed to live in either certain urban areas or certain rural areas, and those areas are discriminated against by government agencies in terms of anti-poverty programs, etc.
- **(e) Exploitation of labor, such as slavery or forced labor or discrimination in wages** -- the only form of labor exploitation found in the State of Israel is wage discrimination.
- **(f) Inhumane suppression of rebellion against apartheid** -- between 1948 and 1966, the Israeli government employed the Defense

(Emergency) Regulations of 1945 to suppress rebellion. These regulations legalize human rights violations such as imprisonment, deportation, property destruction, area closure, censorship, all without trial or charges, and all on either an individual or massive scale. These regulations do allow limited right of appeal. But there is not evidence that these regulations were used on a massive scale, and they were also used against Zionist extremist such as Rabbi Kahan.

#### **ISRAELI SYSTEMS OF DISCRIMINATION, OPPRESSION & EXPLOITATION IN THE OCCUPIED TERRITORIES**

- **(a) Massive violation of human rights and civil rights** -- the Israeli occupation is known for massive forms of human rights violations, often applied as forms of collective punishment (itself a violation of international law) against very understandable rebellion, such as expropriation of Palestinian lands (now taking more than 70% of the West Bank), building Israeli settlements on Palestinian-owned lands (now housing more than 400,000 Israeli citizens), a separation wall (displacing more than 250,000 Palestinians), in addition to a network of Israeli-use highways and Israeli military checkpoints that have now cut the West Bank in half and which isolate and cripple Palestinian society and economy. The land expropriations, settlements and wall have all been labelled illegal and violations of Palestinian human rights by the United Nations.

In addition, the Israeli military continues to practice further collective punishment by destroying economic assets such as office buildings, the Gaza Sea Port, factories, olive tree groves, and schools, and essentials to every day life (especially in Gaza) such as destroying the electrical power plant, disrupting food supplies and medical services.

The Israeli military also employs the Defense (Emergency) Regulations of 1945, which legalizes imprisonment, deportation, property destruction, area closures, censorship, etc., all without charges or trial (but with limited rights of appeal), and all on either an individual or massive scale.

In addition, the Israeli military practices torture, rebel leader assassination, and random shooting of civilians including children (repeatedly reported by the UN and other human rights organizations).

and arming Israeli settlers who do the same.

- **(b) Imposition of inhumane living conditions, such as poverty** -- the Israeli military has crippled the Palestinian economy leading to severe poverty and unemployment both through surrounding them with Israeli controlled land and isolating them and inhibiting movement between them, and through a network of permit regulations by which it also strangles commerce often directly in service of the Israeli economy.

In addition, the take-over of Palestinian lands has been strategically planned to include on the Israeli side the natural resources of the occupied territories (especially water and rich farmlands), which also has crippled the Palestinian economy contributing to the impoverished conditions of Palestinian communities.

- **(c) Society-wide legalized discrimination in areas such as finance, housing, employment, education, as well as access to cultural events, etc.** -- the Israeli military has created a two-tier government, legal, economic system in the occupied territories. The system for the illegal Israeli settlements is democratic and tied into the government and economy of Israel itself. The system for the Palestinian communities is run by Israeli military committees and Israeli controlled civic administrations. This system for the Palestinian communities is not democratic and every aspect of the Palestinian economy and society are controlled by military permits which studies have shown are used to the detriment of the Palestinian society and economy often to the benefit of the Israeli economy. Obviously, this goes beyond discrimination into the realm of oppression and exploitation, but does involve discrimination because it favors one group over another, and is based in laws (which the Israelis call Military Orders and Proclamations).
- **(d) Isolating the victim group geographically, such as in ghettos, or "Bhantulands" (term used in South Africa)** -- the Israeli government has confiscated more than 70% of the lands in the West Bank in patterns which surround the Palestinian communities with Israeli controlled land, which they then use to strangle those communities both economically and socially. They build on those lands illegal Israeli settlements, walls, military reserves, wilderness preserves, a network of Israeli-use only highways, and the checkpoints which bisect the Palestinian roads further hampering movement between communities further crippling

Palestinian commerce and society. This pattern has now cut the West Bank in half, and if the current trends of Israeli settlement expansion continue, the West Bank will soon be cut in 3 parts.

The massive land expropriations, practice of collective punishment, the Israeli settlements and the wall have all been labeled violations of international law, and severe violations of the Palestinian rights of self-determination. The occupation itself has been determined to be a massive violation of Palestinian human rights.

- **(e) Exploitation of labor, such as slavery or forced labor or discrimination in wages** -- the only form of labor exploitation in the occupied territories has been wage discrimination when Palestinians are employed vs. Jewish labor.
- **(f) Inhumane suppression of rebellion against apartheid** -- in the occupied territories, the Israeli military employs the Defense (Emergency) Regulations of 1945, which legalize such inhumane practices as imprisonment, deportation, property destruction, area closures, censorship, etc., all without trial or charges, and all on either individual or massive scales.

But the Israeli military has also used inhumane measures not covered in those regulations such as torture and rebel leader assassination, and forms of collective punishment, such as demolishing entire neighborhoods (Jenin, 2204) and expropriating 70% of the West Bank for Israeli use, building on that land Israeli settlements that now house more than 400,000 Israeli citizens, and building a massive separation barrier not on the border, but through Palestinian communities such that more 250,000 Palestinians are now displaced by it. All these have been named by the United Nations as violations of international law and the inalienable right of self-determination of the Palestinian people.

Other serious measures of collective punishment have been interfering with food supplies and medical services, destroying the electrical supply (especially in Gaza) and government buildings, and economic assets such as the sea port, airport, office buildings, olive groves, and urban infrastructure such as bridges, curbs, walls, etc., and confiscating natural resources such as water supplies and the most fertile farmlands

(including almost the entire Jordan Valley on the eastern side of the West Bank away from Israel).

The above table shows that the legalized discrimination which is found throughout Israeli society fits the entire 6-part official, legal definition of apartheid, although it is much less extreme than the legalized discrimination, oppression and exploitation found in the Israeli occupation. Even though it is less intense, it is still apartheid because discrimination cannot be tolerated anywhere - it still leads to immense suffering, which today then leads to backlash against the mainstream in the form of terrorism. But the main thing is that discrimination in all its forms is immoral and illegitimate in this day and age which recognizes the importance of equal rights and respect for all human rights, including the right of self-determination.

#### **Part 5: QUESTIONS CONCERNING THE APPLICABILITY OF THE APARTHEID LAW TO ISRAEL AND THE ISRAELI OCCUPATION**

Two important questions arise concerning applicability of the apartheid law to Israel internally, and the Israeli occupation:

- (1) Does the term "apartheid" apply beyond the South African situation?
- (2) Does the Apartheid Convention apply external to a given country - to territories it manages or occupies?

The answer to both is 'yes', and is found in the 1973 convention itself.

The term "apartheid" was originally used by the South African government to refer to its own separatist system, and then was accepted by the international community in its fight to dismantle the South African system. Then the term was generalized by the international community to refer to the fight in general to eliminate world racism and oppression. This is reflected in the main international instrument created by the United Nations to fight apartheid - the [International Convention for the Suppression and Punishment of the Crime of Apartheid](#) (1976). This generalization is reflected in both the Preamble and in article 1 where the wording clearly connects the term 'apartheid' to crimes of racist discrimination in general:

***The States Parties to the present Convention,***

*Observing that the General Assembly of the United Nations has adopted a*

number of resolutions in which the policies and practices of apartheid are condemned as a crime against humanity,

*Observing that* the Security Council has emphasized that apartheid and its continued intensification and expansion seriously disturb and threaten international peace and security,

*Convinced that* an [International Convention on the Suppression and Punishment of the Crime of Apartheid](#) would make it possible to take more effective measures at the international and national levels with a view to the suppression and punishment of the crime of apartheid,

*Have agreed as follows:*

#### **Article I**

- 1. The States Parties to the present Convention declare that apartheid is a crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination, as defined in article II of the Convention, are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.
- 2. The States Parties to the present Convention declare criminal those organizations, institutions and individuals committing the crime of apartheid.

Then pertaining to the question of applicability of this Convention to the Israeli occupation, we find the affirmative answer in article X which holds responsible "authorities responsible for the administration of Trust and Non-Self-Governing Territories, and all other Territories to which [General Assembly resolution 1514 \(XV\)](#) of 14 December 1960 applies". It is clear that the Israeli occupation would come under the category of "all other Territories" referred to in article X, and confirmed when we examine resolution 1514 named there as well.

**Article X.**

- 1. The States Parties to the present Convention empower the Commission on Human Rights:
  - a. To request United Nations organs, when transmitting copies of petitions under article 15 of the [International Convention on the Elimination of All Forms of Racial Discrimination](#), to draw its attention to complaints concerning acts which are enumerated in article II of the present Convention;
  - b. To prepare, on the basis of reports from competent organs of the United Nations and periodic reports from States Parties to the present Convention, a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for the crimes enumerated in article II of the Convention, as well as those against whom legal proceedings have been undertaken by States Parties to the Convention;
  - c. To request information from the competent United Nations organs concerning measures taken by the authorities responsible for the administration of Trust and Non-Self-Governing Territories, and all other Territories to which [General Assembly resolution 1514 \(XV\)](#) of 14 December 1960 applies, with regard to such individuals alleged to be responsible for crimes under article II of the Convention who are believed to be under their territorial and administrative jurisdiction.
- 2. Pending the achievement of the objectives of the [Declaration on the Granting of Independence to Colonial Countries and Peoples](#), contained in General Assembly resolution 1514 (XV), the provisions of the present Convention shall in no way limit the right of petition granted to those peoples by other international instruments or by the United Nations and its specialized agencies.

[General Assembly resolution 1514 \(XV\)](#) referred to in article X is simple and direct, referring to "...Trust and Non-Self-Governing Territories, or all other territories which have not yet attained independence", which obviously would refer to the Israeli occupation where the native people are clearly under the domination of a foreign power, and thus have not "yet attained independence":

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

I believe we can thus read from the Convention and the UN resolution themselves the intention of the international community to generalize the apartheid Convention to refer to racist discriminatory systems across the globe, so that they would have an international legal instrument to fight apartheid with throughout the world.

### **Appendix 1: SUMMARIES OF SAMPLE ISRAELI MILITARY ORDERS**

LAND LAWS (used to expropriate Palestinian-owned lands for Israeli usage, and surround and isolate Palestinian communities) - Relevant Israeli Military Orders: 58, 59, [291](#), 321, 348, 364, 569, 1060, 1091, and numerous unnumbered military orders.

- Military Order 58: gives control of absentee land to Israeli military. Defines absentee as someone who left Israel before, during, or after the 1967 war. Allows Israeli Military to keep property even if the property was taken by mistake due to a misjudgement (that it was abandoned for example).
- Military Order 59: establishes the Israeli Military-appointed position of "Custodian of Government Property" to take over land owned by the Jordanian Government. Also, allows the "Custodian of Government Property" to appropriate land from individuals or groups by declaring it "Public Land" or "State Land", the latter which it defines as land that was owned or managed by, or had a partner who was an enemy body or citizen of an enemy country during the 1967 war (amended by M.O.1091).
- Military Order 291: Gives the Military control over all disputes involving land and water (Article 2). Cancels incomplete Palestinian land ownership registrations and land disputes being heard by the Jordanian Settlement of Dispute Courts (Article 3).
- Military Order 321: gives Israeli Military right to confiscate Palestinian land in name of 'Public Service' (left undefined), and without compensation.
- Military Order 348: establishes a special Israeli Government Department to help execute court orders concerning property in the West Bank.
- Military Order 364: (amends M.O.59) by declaring that Israeli Military can appropriate land simply by declaring it "State Lands" (according to previous definitions).

- Military Order 569: created a Dept. of Special Land Transactions where registration of lands declared to be "state lands", or lands appropriated for security reasons occurs. Public notice of these transactions limited to notices posted within this office instead of newspapers.
- Military Order 1060: transferred land disputes being handled in local Jordanian Courts to Israeli Military Committee for judgement.
- Military Order 1091: (amends M.O.59) adds to the definition of "State Lands" lands which are the subject of an appropriation order.
- Some Unnumbered Military Orders:
  - Issued in 1994: amends M.O. 321, concerning building Israeli-use-only by-pass roads on confiscated Palestinian lands.
  - Date unknown: requires West Bank non-Israeli residents to list all immoveable property on their income tax returns.
  - Issued in 1997: details the 7-Star Plan for building 17 Israeli settlements south of Jerusalem to house approximately 50,000 Israelis.
  - Dated 7/3/82: (amends M.O.1118) imposes taxes on imported services.

TWO-TIER GOVERNMENT & LEGAL SYSTEM IN OCCUPIED TERRITORIES (system for Israeli settlements is Democratic and tied to Israel, system for Arabs is non-democratic with complete control by Israeli Military) - Relevant Israeli Military Orders: 25, 26, 29, 30, 33, 45, 47, 49, 50, 65, 92, 93, 128, 133, 134, 144, 158, 164, 172, 267, 271, 297, 310, 348, 361, 362, 378, 379, 395, 398, 406, 412, 418, 450, 451, 514, 528, 555, 561, 569, 745, 768, 780, 783, 818, 825, 841, 854, 847, 892, 936, 947, 950, 952, 973, 974, 981, 998, 1002, 1010, 1015, 1025, 1057, 1058, 1060, 1070, 1080, 1083, 1101, 1103, 1198, and numerous unnumbered military orders.

- Military Order 25: requires Israeli Military issued permit for all transactions involving immoveable property.
- Military Order 26: gives Israeli Military control over currency transactions, bills of exchange, Gold transactions.
- Military Order 29: concerns operations of prisons. Establishes registration system for tracking prisoners while they are in the prison system. Rules that prisoners can be denied access to a lawyer at any time at the discretion of the Israeli Military Commander.
- Military Order 30: gives Israeli Military Courts jurisdiction over all criminal Military Courts in the West Bank.
- Military Order 33: gives Israeli Military control over bank deposits.
- Military Order 45: transfers control of Jordanian Banks, and applications for new banks, over to Israeli-appointed position of "Inspector of Banks".

- Military Order 47: farmers need permission from Israeli Military appointee to transport agricultural goods.
- Military Order 49: farmers need permission from Israeli Military appointee to transport agricultural goods within "closed areas".
- Military Order 50: all publications published in, or imported into the West Bank must be approved by Israeli Military appointee (amended by ??? (8/6/80)).
- Military Order 65: forbids businesses from employing people residing outside West Bank without permission. Forbids people or organizations from outside the West Bank from starting businesses within the West Bank.
- Military Order 92: gives control of all water in WBGs to Israeli Military (Article 5). Gives Military power to appoint and direct the organization and directors of any "water entity" in the region (Article 5). Regulations that follow then requires a license from the Israeli Military to install or continue to own or operate any type of water control device (pump, well, irrigation equipment, etc.) which the Military can withdraw at any time. Public Notice of decisions in local newspapers no longer required, only posting within offices of the Israeli Military Authority.
- Military Order 93: gives power of Insurance business over to Israeli Military-appointed Committee (amended by future amendment).
- Military Order 128: gives Military right to take over any business that does not open during regular business hours. Requires businesses to serve anyone who can pay reasonable fees.
- Military Order 133: requires a business to sell an official publication if Military orders it to.
- Military Order 134: prohibits using tractors and other farming equipment from Israel in the West Bank.
- Military Order 144: repeals Military Proclamation 3, Article 35 concerning protection of civilians as per the Geneva Conventions.
- Military Order 158: gives control of all water in WBGs to Israeli Military.
- Military Order 164: for court cases, permission of Israeli Military Officer in charge is required in order to initiate court cases against the Israeli Military or it's appointees, or to also obtain testimony from Israeli Military officers, employees, sub-contractors, etc.
- Military Order 172: establishes the Military Objections Committee to hear appeals concerning decisions of the Custodian of Absentee Property (amended by M.O.406 and others) and other land appropriation judgements of the Israeli Military and Government. Complainant carries the burden of proof of land ownership. He must produce complete surveys of property by licensed surveyor (very expensive), and sworn statements from authorities proving details of his claim, with copies, within 45 days. This committee is not required to publish it's judgements in local

newspapers (as required by Jordanian Law), but only to post in the halls of its own offices.

- Military Order 267: gives Israeli Military control over registration of new companies.
- Military Order 271: gives Israeli Military Objections Committee jurisdiction over appeals for compensation for damages caused by Israeli Military, or persons working for them.
- Military Order 297: establishes I.D. Card system which are required by authorities for all business transactions. Gives Israeli Military right to confiscate I.D. Cards for any reason. Israeli Military not required to give receipt when confiscating I.D. Cards.
- Military Order 310: (repeals M.O. 129) creates special Israeli Military Judicial Committee, and gives it powers usually held by the Judicial Council defined by Jordanian Law, and effectively replaces the Jordanian Courts of Cassation and Appeals reducing possible steps of appeal from 3 to 2. The members of this committee were not made public for 12 years.
- Military Order 348: establishes a special Israeli Government Department to help execute court orders concerning property in the West Bank.
- Military Order 361: requires car mechanics to register with the Israeli Military the particulars of all cars that they service. Gives any policeman access at any time to the information in this register. Provides prison term of 2 years and/or fine of 3000 Liras if info is not accurate or up-to-date.
- Military Order 362: (amends M.O.267) gives Israeli Military Judicial Committee control over registration of new companies.
- Military Order 378: empowers Military Area Commanders to establish military courts (Article 3) with prosecutors (Article 8), officials and judges(Article 4) all appointed by same Area Commanders. In addition, these courts can diverge from rules of evidence (Article 9) and regular procedures (Article 10), or hold hearings in secret (Article 11) when needed Anyone disobeying or resisting the court may be immediately sentenced and jailed for upto 2 years (Article 17). If the Area Commander does not approve of the results of a trial, he has the right to cancel its proceedings and call for a new trial in front of a new judge (Article 42.4), or change the sentence (Articles 44 & 50.C.5.b). No appeal is allowed on jurisdictional grounds, but is allowed against the findings of guilty or the sentence (Article 43). Allows the court to order the detention of a person for 6 month periods without trial (using an "arrest warrant"). The person can then be kept in jail longer with issuance of a new arrest warrant. Detention without trial is called, "administrative detention" (Articles 78.F & 87). States that the Military Area Commander has the right to restrict any movements and activities of any persons (Article 85) including

confinement to a specific area including his home (Article 86). In addition, Area Commanders have the right to restrict or control the use of any vehicle for any purpose (Article 88), have the right to impose curfews on any area (Article 89), and have the right to close off any area or building or business or institution to any person prohibiting either entrance or exit (Article 90 & 91). In addition, the burden of proof is on the defendant to prove his innocence (Article 94).

- Military Order 379: gives Israeli Military Judicial Committee control over registration of trademarks.
- Military Order 395: amends M.O. 361, adding requirement that register kept of customer vehicles include descriptions of damage, his guess how damage was caused, and description of the repairs to that damage.
- Military Order 398: gives Israeli Military Judicial Committee control over registration of companies and trademarks.
- Military Order 406: reassigned jurisdiction over tax assessments appeals from the Jordanian Court of First Instance to the Israeli Military Committee of Objections.
- Military Order 412: transfers powers of Jordanian Minister of Justice over to Israeli Military Judicial Committee, and orders this Committee to proceed justly.
- Military Order 418: gave control of Palestinian development, building, infrastructure repair, construction licensing and permit issuance over to councils and committees controlled by Israeli Military.
- Military Order 450: transfers responsibilities and powers of the Jordanian Dept. of Land & Surveys to Israeli Military Committee.
- Military Order 451: transfers responsibilities and powers of the Jordanian Dept. of Land & Surveys to Israeli Military Committee.
- Military Order 514: gives all responsibilities and powers defined by Jordanian Law pertaining to pensions over to an Israeli Military appointed Pensions Committee. Appeal concerning decisions by this Committee are to be made to the Israeli Military Objections Committee.
- Military Order 528: reduced licensing requirements for lawyers. Gives Israeli Military Judicial Committee responsibilities and powers usually held by local bar association.
- Military Order 555: gives Israeli Military Judicial Committee control over registration of tradenames and patents.
- Military Order 561: established "religious council" to administer the Jewish Settlement of Kiryat Arba.
- Military Order 569: created a Dept. of Special Land Transactions where registration of lands declared to be "state lands", or lands appropriated for security reasons occurs. Public notice of these transactions limited to notices posted within this office instead of newspapers.

- Military Order 745: affects licensing requirements for, and practices of medical personnel.
- Military Order 768: affects duties of surveyors.
- Military Order 780: reduces licensing and training requirements for lawyers.
- Military Order 783: establishes 5 regional "religious councils" in the West Bank to cover all Israeli-controlled lands in the West Bank. Establishes special Settlement Courts in the Israeli Settlements to try criminal cases (replaced by M.O.892, and relevant amendments also in M.O.1058).
- Military Order 818: rules governing the planting of certain decorative flowers.
- Military Order 825: amends Jordanian Labor Law No. 21, forbidding election to administration of a trade union anyone not working in that profession, or who is not an employee of that trade union, or who has been convicted of a criminal offense (carrying sentence over 5 years) or security offense in that area. Israeli Military Officer overseeing trade union elections has right to demand list of nominees, and strike any nominee he wishes, order the trade union administrative council to continue even with too few members, and to issue regulations governing this.
- Military Order 841: gives Israeli Military Commander the power to inspect files of cases pending in the Courts, and right to withdraw cases from the court schedule.
- Military Order 847: declares only Israeli Notaries can authenticate signatures.
- Military Order 854: puts Israeli Military in control of acceptance and entrance of students, and faculty and staff employment at West Bank Universities. Israeli Military controls licensing of teachers. Students without I.D. Cards must register with the Israeli Military.
- Military Order 892: established additional "Religious Councils" and Municipal Courts for specific Israeli settlements in the West Bank, and states that all are constituted and operated according to regulations issued by the Area Military Commander (Article 2). Replaces M.O.561 and M.O.783 (Article 7 & 8).
- Military Order 936: empowered the Israeli Military-appointed "Principle Traffic Authority" to cancel driver's license of people convicted of security offenses and other offenses. Appeal must be submitted within 7 days, and is reviewed by committee of Israeli Military Officers.
- Military Order 947: establishes the civilian administration, whose head is appointed by the area commander (Article 1) and will administer its duties as directed by regulations set by the area commander (Article 2 & 3) or by subsidiary legislation issued by the head (Article 4 & 5). This order makes clear the ultimate authority for this administration remains with the area commander (Article 6.b).
- Military Order 950: describes powers of the "Head of Civilian Administration" to pass new laws, but describes how they must follow Military Orders.

- Military Order 952: prohibits residents of West Bank from buying foreign currencies except for importing good and services, or for transfer to a dependent relative living outside the West Bank (not to exceed \$3000). Also, residents of the West Bank cannot take more than \$3000 with them when they travel outside the West Bank, and no more than \$500 of that total can be in cash. Requires all residents who have bank accounts to inform the Israeli Military authorities of the account and it's balance. Residents who own immoveable property outside the West Bank are required to inform the Israeli Military authorities about the details of that ownership.
- Military Order 973: prohibits all money transfers by individuals unless permission has been obtained from the Israeli Military authorities (amended by M.O.1070).
- Military Order 974: establishes Fund for the development of Judea and Sumaria. All funds coming into the West Bank for development purposes must come through this fund, or obtain in advance a permit from the Israeli Military-appointed Civilian Administration which administers the fund.
- Military Order 981: establishes Rabbinical Courts in the Settlements to hear personal matters of settlers (such as divorce, adoption, inheritance, etc.).
- Military Order 998: prohibits any resident individuals or organizations from accepting any gifts or loans which have not either come through the fund, or do not have a permit from the civilian administration administering the fund. Within 30 days, all financial institutions in the West Bank must submit to the Israeli Military-appointed Civilian Administration a list of all their resident bank accounts, and within 60 days all of their bank accounts originating outside the West Bank. All withdraws must first obtain a permit from the Civilian Administration. All deposits can only be made into accounts so registered with the Civilian Administration.
- Military Order 1002: requiring license issued by Israeli Military-appointed authorities to sell seedlings and operate a nursery.
- Military Order 1010: (amends M.O.47) concerning details of transportation of agricultural goods.
- Military Order 1015: permission required of Israeli Military Commander to plant fruit trees.
- Military Order 1025: gives Israeli Military juridicial bodies (left undefined) rights to rule in disputes over immoveable property disputes against Jordanian Law which forbids foreign entities from doing so.
- Military Order 1057: renames the Settlement Courts, and extends their jurisdiction.
- Military Order 1058: (amends M.O.783) pertaining to Settlement Courts in the Israeli Settlements in the West Bank.
- Military Order 1060: transferred land disputes being handled in local Jordanian Courts to Israeli Military Committee for judgement.

- Military Order 1070: (amends M.O.973) requires resident organizations to obtain permission from Israeli Military-appointed authorities in order to send or receive money transfers.
- Military Order 1080: (amends M.O.180) allows Israeli Military-appointed Village Leagues to carry guns and assume many police duties.
- Military Order 1083: gives parents right to respond to court before sentencing is imposed for the crimes of their children.
- Military Order 1101: (amends M.O.271) in order to apply to the Israeli Military Objections Committee for compensation for damages caused by Israeli Military, person must first get certificate from Area Commander that the Military personnel causing the damage were involved in a "security" operation at the time.
- Military Order 1103: forbids production or import of cosmetics without a license.
- Military Order 1198: minimum wage requirements in WBGS. Unenforced.
- Some Unnumbered Military Orders:
  - Date unknown: increases jurisdiction of the Israeli Military Objections Committee to cover customs assessments, and 25 other legal issues.
  - Dated July, 1967: gives Israeli Military-appointed "Principle Traffic Authority" jurisdiction over all traffic offences as defined by Jordanian Law.
  - Date unknown: all plans to install or move telephones must be approved by Israeli Military appointee.
  - Date unknown: all lease applications for over 3 year periods must be approved by Israeli Military appointee.
  - Date unknown: (amends M.O.93) giving all Insurance business to the Israeli Insurance Syndicate.
  - Dated September, 1981: creates a committee of Israeli Military Officers to review all applications for driver's license. Applicant is required to submit a certificate from the Israeli Police proving he had not been convicted or served a sentence for a criminal offense within last 5 years.
  - Date unknown: (amending above M.O.) also requiring driver's license applicants to submit a certificate from the Israeli Police proving they had not been convicted of a Security Offense. Also, forbids Taxi Drivers from refusing rides to any passenger who can pay the fare.

MASSIVE VIOLATION OF HUMAN RIGHTS - Relevant Israeli Military Orders: 50, 101, 107, 144, 244, 284, 290, 329, [378](#), 537, 1079, and numerous unnumbered military orders.

- Military Order 50: all publications published in, or imported into the West Bank must be approved by Israeli Military appointee (amended by ??? (8/6/80)).
- Military Order 101: prohibits publication of anything political in any medium,

including paintings (amended by M.O.1079).

- Military Order 107: publishes a list of 60 prohibited school textbooks.
- Military Order 144: repeals Military Proclamation 3, Article 35 concerning protection of civilians as per the [Geneva Conventions](#).
- Military Order 244: declares that the [Defense \(Emergency\) Regulations of 1945](#) installed by the British Mandate Authorities are in affect in the West Bank until specifically declared invalid by name. These Regulations gave the Military powers to violate civil rights and international laws because a security emergency had been declared in the West Bank.
- Military Order 284: prohibits training or contact with any "hostile organization" which includes any organization with aims to endanger the security of the public, or the IDF, or public order in Israel, or other areas under control of the Israeli Military.
- Military Order 290: adds to deportation procedures and rules used in Gaza, and described in the 1945 Emergency Regulations of the British Mandate Authorities. Orders are issued by the Area Commander. Deportee can be detained in prison until deportation occurs. Appeal can be made to a Israeli Military Court of Objections who hears the case in secret (even from the accused), and can only issue non-binding recommendations. Appeal also can be made to the Israeli High Court, who also hears the case in secret, and by practice only reviews the jurisdiction of the issuing officer, and not the details of the case itself.
- Military Order 329: adds to deportation procedures and rules used in the West Bank, and described in the 1945 Emergency Regulations of the British Mandate Authorities. Orders are issued by the Area Commander. Deportee can be detained in prison until deportation occurs. Appeal can be made to a Israeli Military Court of Objections who hears the case in secret (even from the accused), and can only issue non-binding recommendations. Appeal also can be made to the Israeli High Court, who also hears the case in secret, and by practice only reviews the jurisdiction of the issuing officer, and not the details of the case itself.
- Military Order 378: empowers Military Area Commanders to establish military courts (Article 3) with prosecutors (Article 8), officials and judges(Article 4) all appointed by same Area Commanders. In addition, these courts can diverge from rules of evidence (Article 9) and regular procedures (Article 10), or hold hearings in secret (Article 11) when needed Anyone disobeying or resisting the court may be immediately sentenced and jailed for upto 2 years (Article 17). If the Area Commander does not approve of the results of a trial, he has the right to cancel its proceedings and call for a new trial in front of a new judge (Article 42.4), or change the sentence (Articles 44 & 50.C.5.b). No appeal is allowed on jurisdictional grounds, but is allowed against the findings of guilty or the sentence (Article 43). Allows the court to order the detention of a person for 6 month periods without

trial (using an "arrest warrant"). The person can then be kept in jail longer with issuance of a new arrest warrant. Detention without trial is called, "administrative detention" (Articles 78.F & 87). States that the Military Area Commander has the right to restrict any movements and activities of any persons (Article 85) including confinement to a specific area including his home (Article 86). In addition, Area Commanders have the right to restrict or control the use of any vehicle for any purpose (Article 88), have the right to impose curfews on any area (Article 89), and have the right to close off any area or building or business or institution to any person prohibiting either entrance or exit (Article 90 & 91). In addition, the burden of proof is on the defendant to prove his innocence (Article 94).

- Military Order 537: removed Palestinian-elected Mayors of major West Bank cities from their elected positions.
- Military Order 1079: (amends M.O.101) prohibits video and audio work of a political nature. Publishes new list of over 1000 items including all United Nations Resolutions pertaining to Palestine, poetry, novels, etc.
- Some Unnumbered Military Orders:
  - Dated 1967: declares that the [Defense \(Emergency\) Regulations of 1945](#) are in affect in Gaza until specifically declared invalid by name. These Regulations gave the Military powers to violate civil rights and international laws because a security emergency had been declared in Gaza.
  - Dated 8/6/80: issues list of prohibited publications.

#### ISRAELI VIOLATIONS OF INTERNATIONAL LAW

- **Major Legal Principle Violated -**
  - Apartheid involves massive violation of human rights which violates international law. Because it involves massive violations, Apartheid has been labelled a "Crime against Humanity".
- **As Per International Law -**
  - International Covenant on the Suppression and Punishment of the Crime of Apartheid, articles 1 & 2 (18 July 1976) ([Full Text](#)) (specific article - see below)
- **International Response -**
  - United Nations -
  - International Miscellaneous response -
  - Academic Analysis -

#### RELEVANT QUOTES FROM TEXT

- The international community has declared that the crime of apartheid is a "Crime against Humanity" because it involves massive violation of human rights, causing tremendous depravation and suffering. The main legal instrument for its prosecution is thus the following international law. Articles I & II define the crime of apartheid, and declare it a punishable international crime --
  - [International Covenant on the Suppression and Punishment of the Crime of Apartheid](#), (1965) articles 1 & 2:

#### **Article I**

1. The States Parties to the present Convention declare that apartheid is a crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination, as defined in article II of the Convention, are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.

2. The States Parties to the present Convention declare criminal those organizations, institutions and individuals committing the crime of apartheid.

#### **Article II**

For the purpose of the present Convention, the term "the crime of apartheid", which shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them:

a. Denial to a member or members of a racial group or groups of the right to life and liberty of person:

i. By murder of members of a racial group or groups;

ii. By the infliction upon the members of a racial group or groups

of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment;

iii. By arbitrary arrest and illegal imprisonment of the members of a racial group or groups;

b. Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;

c. Any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

d. Any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof;

e. Exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour;

f. Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid."

- It is the internal systems of discrimination within the State of Israel which qualify it legally as an Apartheid State. These systems cover 6 areas:
  - 1. Land Laws (creating ghettos or "bantulands");
  - 2. Immigration & Citizenship Laws;
  - 3. Military Veteran Benefits;

- 4. Special Government Positions for Zionist Organizations;
- 5. Inhumane Suppression of Rebellion;
- 6. Daily Racist Harassment.

Examination of the laws in each area listed above exposes the apartheid practices found in that area.

- **1. Land Laws** of the State of Israel work in a number of ways to isolate Palestinians in separate communities, and discriminate against them and their communities, such that Palestinians and their communities are the most impoverished in Israel. The laws work in 5 stages:
  - (a). The laws empower the Israeli government to take Palestinian-owned lands under a number of pretenses;
  - (b) Award the national Zionist organizations semi-government status;
  - (c) Declare State-owned lands, and lands owned by the national Zionist organizations to be lands of the Jewish people, and can never be sold or transferred except to other government agencies or the national Zionist organizations;
  - (d) Zionist communities and interests get special favor because the national Zionist organizations are given positions in government land development and management agencies;
  - (e) Property and lands of Arabs who left the area during 1948 fighting (for whatever reason) become property of the Israeli government, and are subject to distribution as the government sees fit. Small number of Arabs are allowed to return to their lands, or compensated for their losses.
  - NOTE: There are some exceptions - a small number of Arabs have been allowed to lease government lands. In addition, in year 2000, the Israeli Supreme Court ruled that government agencies could not discriminate in leasing of State-owned lands (*Qaadan v. Katzir*), and then in 2005, the Israeli Attorney General ruled the same, but the Knesset has yet to actually pass laws making this practice illegal and enforceable.

Here are quotes from Israeli Land Laws making the above happen:

- **(a) The laws empower the Israeli government to take Palestinian-owned lands under a number of pretenses (this includes losing**

**one's lands for improper usage) -**

<b><u>EMERGENCY LAND REQUISITION (REGULATION) LAW (1949)</u></b>	
Land requisition orders.	<p><b>4.</b></p> <p>(a) A competent authority may, by order under his hand, order the requisition of land. Such an order shall be called a "land requisition order".</p> <p>(b) The competent authority may take possession of land in respect of which a land requisition order has been made, and so long as the order is in force, he, and only he, may occupy, use and exploit the land, either himself or through others, as he may deem necessary for the purpose for which the order was made.</p>
Housing orders.	<p><b>7.</b> (a) A competent authority may, by order under his hand, order the occupier of a house to surrender the house to the control of a person specified in the order, for residential purposes or for any other use, as may be prescribed in the order. Such an order shall be called a "housing order", and the person in whose favour it is made shall be called the "tenant".</p>
<b><u>EMERGENCY REGULATIONS (CULTIVATION OF WASTELANDS) ORDINANCE (1949)</u></b>	
Assumption of Control of wasteland by Minister of Agriculture.	<p><b>4.</b> If the owner of the waste land does not apply to the Minister of Agriculture as specified in regulation 3, or if the Minister of Agriculture is not satisfied that the owner of the land has begun or is about to begin or will continue to cultivate the land, the Minister of Agriculture may assume control of the land in order to ensure its cultivation.</p>
Period of control.	<p><b>5.</b> (a) The period during which the Minister of Agriculture retains control of waste land or for which he hands over waste land for cultivation shall not extend beyond a term of five years from the day on which he assumed control thereof.</p>
<b><u>DEVELOPMENT AUTHORITY (TRANSFER OF PROPERTY) LAW, 5710-1950</u></b>	

Powers.

**3. The Development Authority is competent -**

(1) to buy, rent, take on lease, take in exchange or otherwise acquire property;

(2) to build, erect, pave, alter, repair, complete, improve, develop, carry on, maintain, manage, operate or regulate buildings, ways, roads, railways, bridges, canals, mines, lines of communication, ports, airfields, factories, irrigation schemes, afforestation schemes, electric power plants, transport enterprises, waterworks, settlement schemes, housing schemes and other undertakings;

(3) to develop, complete, meliorate, merge, cultivate and reclaim property;

(4) to sell or otherwise dispose of, let, grant leases of, and mortgage property; provided that –

(a) the Development Authority shall not be authorised to sell, or otherwise transfer the right of ownership of, property passing into public ownership, except to the State, to the Jewish National Fund, to an institution approved by the Government, for the purposes of this paragraph, as an institution for the settlement of landless Arabs, or to a local authority; the right of ownership of land so acquired may not be re-transferred except, with the consent of the Development Authority, to one of the bodies mentioned in this subparagraph;

(b) the Development Authority shall not be authorised to sell immovable property not being land passing into public ownership, unless such property has first been offered to the Jewish National Fund, and the Jewish National Fund has not agreed to acquire it within a period fixed by the Development Authority;

(c) the total area of immovable property, not being land passing into public ownership, which the Development Authority may sell, or the right of ownership of which it may otherwise transfer, shall not exceed 100,000 dunams, but immovable property acquired by any of the bodies mentioned in subparagraph (a) shall not be taken

	<p>into account for the purposes of this subparagraph;</p> <p>(d) the sale, or the transfer of the right of ownership in any other way, of immovable property, being land passing into public ownership or other immovable property, shall be effected by decision of the Government in each individual case;</p> <p>(5) to borrow or lend moneys, to obtain or grant credits, and to guarantee debts or contracts of other persons;</p> <p>(6) to establish, join, or initiate or encourage the establishment of, companies, cooperative societies, partnerships and other bodies;</p> <p>(7) to act as guardian, curator, trustee, agent or attorney of any and in respect of any matter;</p> <p>(8) to employ agents, officials and other employees and to prescribe their conditions of service;</p> <p>(9) to do anything necessary for the exercise of any of its powers;</p> <p>(10) to exercise any of its powers together or in partnership with the organs of the State, the Jewish Agency, the Jewish National Fund, local authorities, companies, cooperative societies and other bodies or persons.</p>
	<p><b><u>STATE PROPERTY LAW (1951)</u></b></p>
<p>Acquisition etc. of property on behalf of the State.</p>	<p><b>4.</b> The Government may, on behalf of the State, acquire by way of purchase or exchange or in any other manner, hire, take on lease or otherwise acquire rights in, property situate in or out of Israel, on such conditions as it may think fit.</p>
	<p><b><u>LAND ACQUISITION (VALIDATION OF ACTS AND COMPENSATION) LAW, 5713-1953*</u></b></p>
<p>Acquisition of land for purposes of</p>	<p><b>2.</b> (a) Property in respect of which the Minister certifies by certificate under his hand –  <b>(1)</b> that on the 6th Nisan, 5712 (1st April, 1952) it was not in the</p>

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<p>development, settlement, or security.</p>	<p>possession of its owners; and</p> <p>(2) that within the period between the 5th Iyar, 5708 (14th May, 1948) and the 6th Nisan, 5712 (1st April 1952) it was used or assigned for purposes of essential development, settlement or security; and .</p> <p>(3) that it is still required for any of these purposes -- shall vest in the Development Authority and be regarded as free from any charge, and the Development Authority may forthwith take possession thereof.</p> <p>(b) The property shall vest in the Development Authority as from the date specified in the said certificate; the certificate may only be issued within one year from the day of the coming into force of this Law, and shall be published in <i>Reshumot</i> as early as possible after the day of its issue.</p> <p>(c) Property vested in the Development Authority as aforesaid shall be registered in the Land Register in its name, but non-registration shall not affect the validity of the vesting of the property in the Development Authority.</p> <p>(d) A certificate under this section shall not constitute an admission that acquired property is not or was not State property or that the State has not or had not a right or interest therein.</p>
<p>Right to Compensation.</p>	<p><b>3.</b> (a) The owners of acquired property are entitled to compensation therefore from the Development Authority. The compensation shall be given in money, unless otherwise agreed between the owners and the Development Authority. The amount of compensation shall be fixed by agreement between the Development Authority and the owners or, in the absence of agreement, by the Court, as hereinafter provided.</p> <p>(b) Where the acquired property was used for agriculture and was the main source of livelihood of its owner, and he has no other land sufficient for his livelihood, the Development Authority shall, on his demand, offer him other property, either for ownership or for lease, as full or partial compensation. A</p>

	<p>competent authority, to be appointed for this purpose by the Minister, shall, in accordance with rules to be prescribed by regulations, determine the category, location, area, and, in the case of lease, period of lease (not less than 49 years) and the value of the offered property, both for the purpose of calculating the compensation and for determination of the sufficiency of such property for a livelihood.</p> <p>(c) The provisions of subsection (b) shall add to, and not derogate from, the provisions of subsection (a).</p>
Immunity.	<p><b>9.</b> Where the Minister certifies by certificate under his hand that an act done on behalf of the State or the Development Authority in respect of any property was done after such property had first been used or assigned for purposes of essential development, settlement or security, and before it became acquired property, such act shall not serve as cause for an action on the part of the owner of the property or of his predecessor in title, or as basis for a charge.</p>
Regulations.	<p><b>10.</b> The Minister may make regulations as to any matter relating to the implementation of this Law.</p>
<p><b><u>PLANNING AND BUILDING LAW (1965)</u></b></p>	
Combinations and partition with or without consent.	<p><b>121.</b> A Detailed Scheme may enact provisions also --</p> <p>(1) as to the combination of plots, both with and without the consent of the owners thereof;</p> <p>(2) as to the repartition among the owners thereof of plots combined as aforesaid, both into jointly owned plots and into severally owned plots, and both with and without the consent of the owners (such a repartition hereinafter referred to as "repartition").</p>
Discontinuance of non-conformity upon expiration of maximum period.	<p><b>183.</b> Not later than the expiration of the maximum period, the non-conforming use of the building shall cease, or the building shall be so altered as to be no longer non-conforming or shall be demolished or removed. In default, the Magistrate's Court may, on the application of the Local Commission or the Attorney-</p>

	<p>General or his representative, order the user of, or a person having a right in, the building to implement the above, all as the case may be and as the Court may deem just in the circumstances of the case.</p>
<p>Object of expropriation.</p>	<p><b>188.</b></p> <p>(a) By virtue of this Law, a Local Commission may expropriate immovable property intended for public purposes under any Scheme.</p> <p>(b) In this section, "public purposes" means roads, parks, recreation and sports areas, nature reserves, antiquities, parking sites, aerodromes, harbours, jetties, railway-stations, bus stations, markets, abattoirs, cemeteries, structures for educational, religious and cultural purposes, communal institutions, hospitals, clinics, public air-raid shelters and refuges, sewerage installations, refuse dumps, water supply installations, and any other public purpose approved by the Minister of the Interior for the purposes of this section.</p>
<p>Exemption from payment of compensation.</p>	<p><b>200.</b> Land shall be deemed not to be prejudicially affected where it is affected by a provision of the Scheme of any of the following kinds, provided that the harm does not exceed what is reasonable in the circumstances of the case and the payment of compensation to the injured party is not required in the interests of justice: (5) a permanent or temporary prohibition or restriction of building in a place where the erection of buildings on the land may, owing to the location or nature thereof, cause a danger of flooding or soil erosion or danger to health or life or excessive expenditure of public money for the construction of roads or drains or for water-supply or other public services;</p> <p>(1) A change in the delimitation of, or the conditions of the use of land in, any zones;</p>

(2) the determination of set-backs around and between buildings;

(3) a restriction of the number of buildings in a particular area;

(4) the regulation of the sites, size and height, and the planning of the shape and external appearance, of buildings;

(5) a permanent or temporary prohibition or restriction of building in a place where the erection of buildings on the land may, owing to the location or nature thereof, cause a danger of flooding or soil erosion or danger to health or life or excessive expenditure of public money for the construction of roads or drains or for water-supply or other public services;

(6) a prohibition or restriction of the use of the land, otherwise than by way of the prohibition or restriction of building, if such use is likely to involve danger to health or life or any other serious disadvantage to the vicinity;

(7) a restriction on the modes of using buildings;

(8) the fixing of a line, parallel to the road, beyond which no building shall project;

(9) the imposition of the duty to provide, near a building intended for any business, trade or industry, a place for the loading, unloading and refuelling of vehicles, so as to avoid obstruction of traffic;

(10) the imposition of the duty to provide, in or near a building intended for any business, trade or industry or for residential purposes or for a lodging-house or for use by the public, a place for the parking

	<p>of vehicles or a shelter or refuge against air-raids.</p> <p>(11) a provision of a Scheme to which section 81 applies.</p>
	<p><b><u>AGRICULTURAL SETTLEMENT (RESTRICTIONS ON USE OF AGRICULTURAL LAND AND WATER) LAW (1967)</u></b></p>
<p>Prohibition of non-conforming use.</p>	<p><b>2.</b> A person occupying or entitled to occupy agricultural land, being Israel lands within the meaning of the Basic Law: Israel Lands(1), under a lease agreement or by authority (such a person hereinafter referred to as "the occupier"), shall not make non-conforming use of that land save under a written permit from the Minister of Agriculture or from a person empowered in that behalf by the Minister by notice in Reshumot. If a person empowered by the Minister of Agriculture as aforesaid has refused to permit non-conforming use, the occupier may apply for reconsideration of the matter by the Minister himself.</p>
<p>Prohibition of transfer of water quota.</p>	<p><b>3.</b> An occupier for whom a water quota has been fixed by the Water Commissioner or by any other authority empowered in that behalf under law or to whom a quantity of water has been allocated out of a quota fixed as aforesaid for a body of persons of which he is a member (both such first-mentioned quota and such quantity hereinafter referred to as a "personal quota") shall not transfer his personal quota to another person, or use it or permit another person to use it, for the purposes of land of which non-conforming use is made, save under a written permit from the Minister of Agriculture or from a person empowered in that behalf by the Minister by notice in <i>Reshumot</i>.</p>
<p>Proceedings for termination of right to parcel.</p>	<p><b>6. (a)</b> Where a person contravenes any of the provisions of section 2 or 3 in respect of agricultural land occupied by him or in respect of the personal quota allocated therefor, and, notwithstanding written warning from the Minister of Agriculture or a person empowered by him in that behalf by notice in Reshumot, he does not discontinue the contravention within one month from the date of receipt of the warning, the Minister of Agriculture or a person</p>

empowered by him in that behalf by notice in Reshumot may claim before the committee the termination of his right in respect of that agricultural land and of his right to the personal quota allocated for that land.

- **(b) Award the national Zionist organizations semi-government status -**

**WORLD ZIONIST ORGANISATION - JEWISH AGENCY (STATUS) LAW, 5713-1952\***

**4.** The State of Israel recognises the World Zionist Organisation as the authorised agency which will continue to operate in the State of Israel for the development and settlement of the country, the absorption of immigrants from the Diaspora and the coordination of the activities in Israel of Jewish institutions and organisations active in those fields.

**7.** Details of the status of the World Zionist Organisation - whose representation is the Zionist Executive, also known as the Executive of the Jewish Agency - and the form of its cooperation with the Government shall be determined by a Covenant to be made in Israel between the Government and the Zionist Executive.

**KEREN KAYEMET LE-ISRAEL LAW (1953)**

Inapplicability of certain sections of companies Ordinance.

**5.** Section 112 and the second and third paragraphs of section 121 (1) of the Companies Ordinance shall not apply to the new company.

Power under Land (Acquisition for Public Purposes) Ordinance, 1943.

**6.** For the purposes of section 22 of the Land (Acquisition for Public Purposes) Ordinance, 1943(2), the new company shall have the same status as a local authority.

- **(c) Declare State-owned lands, and lands owned by the national Zionist organizations to be lands of the Jewish people, and can never be sold or transferred except to other government agencies or the national Zionist organizations -**

**DEVELOPMENT AUTHORITY (TRANSFER OF PROPERTY) LAW, 5710-1950\***

Powers. **3.** The Development Authority is competent -

(4) to sell or otherwise dispose of, let, grant leases of, and mortgage property; provided that --

(a) the Development Authority shall not be authorised to sell, or otherwise transfer the right of ownership of, property passing into public ownership, except to the State, to the Jewish National Fund, to an institution approved by the Government, for the purposes of this paragraph, as an institution for the settlement of landless Arabs, or to a local authority; the right of ownership of land so acquired may not be re-transferred except, with the consent of the Development Authority, to one of the bodies mentioned in this subparagraph;

(b) the Development Authority shall not be authorised to sell immovable property not being land passing into public ownership, unless such property has first been offered to the Jewish National Fund, and the Jewish National Fund has not agreed to acquire it within a period fixed by the Development Authority;

**STATE PROPERTY LAW (1951)**

Acquisition, etc. of property on behalf of the State.	<b>4.</b> The Government may, on behalf of the State, acquire by way of purchase or exchange or in any other manner, hire, take on lease or otherwise acquire rights in, property situate in or out of Israel, on such conditions as it may think fit.
Transactions involving State property.	<b>5. (b) (1)</b> The Government shall not, on behalf of the State, sell or otherwise transfer the right of ownership of State property, being immovable property other than urban property, situate in Israel.- (i) and not exceeding one hundred dunams in area, except for the purpose of a boundary adjustment or the rounding-off of an estate, non-agricultural development, or other similar purposes; (ii) and exceeding one hundred dunams but not exceeding one thousand dunams in area, except for the purpose of non-agricultural development and with the approval of the Finance Committee of the Knesset; (iii) and exceeding one thousand dunams in area, except for the purpose of non-agricultural development and with the approval of the Knesset.

	<b><u>BASIC LAW: ISRAEL LANDS (1960)</u></b>
Prohibition of transfer of ownership.	<b>1.</b> The ownership of Israel lands, being the lands in Israel of the State, the Development Authority or the Keren Kayemet Le-Israel, shall not be transferred either by sale or in any other manner.
	<b><u>ISRAEL LANDS LAW, 5720-1960</u></b>
Permission to transfer ownership.	<p><b>2.</b> Section 1 of the Basic Law shall not apply to the following classes of transactions:</p> <p>(1) acts of the Development Authority under the Land Acquisition (Validation of Acts and Compensation) Law, 5713-1953(2) ;</p> <p>(2) the transfer of the ownership of Israel lands, in accordance with rules to be prescribed by regulations with the approval of the Finance Committee of the Knesset, to absentees, or heirs of absentees, who are in Israel, in substitution for lands vested in the Custodian of Absentees' Property by virtue of the Absentees' Property Law, 5710-1950(3);</p> <p>(3) the transfer of the ownership of Israel lands in fulfilment of an undertaking validly entered into or a liability validly created, in respect of those lands before the coming into force of the Basic Law;</p> <p>(4) the transfer of the ownership of Israel lands in exchange for, or as compensation for, lands, other than Israel lands, expropriated by virtue of any Law: Provided that agricultural land shall not be exchanged for urban land except under special circumstances and with the approval of the Minister of Agriculture ;</p> <p>(5) the transfer of the ownership of Israel lands in so far as necessary for the rectification of boundaries or the rounding off of properties: Provided that the area of the lands shall not in any one instance exceed one hundred dunams ; where the transfer is without consideration, it shall require the approval of the Finance Committee of the Knesset ;</p> <p>(6) the transfer of the ownership of Israel lands between the State.</p>

	<p>the Development Authority and the Keren Kayemet LeIsrael ; however, the transfer of the ownership of lands of the State or lands of the Development Authority to the Keren Kayemet Le-Israel shall require the approval of the Finance Committee of the Knesset ;</p> <p>(7) the transfer of the ownership of lands of the State or lands of the Development Authority for the purpose of non-agricultural development and the transfer of the ownership of lands as aforesaid which are urban land: Provided that the area of all the transfers under this paragraph shall not in the aggregate exceed one hundred thousand dunams ;</p> <p>Provided that a transfer of the ownership of lands of the Keren Kayemet Le-Israel shall not be made save with the approval thereof.</p>
<p><b><u><a href="#">ISRAEL LANDS ADMINISTRATION LAW (1960)</a></u></b></p>	
<p>Amendment of <u><a href="#">State Property Law</a></u>, 5711-1951.</p>	<p><b>5.</b> In the <u><a href="#">State Property Law</a></u>, 5711-1951(4) -</p> <p>(1) subsection (b) of section 5 shall be replaced by the following subsection:</p> <p>"(b) Save with the approval of the Israel Lands Council, the Government shall not sell, or otherwise transfer the ownership of, or let or lease, Israel lands, within the meaning of the Basic Law: Israel Lands, which are not urban land and the area of which exceeds 100 dunams.";</p> <p>(2) the following paragraph shall be added to subsection (a) of section 6:</p> <p>"(4) the Director of the Israel Lands Administration or a person authorised by him in that behalf, in respect of Israel lands, within the meaning of the Basic Law: Israel Lands.";</p> <p>(3) the words "or the Director of the Administration of Israel Lands" shall be added after the words "or other person authorised" in subsection (c) of section 6.</p>
<p>Amendment of</p>	<p><b>6.</b> In the <u><a href="#">Development Authority (Transfer of Property) Law</a></u>, 5710-1950(5) -</p>

<p>the <a href="#">Development Authority (Transfer of Property) Law, 5710-1950.</a></p>	<p>(1) the words "The Development Authority is competent" in the opening passage of section 3 shall be replaced by the words</p> <p>"Subject to the Basic Law: Israel Lands and the Israel Law, 5720-1960, the Development Authority is competent";</p> <p>(2) subparagraphs (a) to (d) of paragraph (4) of section 3 shall be replaced by the following:</p> <p>"save with the approval of the Israel Lands Council, the Development Authority shall not sell or otherwise transfer the ownership of, or let or lease, Israel lands, within the meaning of the Basic Law: Israel Lands, which are not urban land and the area of which exceeds 100 dunams;"</p>
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- **(d) Zionist communities and interests get special favor because the national Zionist organizations are given positions in government land development and management agencies -**

	<p><a href="#">DEVELOPMENT AUTHORITY (TRANSFER OF PROPERTY) LAW, 5710-1950</a></p>
<p>Development Authority.</p>	<p><b>2.</b> (a) The Government may, by order published in <i>Reshumot</i>, appoint a body of persons to be an Authority for the Development of the Country (in this Law called: "the Development Authority").</p>
<p>Powers.</p>	<p><b>3.</b> The Development Authority is competent - (1) to buy, rent, take on lease, take in exchange or otherwise acquire property; (2) to build, erect, pave, alter, repair, complete, improve, develop, carry on, maintain, manage, operate or regulate buildings, ways, roads, railways, bridges, canals, mines, lines of communication, ports, airfields, factories, irrigation schemes, afforestation schemes. electric power plants, transport enterprises, waterworks, settlement schemes, housing schemes and other undertakings; (3) to develop, complete, meliorate, merge, cultivate and reclaim property; (4) to sell or otherwise dispose of, let, grant leases of, and mortgage property; provided</p>

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	<p>that --</p> <p>(a) the Development Authority shall not be authorised to sell, or otherwise transfer the right of ownership of, property passing into public ownership, except to the State, to the Jewish National Fund, to an institution approved by the Government, for the purposes of this paragraph, as an institution for the settlement of landless Arabs, or to a local authority; the right of ownership of land so acquired may not be re-transferred except, with the consent of the Development Authority, to one of the bodies mentioned in this subparagraph;</p> <p>(b) the Development Authority shall not be authorised to sell immovable property not being land passing into public ownership, unless such property has first been offered to the Jewish National Fund, and the Jewish National Fund has not agreed to acquire it within a period fixed by the Development Authority;</p> <p>(10) to exercise any of its powers together or in partnership with the organs of the State, the Jewish Agency, the Jewish National Fund, local authorities, companies, cooperative societies and other bodies or persons.</p>
	<p><a href="#">KEREN KAYEMET LE-ISRAEL LAW</a>, 5714-1953</p>
<p>Memorandum and articles for the incorporation of the existing company in Israel.</p>	<p><b>2.</b> The Minister of Justice may approve a memorandum of association and articles of a company limited by guarantee, submitted to him by the existing company, for the purpose of establishing a body incorporated in Israel to continue the activities of the existing company, which was founded and incorporated in the Diaspora.</p>
<p>Identity as to rights and powers.</p>	<p><b>4.</b> Every right or power vested by law in the existing company shall also be vested in the new company.</p>
<p>Inapplicability of certain</p>	<p><b>5.</b> Section 112 and the second and third paragraphs of section 121 (1) of the Companies Ordinance shall not apply to the new company.</p>

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sections of companies Ordinance.	
Power under Land (Acquisition for Public Purposes) Ordinance, 1943.	<b>6.</b> For the purposes of section 22 of the Land (Acquisition for Public Purposes) Ordinance, 1943(2), the new company shall have the same status as a local authority.
Exemption from transfer dues.	<b>10.</b> Any transfer of assets or liabilities, any amendment of a registration and any other act done in consequence of a transfer as referred to in section 8 or in carrying out an agreement as referred to in section 9 are exempt from any tax, fee or other charge payable to the State or a local authority.
	<b><u>BASIC LAW: ISRAEL LANDS (1960)</u></b>
Prohibition of transfer of ownership.	<b>1.</b> The ownership of Israel lands, being the lands in Israel of the State, the Development Authority or the Keren Kayemet Le-Israel, shall not be transferred either by sale or in any other manner.
	<b><u>PLANNING AND BUILDING LAW, 5725—1965</u></b>
National Board.	<b>2.</b> (a) There shall be established a National Board for Planning and Building (hereinafter referred to as "the National Board") to advise the Government as to everything relating to general policy in the implementation of this Law, including matters of legislation, and to carry out the other functions assigned to it by this Law and by any other law.  (b) The National Board shall consist of -  (11) a representative of the settlement institutions, appointed by the Minister of the Interior upon the recommendation of the Jewish Agency;
	FIRST SCHEDULE (Section 156 (a))
The	<b>1.</b> A "Committee for the Protection of Agricultural Land"

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Committee.	(hereafter in this Schedule referred to as "the Committee"), of eleven members, shall be established with the National Board.
Composition of Committee.	<p><b>2.</b> The members of the Committee shall be -</p> <p>(1) two representatives of the Minister of the Interior;</p> <p>(2) two representatives of the Minister of Agriculture;</p> <p>(3) one representative of the Minister of Housing;</p> <p>(4) one representative of the Minister of Defence;</p> <p>(5) one representative of the settling agencies, appointed by the Minister of the Interior upon the recommendation of the Jewish Agency;</p>
Restriction on approval of Scheme.	<p><b>6.</b> A Scheme relating to agricultural land shall not be approved unless it has been approved by the Committee or is a Detailed Scheme complying with all the provisions of an Outline Scheme approved by the Committee.</p>
<b><u>GALILEE LAW (1988)</u></b>	
The Council and its Members.	<p><b>3.</b> (a) There is hereby established the Galilee Council (hereinafter referred to as "the Council").</p> <p>(b) The Council shall consist of twenty-six members, viz.-</p> <p style="padding-left: 40px;">fourteen representatives of the government;</p> <p style="padding-left: 40px;">one representative of the Nature Reserves Authority;</p> <p style="padding-left: 40px;">two representatives of the World Zionist Organization;</p> <p style="padding-left: 40px;">a representative of the General Federation of Labor in Eretz Yisrael;</p> <p style="padding-left: 40px;">a representative of the Manufacturers' Association;</p> <p style="padding-left: 40px;">five representatives of the public.</p>

<p>Functions and powers</p>	<p>9. (a) The council's function shall be to advise the Government in all matters regarding the development of the Galilee, the promotion, development and consolidation of its industry (including the establishment of industrial undertakings and recommendations for the grant of incentives, exemptions and rebates in addition to those prescribed by any law), the development of agriculture and tourism, the development and advancement of educational and cultural ventures, the initiation of the establishment of new settlements and any further purpose which may be designated by regulations.</p>
<p><b><u>NEGEV (AMENDMENT) LAW, 5748-1988</u></b></p>	
<p>Amendment of section 4</p>	<p>4. In section 4(a) of the principal Law -</p> <ul style="list-style-type: none"> <li>▪ (1) In paragraph (2), the word "seven" shall be deleted, and in the concluding section shall come "and any other Minister who notified the Chairmen that he intends to appoint a representative (<i>Netzig</i>)";</li> <li>▪ (2) In paragraph (4) in the concluding section shall come the words: "and in a local authority headed by an appointee - a resident of the area of the authority as determined by the Head of the Authority";</li> <li>▪ (3) Paragraph (6) shall be renumbered (13) and shall be preceded by:             <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <ul style="list-style-type: none"> <li>▪ (6) a representative of the Jewish Agency for the Land of Israel and the International Zionist Federation;</li> <li>▪ (7) a representative of the Jewish National Fund;</li> <li>▪ (8) a representative of the Protected Nature Reserves Authority;</li> <li>▪ (9) a representative of the worker's organization representing the largest number of workers in</li> </ul> </div> </li> </ul>

	<ul style="list-style-type: none"> <li>Israel;</li> <li>▪ (10) a representative of the Israeli Industrialists Association;</li> <li>▪ (11) a representative of the Negev Trade Bureau;</li> <li>▪ (12) a representative of the Negev Committee founded by the <i>Negev Kibbutzim</i> and <i>Moshavim</i>;</li> </ul>	
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- **(e) Property and lands of Arabs who left the area during 1948 fighting (for whatever reason) become property of the Israeli government, and are subject to distribution as the government sees fit. Small number of Arabs have been allowed to return to their lands, or have been compensated for their losses -**

<u><a href="#">ABSENTEES' PROPERTY LAW (1950)</a></u>	
Interpretation.	<p><b>1. In this Law -</b></p> <p>(a) "property" includes immovable arid movable property, moneys, a vested or contingent right in property, goodwill and any right in a body of persons or in its management;</p> <p>(b) "absentee" means - (1) a person who, at any time during the period between the 16th Kislev, 5708 (29th November, 1947) and the day on which a declaration is published, under section 9(d) of the <u><a href="#">Law and Administration Ordinance, 5708-1948</a></u>, that the state of emergency declared by the Provisional Council of State on the 10th Iyar, 5708 (19th May, 1948)(2) has ceased to exist, was a legal owner of any property situated in the area of Israel or enjoyed or held it, whether by himself or through another, and who, at any time during the said period -</p> <p>(i) was a national or citizen of the Lebanon, Egypt, Syria,</p>

	<p>Saudi Arabia, Trans-Jordan, Iraq or the Yemen, or</p> <p>(ii) was in one of these countries or in any part of Palestine outside the area of Israel, or</p> <p>(iii) was a Palestinian citizen and left his ordinary place of residence in Palestine</p> <p>(a) for a place outside Palestine before the 27th Av, 5708 (1st September, 1948); or</p> <p>(b) for a place in Palestine held at the time by forces which sought to prevent the establishment of the State of Israel or which fought against it after its establishment;</p> <p>(2) a body of persons which, at any time during the period specified in paragraph (1), was a legal owner of any property situated in the area of Israel or enjoyed or held such property, whether by itself or through another, and all the members, partners, shareholders, directors or managers of which are absentees within the meaning of paragraph (1), or the management of the business of which is otherwise decisively controlled by such absentees, or all the capital of which is in the hands of such absentees;</p>
Custodian of Absentees' Property.	<p><b>2.</b> (a) The Minister of Finance shall appoint, by order published in <i>Reshumot</i>, a Custodianship Council for Absentees' Property, and shall designate one of its members to be the chairman of the Council. The chairman of the Council shall be called the Custodian.</p> <p>(b) The Custodian may bring an action and institute any other legal proceeding against any person and be a plaintiff, defendant or otherwise a party in any legal proceeding.</p> <p>(c) The Custodian is entitled to be represented in any legal proceeding by the Attorney-General or his representative.</p>

Vesting of absentees' property in Custodian.

4. (a) Subject to the provisions of this Law -

(1) all absentees' property is hereby vested in the Custodian as from the day of publication of his appointment or the day on which it became absentees' property, whichever is the later date;

(2), every right an absentee had in any property shall pass automatically to the Custodian at the time of the vesting of the property; and the status of the Custodian shall be the same as was that of the owner of the property.

- **2. Immigration & Citizenship Laws** of the State of Israel accomplish numbers of purposes which fit the legal definition of apartheid. These purposes seem to be to (a) facilitate Jewish domination of the area by bringing in Jews and excluding Arabs as much as possible, and (b) identify who is Jewish or not to facilitate discriminatory treatment. This is how they work --
  - (a) They give automatic citizenship to all Jews (unless the Ministry of Interior determines they are a security risk);
  - (b) They make citizenship more difficult to obtain for non-Jews, excluding some, especially Arabs who left the area during the 1948 fighting;
  - (c) They require ID cards to be carried at all times, which clearly identify the carrier's religious/ethnic identity, making it clear whether the person is Jewish or not, which leads to discrimination;
  - (d) They exclude from the country Arab spouses who live in the occupied territories (with a few exceptions who mostly only get 3 month visas), which splits up many families.

Here are sample quotes from the different laws to illustrate these actions --

- **(a) They give automatic citizenship to all Jews (unless the Ministry of Interior determines they are a security risk) -**

**LAW OF RETURN (1950)**

Right of

**1. Every Jew has the right to come to this country as an *oleh*.**

<i>aliya.</i>	
<i>Oleh's visa.</i>	<p>2. (a) <i>Aliyah</i> shall be by <i>oleh's</i> visa.</p> <p>(b) An <i>oleh's</i> visa shall be granted to every Jew who has expressed his desire to settle in Israel, unless the Minister of Immigration is satisfied that the applicant</p> <p>(1) is engaged in an activity directed against the Jewish people; or</p> <p>(2) is likely to endanger public health or the security of the State.</p>
	<ul style="list-style-type: none"> <li>▪ <b>(b) They make citizenship more difficult to obtain for non-Jews, excluding some, especially Arabs who left the area during the 1948 fighting -</b></li> </ul>
	<b><u>NATIONALITY LAW (1952)</u></b>
Nationality by Residence in Israel.	<p>3. (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become a Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if -</p> <p>(1) he was registered on the 4th Adar, 5712 (1st March 1952) as an inhabitant under the <a href="#">Registration of Inhabitants Ordinance, 5709-1949</a>; and</p> <p>(2) he is an inhabitant of Israel on the day of the coming into force of this Law; and</p> <p>(3) he was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into force of this Law, or entered Israel legally during that period.</p>
	<b><u>ENTRY INTO ISRAEL (1952)</u></b>
General provision.	<p>1. The entry of a person, other than an Israel national or an <i>oleh</i> under the <a href="#">Law of the Return, 5710-1950</a>, into Israel shall be by visa, and his residence in Israel shall be by permit of residence,</p>

	under this Law.
Regulations.	<p><b>14.</b> The Minister of the Interior may make regulations as to any matter relating to the implementation of this Law, including, <i>inter alia</i>, regulations as to the following:</p> <p>(1) categories of persons who shall be disqualified for the receipt of a visa or permit of residence under this Law;</p>
	<p><b><u>PREVENTION OF INFILTRATION (OFFENCES AND JURISDICTION) LAW, (1954)</u></b></p>
Definitions.	<p><b>1.</b> In this Law -- "infiltrator" means a person who has entered Israel knowingly and unlawfully and who at any time between the 16th Kislev, 3708 (29th November, 1947) and his entry was -</p> <p>(1) a national or citizen of the Lebanon, Egypt, Syria, Saudi-Arabia, Trans-Jordan, Iraq or the Yemen ; or</p> <p>(2) a resident or visitor in one of those countries or in any part of Palestine outside Israel ; or</p> <p>(3) a Palestinian citizen or a Palestinian resident without nationality or citizenship or whose nationality or citizenship was doubtful and who, during the said period, left his ordinary place of residence in an area which has become a part of Israel for a place outside Israel.</p>
Deportation.	<p><b>30.</b> (a) The Minister of Defence or a person authorised by him may order in writing the deportation of an infiltrator, whether or not he has been charged under this Law. The order shall be a legal warrant for holding the infiltrator in custody pending his deportation.</p> <p>(b) Where a person has entered Israel without permission before the coming into force of this Law and may for this reason be ordered to be deported from Israel either under the <i>Immigration Ordinance, 1941</i>, or under the <a href="#">Entry into Israel Law, 5712-1952</a>, the provisions of subsection (a) shall apply to him as if he had entered Israel before the coming into force of this Law.</p>

- **(c) They require ID cards to be carried at all times, which clearly identify the carrier's religious/ethnic identity, making it clear whether the person is Jewish or not, which leads to discrimination**

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	<u><b>REGISTRATION OF INHABITANTS (1949)</b></u>
Registration of Inhabitants.	<b>2.</b> A registration of inhabitants shall be introduced in the area of the Ordinance and shall be operated by registration offices.
Functions of registration offices.	<p><b>3.</b> The functions of the registration offices shall be the following:</p> <p>(a) to keep a Register of Inhabitants containing the particulars of registration enumerated in section 4;</p> <p>(b) to issue, renew and enter changes in certificates of identity;</p> <p>(c) to issue copies of and extracts from entries in the Register of Inhabitants and supply information as to the name and residential address of any inhabitant;</p>
Particulars of registration.	<p><b>4.</b> The particulars of registration shall be the following:</p> <p>(a) surname, first name and names of parents and, where the names have been changed before the registration, the former names as well;</p> <p>(b) date and place of birth;</p> <p>(c) sex;</p> <p>(d) family status (single, married, widowed or divorced);</p> <p>(e) date of immigration and date of settling at place of residence;</p> <p>(f) nationality, ethnic group, religion;</p>
Certificate of	<b>7.</b> An inhabitant who has attained the age of 16 years and who

identity.	complies with the provisions of this Ordinance and the regulations made thereunder is entitled, after submitting an application and the number of photographs required from him, to obtain a certificate of identity from the registration office and to use it as a means of identifying himself.
	<b><u>POPULATION REGISTRY LAW (1965)</u></b>
Registry and particulars of registration.	<p><b>2. (a)</b> The following particulars relating to a resident, and any change therein, shall be entered in the Population Registry:</p> <ul style="list-style-type: none"> <li>(1) Surname, first name and previous names;</li> <li>(2) names of parents;</li> <li>(3) date and place of birth;</li> <li>(4) sex;</li> <li>(5) ethnic group;</li> <li>(6) religion;</li> <li>(7) personal status (single, married, divorced or widowed);</li> <li>(8) name of spouse;</li> <li>(9) names, dates of birth, and sex, of children;</li> <li>(10) past and present nationality or nationalities;</li> <li>(11) address;</li> <li>(12) date of entry into Israel;</li> <li>(13) date of becoming a resident, within the meaning of subsection 1 (a).</li> </ul> <p>(b) When a resident is first registered an "identity number" shall be fixed for his registration.</p>

Right to receive identity certificate.	<b>24.</b> A resident who is in Israel and who has completed his sixteenth year may receive an identity certificate. A resident who is in Israel and who has not completed his sixteenth year may receive an identity certificate with the consent of his representative, within the meaning of section 80 of the <i>Capacity and Guardianship Law, 5722-1962</i> , or with the approval of the Chief Registration Officer.
Contents of identity certificate.	<b>25.</b> An identity certificate shall contain the particulars of registration prescribed by the Minister of the Interior with the approval of the Constitution, Legislation and Juridical Committee of the Knesset. The names of the children shall be entered both in the identity certificate of their father and in the identity certificate of their mother. A photograph of the holder shall be attached to every certificate, except the certificate of a woman who declares that she refuses to be photographed for religious reasons. An identity certificate shall bear the signature or fingerprint of the holder.
	<b><u>IDENTITY CERTIFICATE (POSSESSION AND PRESENTATION) LAW, 5743-1982</u></b>
Definitions.	<b>1.</b> In this Law --  "resident" and "identity certificate" have the same respective meanings as in the <a href="#">Population Registry Law</a> , 5725-1965.
	<ul style="list-style-type: none"> <li>▪ <b>(d) They exclude from the country Arab spouses who live in the occupied territories (with a few exceptions who mostly only get 3 month visas), which splits up many families -</b></li> </ul>
	<b>NATIONALITY AND ENTRY INTO ISRAEL (TEMPORARY ORDER) LAW, 5763-2003</b>
Definitions.	<b>1.</b> In this Law –  "region" – each of these: Judea and Samaria and the Gaza Strip;  "Nationality Law" – <a href="#">Nationality Law</a> , 5712 – 1952;(1)

	<p>“Entry into Israel Law” – <a href="#">Entry into Israel Law</a>, 5712- 1952;(2)</p> <p>“regional commander” – for Judea and Samaria, the commander of forces of the Israel Defense Forces in Judea and Samaria; for the Gaza Strip, the commander of forces of the Israel Defense Forces in the Gaza Strip or a person who shall be authorized by the Interior Minister with the consent of the Minister of Defense.</p> <p>“resident of the region” – a person who is registered in the region's Population Registry and a person who lives in the region even if he is not registered in the region's Population Registry excluding a resident of an Israeli settlement in the region.</p>
<p>Restriction on nationality and residence in Israel.</p>	<p><b>2.</b> During the period in which this Law shall be in effect, notwithstanding the provisions of any law, including section 7 of the <a href="#">Nationality Law</a>, the Minister of Interior shall not grant a resident of the region nationality pursuant to the Nationality Law and shall not give a resident of the region a permit to reside in Israeli pursuant to the <a href="#">Entry into Israel Law</a>. The regional commander shall not give such resident a permit to stay in Israel pursuant to the defense legislation in the region.</p>
	<p style="text-align: center;"><b><a href="#">NATIONALITY AND ENTRY INTO ISRAEL (TEMPORARY ORDER) (AMENDMENT) LAW, 5765-2005</a></b></p>
<p>Amendment to Article 3.</p>	<p>Replace <b>Article 3</b> in its entirety with the following sections --</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>3. Permit for Spouses</b> - Notwithstanding the provisions of Article 2, the Interior Minister may, at his discretion, approve an application of a resident of the region to receive a permit to stay in Israel from the regional commander -</p> <p>(1) regarding a [male] resident of the region who is over thirty-five years old – in order to prevent his separation from his [female] spouse who is lawfully staying in Israel;</p> </div>

(2) regarding a [female] resident of the region who is over twenty-five years old – in order to prevent her separation from her [male] spouse who is lawfully staying in Israel;

**3A. Permit for Children** - Notwithstanding the provisions of Article 2, the Interior Minister may, at his discretion -

(1) grant a resident of the region who is under fourteen years old a permit to reside in Israel in order to prevent his separation from a parent who has custody of him and who is lawfully staying in Israel;

(2) approve an application for a permit to stay in Israel to be granted by the regional commander to a resident of the region who is a minor and who is over fourteen years old, in order to prevent his separation from a parent who has custody of him and who is lawfully staying in Israel and provided that such a permit shall not be renewed if the minor does not live in Israel on a regular basis.

**3B. Additional Permits** - Notwithstanding the provisions of Article 2, the regional commander may grant a permit to stay in Israel for a purpose as specified below:

(1) medical treatment;

(2) working in Israel;

(3) a temporary purpose, provided that the permit to stay for such a purpose shall not exceed the cumulative period of six months.

**3C. Special Permit** - Notwithstanding the provisions of Article 2, the Interior Minister may grant citizenship or a permit to reside in Israel to a resident of the region, and

the regional commander may grant a resident of the region a permit to stay in Israel if they are convinced that the said resident identifies with the State of Israel and its goals, and that the resident or his family member performed a meaningful act to advance the security, economy, or another matter of importance to the State, or that the granting of citizenship or the permit to reside in Israel or the permit to stay in Israel, as applicable, is of special interest to the State. In this paragraph, "family member" means spouse, parent, or child.

**3D. Security Restriction** - A permit to stay in Israel shall not be granted to a resident of the region under Article 3, 3A(2), 3B(2) to (3) and 4(2) if the Interior Minister or the regional commander, as applicable, determines, based on an opinion of the security agencies, that the said resident or his family member is liable to constitute a security threat to the State of Israel. In this paragraph, "family member" means spouse, parent, child, brother, sister, or their spouses.

- o **3. Israeli Military Veteran Benefits** are awarded in a discriminatory manner because mostly only Jews are allowed to serve in the Israeli military and there is no other alternative national service program for non-Jews to serve in to earn comparable benefits.

	<a href="#"><b>DEFENSE ARMY OF ISRAEL ORDINANCE (1948)</b></a>
Validation	<b>Article 5.</b> Orders, declarations, regulations and any other directions concerning matters of the national service which were published by the Jewish Agency for Palestine, the General Council ( <i>Vaad Leumi</i> ) of the Jewish Community in Palestine, the People's Administration, the Provisional Government or any of their departments between the 16th Kislev, 5708 (29th November, 1947) and the date of publication of this Ordinance, shall remain in force so long as they have not been varied, amended or revoked.
	<a href="#"><b>DEFENSE SERVICE LAW (1949)</b></a>
Release from	<b>12.</b> If the Minister of Defence considers that reasons

<p>obligation and postponement of service.</p>	<p>connected with the size of the Regular Forces or the Reserve Forces of the Defence Army of Israel or with the requirements of education, settlement or the national economy, or family reasons, or other similar reasons, so require, he may by order direct --</p> <p>(a) that a person of military age shall be released from the obligation of regular service or that the period of regular service of such a person shall be reduced;</p>
<p>Orders -- general provision.</p>	<p><b>15.</b> (a) An order under section 12 may be either personal or to a particular class of persons. Any other order under this Law may be either general or to a particular class of persons.</p> <p>(b) It shall not be necessary for an order under this Law to be published in <i>Reshumot</i>.</p>
<p>Revocation and saving.</p>	<p><b>21.</b> (a) Any order, declaration, regulation and direction validated by section 5 of the <a href="#">Defense Army of Israel Ordinance, 5708-1948</a> and any order made under that Ordinance, are hereby revoked.</p>

- [Discharged Soldiers \(Return to Work\) Law \(1949\)](#)
- [Grants to Soldiers and their Families Regulations \(1970\)](#)
- [Discharged Soldiers Law \(1984\)](#)
- [Israel Defence Forces \(Permanent Service\) \(Benefits\) \(Consolidated Version\) \(1985\)](#)
- [Discharged Soldiers \(Adjustment Grant\) Law \(1988\)](#)
- **4. Special Government Positions for Zionist Organizations** in budgetting, land management and development, and agricultural industry management give Zionist a special advantage in Israeli society over other groups. Below are sample laws which actually list representatives of the national Zionist organizations as required members of various government boards ruling over land management and development, agricultural industry management, etc.

**[World Zionist Organization – Jewish Agency \(Status\) Law \(1952\)](#)**

**1.** The State of Israel regards itself as the creation of the entire Jewish people, and its gates are open, in accordance with its laws, to every Jew wishing to

immigrate to it.

**2.** The World Zionist Organisation, from its foundation five decades ago, headed the movement and efforts of the Jewish people to realise the age-old vision of the return to its homeland and, with the assistance of other Jewish circles and bodies, carried the main responsibility for establishing the State of Israel.

**3.** The World Zionist Organisation, which is also the Jewish Agency, takes care as before of immigration and directs absorption and settlement projects in the State.

**4.** The State of Israel recognises the World Zionist Organisation as the authorised agency which will continue to operate in the State of Israel for the development and settlement of the country, the absorption of immigrants from the Diaspora and the coordination of the activities in Israel of Jewish institutions and organisations active in those fields.

**5.** The mission of gathering in the exiles, which is the central task of the State of Israel and the Zionist Movement in our days, requires constant efforts by the Jewish people in the Diaspora; the State of Israel, therefore, expects the cooperation of all Jews, as individuals and groups, in building up the State and assisting the immigration to it of the masses of the people, and regards the unity of all sections of Jewry as necessary for this purpose.

**6.** The State of Israel expects efforts on the part of the World Zionist Organisation for achieving this unity; if, to this end, the Zionist Organisation, with the consent of the Government and the approval of the Knesset, should decide to broaden its basis, the enlarged body will enjoy the status conferred upon the World Zionist Organisation in the State of Israel.

**7.** Details of the status of the World Zionist Organisation - whose representation is the Zionist Executive, also known as the Executive of the Jewish Agency - and the form of its cooperation with the Government shall be determined by a Covenant to be made in Israel between the Government and the Zionist Executive.

**8.** The Covenant shall be based on the declaration of the 23rd Zionist Congress in Jerusalem that the practical work of the World Zionist Organisation and its various bodies for the fulfilment of their historic tasks in Eretz-Israel requires full cooperation and coordination on its part with the State of Israel and its Government, in accordance with the laws of the State.

**9.** There shall be set up a committee for the coordination of the activities of the Government and Executive in the spheres in which the Executive will operate

according to the Covenant; the tasks of the Committee shall be determined by the Covenant.

**10.** The Covenant and any variation or amendment thereof made with the consent of the two parties shall be published in *Reshumot* and shall come into force on the day of publication, unless they provide for an earlier or later day for this purpose.

**11.** The Executive is a juristic body and may enter into contracts, acquire, hold and relinquish property and be a party to any legal or other proceeding.

**12.** The Executive and its funds and other institutions shall be exempt from taxes and other compulsory Government charges, subject to such restrictions and conditions as may be laid down by the Covenant; the exemption shall come into force the coming into force of the Covenant.

- Then the Knesset passed a law which gives special status to the Jewish National Fund in comparison to other non-government agencies, including status as a government agency when it comes to the acquisition of land:

	<a href="#"><u>KEREN KAYEMET LE-ISRAEL LAW (1953)</u></a>
Inapplicability of certain sections of companies Ordinance.	<b>5.</b> Section 112 and the second and third paragraphs of section 121 (1) of the Companies Ordinance shall not apply to the new company.
Power under <i>Land (Acquisition for Public Purposes) Ordinance</i> , 1943.	<b>6.</b> For the purposes of section 22 of the <i>Land (Acquisition for Public Purposes) Ordinance</i> , 1943, the new company shall have the same status as a local authority.

- The Legislature also passed laws placing representation for the World Zionist Organization or the Jewish Agency in the main government committees dealing with land development and management – some examples are the [Planning and Building Law](#), article 2(a) (1965), the [Galilee Law](#), article 3(b) (1988), and the [Negev Law, amendment](#) of 1988:

	<a href="#"><u>PLANNING AND BUILDING LAW (1965)</u></a>
National Board	<b>Article 2.</b> (a) There shall be established a National Board for Planning and Building (hereinafter referred to as "the National Board") to advise the Government as to everything relating to general policy in

	<p>the implementation of this Law, including matters of legislation, and to carry out the other functions assigned to it by this Law and by any other law.</p> <p>(b) The National Board shall consist of –</p> <p>11. a representative of the settlement institutions, appointed by the Minister of the Interior upon the recommendation of the Jewish Agency;</p>
	<p><b><u>GALILEE LAW (1988)</u></b></p>
<p>The Council and its Members.</p>	<p><b>3.</b> (a) There is hereby established the Galilee Council (hereinafter referred to as "the Council").</p> <p>(b) The Council shall consist of twenty-six members, viz.-</p> <p style="padding-left: 40px;">fourteen representatives of the government;</p> <p style="padding-left: 40px;">one representative of the Nature Reserves Authority;</p> <p style="padding-left: 40px;">two representatives of the World Zionist Organization;</p> <p style="padding-left: 40px;">a representative of the General Federation of Labor in Eretz Yisrael;</p> <p style="padding-left: 40px;">a representative of the Manufacturers' Association;</p> <p style="padding-left: 40px;">five representatives of the public.</p>
	<p><b><u>NEGEV (AMENDMENT) LAW, 5748-1988</u></b></p>
<p>Amendment of section 4</p>	<p><b>4.</b> In section 4(a) of the principal Law -</p> <p>(3) Paragraph (6) shall be remarked (13) and shall be preceded by:</p> <p>(6) a representative of the Jewish Agency for the Land of Israel and the International Zionist Federation;</p>

	<p>(7) a representative of the Jewish National Fund;</p> <p>(8) a representative of the Protected Nature Reserves Authority;</p> <p>(9) a representative of the worker's organization representing the largest number of workers in Israel;</p> <p>(10) a representative of the Israeli Industrialists Association;</p> <p>(11) a representative of the Negev Trade Bureau;</p> <p>(12) a representative of the Negev Committee founded by the <i>Negev Kibbutzim</i> and <i>Moshavim</i>;"</p>
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The Legislature also passed laws placing representatives of major Zionist organizations in the various government committees managing the agricultural industry:

	<b><u><a href="#">PEANUT PRODUCTION AND MARKETING BOARD LAW (1959)</a></u></b>
Composition of Board.	<p><b>Article 5.</b></p> <p>(a) The Ministers shall prescribe the number of the members of the Board, which shall not be less than twenty; the Board shall include representatives of the public, one representative of the World Zionist Organisation -- Jewish Agency (hereinafter referred to as "the Agency") and representatives of the Government.</p>
	<b><u><a href="#">VEGETABLE PRODUCTION AND MARKETING BOARD LAW (1959)</a></u></b>
Composition of Board.	<p><b>Article 5.</b></p> <ul style="list-style-type: none"> <li>▪ (a) The Ministers shall prescribe the number of the members of the Board, which shall not be less than forty; the Board shall include representatives of the Government, representatives of the World Zionist Organisation-Jewish Agency (hereinafter referred to as "the Agency") and representatives of the public.</li> </ul>

	<b><u>EGG AND POULTRY BOARD (PRODUCTION AND MARKETING) LAW (1963)</u></b>			
Composition of Board.	<b>Article 5.</b> The Ministers shall prescribe the number of the members of the Board, who shall not be fewer than forty and not more than fifty and who shall include representatives of the Government, representatives of the World Zionist Organisation-Jewish Agency for Eretz Israel (hereinafter referred to as "the Agency") and representatives of the public.			
	<b><u>FRUIT PRODUCTION AND MARKETING BOARD LAW (1973)</u></b>			
Composition appointment and membership of Board.	<b>Article 4.</b>  (c) The Minister may prescribe that one of the representatives of the public shall be a representative of the World Zionist Organisation-Jewish Agency for Eretz Israel.			
<ul style="list-style-type: none"> <li>○ <b>5. Inhumane Suppression of Rebellion</b> -- the Zionists are primarily and initially from Europe, but they are attempting to dominate a land far from Europe where they are a minority, and the majority native population is rebelling - understandably and justifiably - because it is their land, and has been their land for practically a millenium, or two. And because the rebels won't quit, the Zionist have resorted to inhumane methods to suppress the rebellion. Their methods are inhumane by definition of international human rights and humanitarian law - and because they are practiced enmasse by a government based on a racist crieria - they qualify as the crime of apartheid --</li> </ul>				
	<b><u>BASIC LAW: THE KNESSET (AMENDMENT NO. 9)</u></b> (passed by the Knesset on the 13th Av, 5745 (31st July, 1985))			
Amendment of section 7A.	<b>1.</b> In the Basic Law: The Knesset(1), the following section shall be inserted after section 7: <table border="1" style="margin-left: 20px;"> <tr> <td style="padding: 5px;">"Prevention of participation of</td> <td style="padding: 5px;"><b>7A.</b> A candidates' list shall not participate in elections to the Knesset if its objects or actions, expressly or by implication, include one of the following:</td> </tr> </table>		"Prevention of participation of	<b>7A.</b> A candidates' list shall not participate in elections to the Knesset if its objects or actions, expressly or by implication, include one of the following:
"Prevention of participation of	<b>7A.</b> A candidates' list shall not participate in elections to the Knesset if its objects or actions, expressly or by implication, include one of the following:			

	candidate's list.	(1) negation of the existence of the State of Israel as the state of the Jewish people;  (2) negation of the democratic character of the State;  (3) incitement to racism."
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The [Amutot Law \(1980\)](#) establishes the regulations for establishing non-profit organizations. It includes articles which inhibit the freedom of association by requiring such organizations to make available to all its members its entire membership list with all contact info. This would inhibit many people from joining controversial non-profit organizations because then their membership and contact info would then be available to government agents as well, who might be posing as members.

	<b><u>AMUTOT LAW (1980)</u></b>
Right to establish amuta.	<b>1.</b> Two or more persons who wish to incorporate as a body corporate for a lawful purpose not aimed at the distribution of profits to its members may establish an amuta (non-profit society). An amuta shall be constituted by registration in the Register of Amutot.
Restrictions as to registration of amuta.	<b>3.</b> An amuta shall not be registered if any of its objects negates the existence or democratic character of the State of Israel or if there are reasonable grounds for concluding that the amuta will be used as a cover for illegal activities.
Register of members.	<b>18.</b> An <i>amuta</i> shall keep a register of members in which every member, his address and identity number and the dates of the commencement and termination of his membership shall be recorded.
Register of board members.	<b>29.</b> An <i>amuta</i> shall keep a register of board members in which the name, address and identity number and the dates of commencement and termination of service of each member shall be recorded.
Inspection.	<b>39.</b> (a) The register of members and the register of board

members, the minutes of the general meetings and the financial reports submitted to the general meeting shall at any reasonable time be open for inspection by all the members of the amuta.

The [Defense \(Emergency\) Regulations of 1945](#) include human rights violations such as:

- **Reg. 84. Unlawful Association** -- empowers an Israeli government official or military commander to declare any body or persons or organization, whether incorporated or not, to be an unlawful association. Thus any person who joins such an organization, or attends their meetings may be subject to fine or imprisonment.
- **Reg. 94. Censorship of Newspapers** -- This regulation has been expanded to include all forms of modern publication and media (textbooks, videos, etc.).
- **Reg. 110. Home Area Detentions** -- this regulation empowers the area commander to order civilians to stay in any place of his choosing, and for as long as he chooses.
- **Reg. 111. Administrative Detention** -- Imprisonment (individuals or groups) without charges or trial, called officially 'administrative detention'. The military has amended the regulation to include system of review and appeal.
- **Reg. 112. Deportation** -- (individuals or groups) without trial or charges.
- **Reg. 119. Home demolition** -- or private or commercial property demolition (on individual or entire neighborhoods) without charges or trial.
- **Reg. 124 & 125. Curfew & Closures** -- (for individuals or entire neighborhoods or village lands) without charges or trial.

Here are some sample quotes from the 1945 regulations:

**[DEFENSE \(EMERGENCY\) REGULATIONS \(1945\)](#)**

**PART VII -- UNLAWFUL ASSOCIATIONS**

**REGULATION 84: Meaning of expression "unlawful association"**

**84.** In this part, the expression "unlawful association" means any body of

persons, whether incorporated or unincorporated and by whatsoever name (if any) it may from time to time be known; which --

(a) by its constitution or propaganda or otherwise advocates, incites or encourages any of the following unlawful acts, that is to say --

(i) the overthrow by force or violence of the constitution of Palestine or the Government of Palestine;

(ii) the bringing into hatred or contempt of, or the exciting of disaffection against, His Majesty's Government in the United Kingdom or the Government of Palestine or the High Commissioner in his official capacity;

(iii) the destruction of or injury to property of His Majesty's Government in the United Kingdom or of the Government of Palestine;

(iv) acts of terrorism directed against servants of His Majesty's Government in the United Kingdom or against the High Commissioner or against servants of the Government of Palestine;

or which has committed or has claimed to have been responsible for, or to have been concerned in, any such acts as are mentioned in subparagraph (ii), (iii) or (iv) of this paragraph; or

(b) is declared by the High Commissioner, by notification in the Gazette, to be an unlawful association.

**PART VIII - CENSORSHIP**  
**Regulation 94 - Newspaper Permits**

**94.** (1) No newspaper shall be printed or published unless the proprietor thereof shall have obtained a permit under the hand of the District Commissioner of the District in which the newspaper is being, or is to be, printed.

(2) The District Commissioner, in his discretion and without assigning any reason therefor, may grant or refuse any such permit and may attach conditions thereto and may at any time suspend or revoke any such permit or vary or

delete any conditions attached to the permit or attach new conditions thereto.

(3) Any person who contravenes this regulation or the conditions of any permit thereunder and the proprietor and editor of the newspaper in relation to which the contravention occurs shall be guilty of an offence against these Regulations.

**PART X - RESTRICTION ORDERS, POLICE SUPERVISION, DETENTION AND DEPORTATION**

**Regulation 110 - Police Supervision**

**110.** (1) A Military Commander may by order direct that any person shall be placed under police supervision for any period not exceeding one year.

(2) Any person placed under police supervision by order as aforesaid shall be subject to all or any of the following restrictions as the Military Commander may direct, that is to say --

- (a) he shall be required to reside within the limits of any area in Palestine specified by the Military Commander in the order;
- (b) he shall not be permitted to transfer his residence to any other area in the same police district without the written authority of the District Superintendent of Police, or to any other police district without the written authority of the Inspector General of Police;
- (c) he shall not leave the town, village or Sub-District within which he resides without the written authority of the District Superintendent of Police;
- (d) he shall at all times keep the District Superintendent of Police of the police district in which he resides notified of the house or the place in which he resides;
- (e) he shall be liable, whenever called upon so to do by the officer in charge of the police in the area in which he resides, to present himself at the nearest police station;
- (f) he shall remain within the doors of his residence from one hour after sunset until sunrise, and may be visited at his residence at any time by the

police.

(3) Any person in respect of whom an order has been made under subregulations (1) and (2) may be arrested by any police officer or by any member of His Majesty's forces and conveyed to the area in which he should be.

(4) If any person against whom an order has been made as aforesaid contravenes the terms of the said order or of this regulation, he shall be guilty of an offence against these Regulations.

### **Regulation 111 - Detention**

**111.** (1) A Military Commander may by order direct that any person shall be detained for any period not exceeding one year in such place of detention as may be specified by the Military Commander in the order.

(2) Where an order is made under this regulation against a person in relation to whom an order under regulation 109 or 110 is in force, the order under this regulation shall be deemed to replace such other order.

(3) Any person in respect of whom an order has been made by the Military Commander under subregulation (1) may be arrested by any member of His Majesty's forces or of the Police Force and conveyed to the place of detention specified in such order.

(4) For the purposes of this regulation, there shall be one or more advisory committees consisting of persons appointed by the High Commissioner, and the chairman of any such committee shall be a person who holds or has held high judicial office or is or has been a senior officer of the Government. The functions of any such committee shall be to consider, and make recommendations to the Military Commander with respect to, any objections against any order under this regulation which are duly made to the committee by the person to whom the order relates.

(5) Any person in respect of whom an order has been made under this regulation who commits any of the offences specified in subregulation (7) hereof may be arrested by any police officer without warrant, and shall be liable upon conviction by a Magistrate's Court to imprisonment for six

months or to a fine of one hundred pounds or to both such imprisonment and fine, or such person may be punished by the officer in charge of the place of detention with any of the punishments set out in Part I of the Sixth Schedule to the Prison Rules (Laws of Palestine, p. 2022), and

(a) if punished with a fine shall in addition to such fine be retained in a place of detention in accordance with the order issued under subregulation (1), or

(b) if sentenced to imprisonment for a term less than the unexpired period of his detention, shall on the completion of such term be again detained in accordance with the order issued under subregulation (1).

(6) The Commissioner of Prisons may give orders or directions as to the internal management of and otherwise in connection with any place of detention specified in any order made under subregulation (1) and as to the discipline of all persons detained therein.

(7) Any person detained in a place of detention in accordance with the provisions of this regulation who commits any of the following acts shall be guilty of an offence against these Regulations and shall be punishable as provided in subregulation (5): --

(a) fails to obey or comply with any orders or directions given by the Commissioner of Prisons as to discipline or otherwise under subregulation (6), or with any order lawfully given under the authority of any such orders or directions;

(b) fails to obey any order given to him by the officer in charge of the place of detention: the officer in charge of the place of detention shall be the senior prison officer present in such place of detention at any given time;

(c) uses abusive or indecent language or is indecent in act or gesture;

(d) shouts or makes unnecessary noise within a place of detention;

(e) commits any nuisance within a place of detention;

(f) refuses or neglects to conform with any lawful order or direction which

has been brought to his notice in any manner;

(g) threatens with violence any other detained person;

(h) treats with disrespect any officer or person employed in or in connection with a place of detention;

(i) has in his possession any article contrary to the orders or directions of the officer in charge of the place of his detention;

(j) makes any false accusation against any officer or person employed in a place of detention;

(k) strikes or uses violence against any officer or person employed in a place of detention or against any other detained person;

(l) takes part in, or incites any person to, violence or insubordination of any kind;

(m) escapes, or conspires to escape, or assists any other detained person to escape, from the place of his detention;

(n) wilfully damages any article or Government property to which he may have access, or any part of a place of detention;

(o) attempts to commit any of the foregoing offences.

#### **Regulation 112 -- Deportation**

**112.** (1) The High Commissioner shall have power to make an order under his hand (hereinafter in these Regulations referred to as "a Deportation Order") requiring any person to leave and remain out of Palestine.

(2) The High Commissioner shall have power by order under his hand to require any person who is out of Palestine to remain out of Palestine. A person with respect to whom such an order is published shall so long as the order is in force remain out of Palestine. An order under this regulation may be made subject to such terms and conditions as the High Commissioner

may think fit.

(3) A person with respect to whom a Deportation Order is made shall leave Palestine in accordance with the order and shall thereafter so long as the order is in force remain out of Palestine.

(4) A person with respect to whom a Deportation Order is made, whilst awaiting deportation and whilst being conveyed to any vessel, train, aircraft or vehicle in Palestine, shall be liable to be kept in custody in such manner as the High Commissioner may by the Deportation Order or otherwise direct and whilst in that custody shall be deemed to be in lawful custody.

(5) The master of a ship or pilot of an aircraft about to call at any port or place outside Palestine shall, if so directed by the High Commissioner, receive a person against whom a Deportation Order has been made on board the ship or aircraft and afford him a passage to that port or place, and proper accommodation and maintenance during the passage.

#### **PART XII - MISCELLANEOUS PENAL PROVISIONS**

##### **Regulation 119 - Forfeiture and demolition of property, etc.**

**119.** (1) A Military Commander may by order direct the forfeiture to the Government of Palestine of any house, structure, or land from which he has reason to suspect that any firearm has been illegally discharged, or any bomb, grenade or explosive or incendiary article illegally thrown, or of any house, structure or land situated in any area, town, village, quarter or street the inhabitants or some of the inhabitants of which he is satisfied have committed, or attempted to commit, or abetted the commission of, or been accessories after the fact to the commission of, any offence against these Regulations involving violence or intimidation or any Military Court offence ; and when any house, structure or land is forfeited as aforesaid, the Military Commander may destroy the house or the structure or anything on growing on the land.

(2) Members of His Majesty's forces or of the Police Force, acting under the authority of the Military Commander may seize and occupy, without compensation, any property in any such area, town, village, quarter or street as is referred to in subregulation (1), after eviction without compensation, of the previous occupiers, if any.

#### **PART XIII - MOVEMENTS OF PERSONS, TRAFFIC**

#### **Regulation 124 - Curfew**

**124.** A Military Commander may by order require every person within any area specified in the order to remain within doors between such hours as may be specified in the order, and in such case, if any person is or remains out of doors within that area between such hours without a permit in writing issued by or on behalf of the Military Commander or some person duly authorised by the Military Commander to issue such permits, he shall be guilty of an offence against these Regulations.

#### **Regulation 125 - Closed Areas**

**125.** A Military Commander may by order declare any area or place to be a closed area for the purposes of these Regulations. Any person who, during any period in which any such order is in force in relation to any area or place, enters or leaves that area or place without a permit in writing issued by or on behalf of the Military Commander shall be guilty of an offence against these Regulations.

- **6. Daily Racist Harassment** -- no laws to quote. This is the experience of Arabs in the streets and stores and government buildings of Israel.

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