



Documents and Source Material

16 MAY–15 AUGUST 2016

This section comprises international, Arab, Israeli, and U.S. documents and source materials, as well as an annotated list of recommended reports. Documents and source materials are reproduced without editing to conform to *JPS* style or spelling. Along with PDFs of recommended reports, they are available in full at www.palestine-studies.org.

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INTERNATIONAL

A1. UN COMMITTEE AGAINST TORTURE, CONCLUDING OBSERVATIONS ON THE FIFTH PERIODIC REPORT OF ISRAEL, GENEVA, 3 JUNE 2016 (EXCERPTS)

In May, the UN Committee Against Torture met to review Israel's compliance with the UN Convention Against Torture (CAT), which Israel ratified in 1991. In its concluding observations, the committee made over 50 recommendations regarding Israel's torture and ill-treatment of Palestinian prisoners, making it clear that CAT applied to the occupied Palestinian territories. It called on Israel to end its policy of administrative detention, overturn its policy of force-feeding prisoners on hunger strike, end the solitary confinement of children, and criminalize torture in Israeli law.

Israeli violations of the CAT have been especially notable amid the latest Palestinian uprising (habba in Arabic). While it is commendable that the UN recognizes Israeli violations of Palestinian rights, the committee's report has no legal implications for Israel.

Presented below are excerpts from the observations report. The full document is available at www.ohchr.org.

[. . .] *Scope of Applicability of the Convention*

8. The Committee regrets the State party's continued argument that the Convention does not apply in all the Occupied Territories and notes that this position is contrary to the views of the Committee as set forth in its previous concluding observations (CAT/C/ISR/CO/4, para. 11), other treaty bodies and the International Court of Justice. The Committee notes with appreciation the statement by the delegation that the comments made by the Committee regarding the scope of applicability of the Convention "will be brought to the attention of the highest levels of Government, and will be given serious consideration." While acknowledging that during the dialogue the State party's delegation addressed the Committee's questions relating to the Occupied Palestinian Territory, the Committee regrets that the written report did not contain detailed information on the implementation of the Convention in it (art. 2).
9. **Recalling its previous concluding observations (CAT/C/ISR/CO/4, para. 11) and its general comment No. 2 (2007) on the implementation of article 2 by States parties, the Committee calls on the State party to immediately reconsider its position and acknowledge that the Convention applies to all individuals who are subject to its jurisdiction. In this respect, the Committee reaffirms that the Convention applies to all territory and persons under the jurisdiction of the State party, including the Occupied Territories, in accordance with the**

Committee's general comment No. 2 (2007), the views of other treaty bodies and the jurisprudence of the International Court of Justice. [. .]

Definition and Criminalization of Torture

12. The Committee remains concerned that a specific offence of torture based on the definition in article 1 of the Convention has not yet been adopted. It notes that a bill incorporating a separate offence of torture into Israeli law is in the process of being drafted by the Ministry of Justice at the instruction of the Attorney General (arts. 1, 2 and 4).
13. **Recalling its previous recommendations (A/57/44, para. 53 (a), and CAT/C/ISR/CO/4, para. 13), the Committee calls upon the State party to take the measures necessary to speed up the process aimed at incorporating a specific offence of torture into domestic law and to ensure that the offence provides for a definition of torture that is in full conformity with the definition contained in article 1 of the Convention and for penalties that are commensurate with its grave nature, in accordance with article 4 (2). [. .]**

Administrative Detention and Incarceration of Unlawful Combatants Law

22. The Committee reiterates its previous concerns regarding administrative detention and detention under the Unlawful Combatants Law 5762-2002 in the State party (CAT/C/ISR/CO/4, para. 17). In particular, it is concerned that, pursuant to relevant legislation, detainees may be deprived of basic legal safeguards as, inter alia, they can be held in detention without charge indefinitely on the basis of secret evidence that is not made available to the detainee or to his/her lawyer. The Committee takes note of the affirmation by the delegation that the number of people in administrative detention increased since September 2015 with the escalation of violence. In this connection, the Committee is gravely concerned that at the time of the dialogue there were 700 persons, including 12 minors, in administrative detention. It is further concerned that three of those persons have been held in administrative detention for more than two years. The Committee also notes that at the time of the dialogue there was one person held under the Unlawful Combatants Law (arts. 2 and 16).
23. **The State party should:**
 - (a) **Urgently take the measures necessary to end the practice of administrative detention and ensure that all persons who are currently held in administrative detention are afforded all basic legal safeguards;**
 - (b) **Take the measures necessary to repeal the Incarceration of Unlawful Combatants Law 5762-2002. [. .]**

Hunger Strikes

26. While taking note of the affirmation by the delegation that hunger strikes are handled with the utmost sensitivity to the prisoners' rights, the Committee is concerned at allegations of instances in which prisoners who engaged in hunger strikes were punished or subjected to ill-treatment. It is also concerned that, on 30 July 2015, the Knesset passed

the Amendment to the Prisons Ordinance Law (Prevention of the Harm Caused by Hunger Strikes), which, according to the information provided to the Committee, allows the President of the District Court or his/her Deputy to authorize, under certain conditions, medical treatment of hunger strikers, including feeding, without their consent. While taking note that to date this amendment has not been applied and that its validity is currently under consideration by the Supreme Court, the Committee considers that feeding against the will of persons deprived of liberty on hunger strike who are able to take informed decisions would constitute ill-treatment in violation of the Convention (art. 16).

27. **The State party should guarantee that persons deprived of liberty who engage in hunger strikes are never subjected to ill-treatment or punished for engaging in a hunger strike and are provided with necessary medical care in accordance with their wishes. It should also take the legislative and other measures necessary to ensure that persons deprived of liberty, competent to take informed decisions, who engage in hunger strikes are never subjected to feeding or other medical treatment against their will, as these are practices that may amount to torture or ill-treatment.**

Juvenile Detainees

28. While taking note of the provisions of the Youth Law (Trial Punishment and Modes of Treatment) 5731-1971 relating to the arrest and detention of minors and of positive developments in the juvenile military justice system applicable in the West Bank, including the establishment of a juvenile military court in 2009, the increase of the age of majority from 16 to 18 years for the purposes of adjudication in 2011 and other measures providing for safeguards and guarantees for minors, the Committee is concerned at reports that such legal developments are not always implemented in practice, in particular with respect to Palestinian minors accused of security-related offences. In this respect, it is concerned at allegations of many instances in which Palestinian minors were exposed to torture or ill-treatment, including to obtain confessions; were given confessions to sign in Hebrew, a language they do not understand; and were interrogated in the absence of a lawyer or a family member. The Committee is also concerned that many of these children, like many other Palestinians, are deprived of liberty in facilities located in Israel, thus hindering access to visits of relatives who live in the Occupied Palestinian Territory. The Committee is further concerned that at the time of the dialogue there were 12 minors in administrative detention and 207 Palestinian minor residents of the West Bank in detention for security-related offences (arts. 2, 11, 12, 13, 14, 15, and 16).
29. **Recalling its previous recommendation (CAT/C/ISR/CO/4, para. 28), the Committee calls upon the State party to redouble its efforts with a view to:**
 - (a) **Ensuring that the deprivation of liberty of minors, irrespective of the charges brought against them, is a last resort, limited to the shortest possible period, and that it is reviewed daily with a view to eliminating it;**

- (b) Systematically ensuring that all minors deprived of liberty are afforded all the basic legal safeguards from the very outset of the deprivation of liberty; that they have a lawyer and/or a trusted adult present at every phase of the proceeding, including during interrogations; and that evidence obtained without observing these provisions [is] inadmissible in court;
- (c) Preventing, investigating and adequately sanctioning practices involving torture or ill-treatment. It should also ensure that minors who were victims of torture or ill-treatment are afforded appropriate redress, including the means for as full rehabilitation as possible;
- (d) Facilitating visits from relatives and friends, in accordance with international standards. [. . .]

House Demolitions

- 40. Recalling its previous concluding observations (CAT/C/ISR/CO/4, para. 33), the Committee is concerned that the policy of punitive demolitions of houses resided in by perpetrators or alleged perpetrators of attacks against Israelis was resumed in July 2014 after having been suspended and not used, with two exceptions in 2008 and 2009, since 2005 (art. 16).
- 41. **The State party should take all the measures necessary to put an end to the policy of punitive house demolitions, as it violates article 16 of the Convention.**

Postponement of Return of Bodies

- 42. The Committee is concerned at information that, at the time of the dialogue, the State party was postponing, on the basis of security concerns, the return of the bodies of 18 Palestinians to their families. In this respect, the Committee notes the information provided by the delegation that, after a new evaluation of all the relevant circumstances, the State party has agreed to initiate the return of the bodies for the purpose of burial, subject to arrangements to guarantee that the burial process would be conducted in a secure and non-violent manner (art. 16).
- 43. **The State party should take the measures necessary to return the bodies of the Palestinians that have not yet been returned to their relatives as soon as possible so they can be buried in accordance with their traditions and religious customs, and to avoid that similar situations are repeated in the future. [. . .]**

A2. MIDDLE EAST QUARTET, *REPORT OF THE MIDDLE EAST QUARTET, JERUSALEM, 1 JULY 2016 (EXCERPTS)*

In July, the Middle East Quartet, a group comprising the United States, Russia, the European Union, and the UN, and which was founded in 2002 to mediate the Palestinian-Israeli peace process, released its first-ever report. The document was released two years after U.S.-brokered peace negotiations broke down and one year after former British prime minister Tony Blair resigned from his eight-year tenure as Quartet envoy.

In light of the stalled negotiations, the Quartet's report focuses on threats to the two-state solution, arguing that Palestinian "incitement to violence," illicit arms activities in Gaza, and

Israeli settlement expansion are trends impeding any such solution. In addition to recommendations to relaunch Oslo-style peace talks, the report includes a discussion of settlements and Israel's obstruction of Palestinian development, but largely avoids discussing pervasive Israeli occupation policies and systemic violations of Palestinian rights. As such, the report exemplifies the international community's halfhearted attempts at reviving peace negotiations, even within a framework that would ultimately privilege Israeli and Western interests over Palestinian rights.

Presented below are excerpts from the Quartet report. The full report is available at www.un.org.

[. . .] *Summary*

The Quartet reiterates that a negotiated two-state outcome is the only way to achieve an enduring peace that meets Israeli security needs and Palestinian aspirations for statehood and sovereignty, ends the occupation that began in 1967, and resolves all permanent status issues.

The Quartet recalls its previous statements and relevant United Nations Security Council resolutions and pledges its active support for ending the Israeli-Palestinian conflict on the basis of Security Council resolutions 242 (1967) and 338 (1973). In this regard, the Quartet reiterates its commitment to continue working in coordination with key stakeholders, including regional countries and the UN Security Council, to restore hope in a political solution.

While the majority of people on both sides and Prime Minister Benjamin Netanyahu and President Mahmoud Abbas express their support for the goal of two states living side by side in peace and security, the Quartet remains seriously concerned that continuing on the current course will make this prospect increasingly remote. In particular, each of the following trends is severely undermining hopes for peace:

- Continuing violence, terrorist attacks against civilians, and incitement to violence are greatly exacerbating mistrust and are fundamentally incompatible with a peaceful resolution;
- The continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use, and denial of Palestinian development is steadily eroding the viability of the two-state solution; and
- The illicit arms build-up and militant activity, continuing absence of Palestinian unity, and dire humanitarian situation in Gaza feed instability and ultimately impede efforts to achieve a negotiated solution.

The Quartet stresses the urgent need for affirmative steps to reverse each of these trends in order to prevent entrenching a one-state reality of perpetual occupation and conflict that is incompatible with realizing the national aspirations of both peoples.

The Quartet reiterates that unilateral actions by either party cannot prejudice the outcome of final status negotiations and will not be recognized by the international community.

The Quartet stresses that while a permanent status agreement that ends the conflict can only be achieved through direct bilateral negotiations, important progress can be made now towards advancing the two-state solution on the ground.

The Quartet calls on each side to independently demonstrate, through policies and actions, a genuine commitment to the two-state solution.

To that end, the Quartet emphasizes the importance of both parties complying with their basic commitments under existing agreements in order to promote this two-state reality and lay the groundwork for successful negotiations.

I. Violence and Incitement

Continuing violence, recent acts of terrorism against Israelis, and incitement to violence are fundamentally incompatible with advancing a peaceful two-state solution and are greatly exacerbating mistrust between the communities. Upholding the commitment to act effectively against violence, terrorism, and incitement is critical to rebuilding confidence and to avoiding escalation that will further undermine the prospects for peace. [. . .]

II. Settlement Expansion, Land Designations, and Denial of Palestinian Development

The continuing policy of settlement construction and expansion in the West Bank and East Jerusalem, designation of land for exclusive Israeli use, and denial of Palestinian development, including the recent high rate of demolitions, is steadily eroding the viability of the two-state solution. This raises legitimate questions about Israel's long-term intentions, which are compounded by the statements of some Israeli ministers that there should never be a Palestinian state. In fact, the transfer of greater powers and responsibilities to Palestinian civil authority in Area C contemplated by commitments in prior agreements has effectively been stopped, and in some ways reversed, and should be resumed to advance the two-state solution and prevent a one-state reality from taking hold. [. . .]

III. The Gaza Strip and Palestinian Governance

The illicit arms build-up and militant activity by Hamas, the lack of control of Gaza by the Palestinian Authority, and the dire humanitarian situation, exacerbated by the closures of the crossings, feed instability and ultimately impede efforts to achieve a negotiated solution. Preventing the use of territory for attacks against Israel is a key commitment that is essential to long-term peace and security. In the absence of significant steps by all sides to address the deteriorating conditions, the risk increases of a new escalation of hostilities. [. . .]

Recommendations

The Quartet calls on each side to independently demonstrate, through policies and actions, a genuine commitment to the two-state solution and refrain from unilateral steps that prejudice the outcome of final status negotiations. The Quartet emphasizes the importance of both parties complying with their basic commitments in order to advance a peaceful two-state reality on the ground and create the conditions for successful final status negotiations. The Quartet has the following specific recommendations:

1. Both sides should work to de-escalate tensions by exercising restraint and refraining from provocative actions and rhetoric.

2. Both sides should take all necessary steps to prevent violence and protect the lives and property of all civilians, including through continuing security coordination and strengthening the capacity, capability and authority of the Palestinian Authority Security Forces.
3. The Palestinian Authority should act decisively and take all steps within its capacity to cease incitement to violence and strengthen ongoing efforts to combat terrorism, including by clearly condemning all acts of terrorism.
4. Israel should cease the policy of settlement construction and expansion, designating land for exclusive Israeli use, and denying Palestinian development.
5. Israel should implement positive and significant policy shifts, including transferring powers and responsibilities in Area C, consistent with the transition to greater Palestinian civil authority contemplated by prior agreements. Progress in the areas of housing, water, energy, communications, agriculture, and natural resources, along with significantly easing Palestinian movement restrictions, can be made while respecting Israel's legitimate security needs.
6. The Palestinian leadership should continue their efforts to strengthen institutions, improve governance, and develop a sustainable economy. Israel should take all necessary steps to enable this process, in line with the Ad Hoc Liaison Committee recommendations.
7. All sides must continue to respect the ceasefire in Gaza, and the illicit arms build-up and militant activities must be terminated.
8. Israel should accelerate the lifting of movement and access restrictions to and from Gaza, with due consideration of its need to protect its citizens from terrorist attacks.
9. Gaza and the West Bank should be reunified under a single, legitimate and democratic Palestinian authority on the basis of the PLO platform and Quartet principles and the rule of law, including control over all armed personnel and weapons in accordance with existing agreements.
10. Both parties should foster a climate of tolerance, including through increasing interaction and cooperation in a variety of fields—economic, professional, educational, cultural—that strengthen the foundations for peace and countering extremism. [. . .]

ARAB

B1. SAMIDOUN, OPEN LETTER FROM HUNGER STRIKER BILAL KAYED, ASHQELON, ISRAEL, 1 AUGUST 2016

On 15 June, the day he was scheduled for release after completing a 14-year sentence, Popular Front for the Liberation of Palestine (PFLP) member Bilal Kayed was transferred to administrative detention by Israeli authorities. Kayed, who had frequently participated in prison protests, began an indefinite hunger strike in response. As his health deteriorated over a period of several weeks, Palestinians protested, and Kayed's case gained international attention. Israeli authorities eventually transferred him to Barzilai Medical Center in Ashqelon, and over 100 other Palestinian prisoners began solidarity hunger strikes on 29 July (see Update in this issue for more).

On 1 August, Kayed released an open letter thanking his Palestinian and international supporters and announcing that he would refuse all medical examinations. Highlighting Israel's administrative

detention policy and the unjust treatment of Palestinian political prisoners, the letter circulated internationally as part of the Free Bilal Kayed campaign. Translated from Arabic by JPS staff; the letter is presented below and the original Arabic letter is available at samidoun.net.

To our heroic people and to free people around the world,

In my currently critical circumstances, wherein the brutal [Israeli] occupation is attempting to bring me to my knees [. . .] for no other reason than that I have stood in solidarity with the prisoners among my people, defending their rights—as well as my own, and those of our families—to humane treatment with a minimum of dignity, it is not odd to find myself surrounded by the clamor of protestation and the persistent efforts of my people to undo the injustice that has befallen me and my fellow prisoners; and in light of my understanding of our nation’s highest good, which you have imparted to me, along with the sons of our free people everywhere, be it the West Bank rising up against tyranny, or the proud but fragmented Palestinians clinging on to their identities inside Israel, or the heroic people of victorious Gaza and throughout the globe, as well as free people of every stripe and nationality, I hereby announce that:

1. Having completed the first phase of my struggle against this brutal occupier, I am launching the second phase, which will focus on unifying the ranks of the prisoners, regardless of party or other affiliations, so that together we may spearhead the national struggle, both inside and outside prison;
2. Given the anticipated decision handed down by the occupation’s military court ignoring my right to freedom and a life with dignity, and the resulting need for me to respond to that unjust decision, as of today, August 1, 2016, I will refuse all medical exams proffered by hospital physicians, and demand my immediate return to prison in spite of my precarious health condition, so that I might stand shoulder to shoulder with all those detained (in the occupation’s prison cells) who are rising up and making their voices heard. The decision will not easily be implemented, especially after the authorities crossed a red line by sentencing me to another, more risky, term of administrative detention, the ultimate goal of which is to liquidate the entire leadership and cadre of the prisoner protest movement.

O sons of my courageous people, the hour of struggle has come, and I am filled with hope as I remain steady in the belief that you constitute the bulwark of support and protection in our struggle. Your actions, protests, and solidarity stands have strengthened and renewed my resolve to continue until victory is ours, whether through freedom or martyrdom.

Victorious to the end,

Bilal Kayed, prisoner
Barzilai Hospital
1 August 2016

B2. ADDAMEER, “BONE OF THEIR BONE: TORTURE AND ILL-TREATMENT BY PALESTINIAN SECURITY FORCES,” RAMALLAH, 26 JUNE 2016 (EXCERPTS)

On the occasion of International Day in Support of Victims of Torture, Addameer Prisoner Support and Human Rights Association released a series of testimonies of torture and detention from

Palestinians held by Palestinian Authority (PA) Security Forces. In light of what it describes as the PA's systemic mistreatment of Palestinian prisoners, Addameer calls on the PA to define torture in its criminal code and to uphold its obligations under the Convention Against Torture and other international treaties to which it is a signatory.

Excerpts from the document are presented below, and it is available in full at www.addameer.org.

On the occasion of International Day in Support of Victims of Torture, Addameer calls for an end to all practices by the Palestinian Authority that amount to torture and other Cruel, Inhuman or Degrading Treatment. [. . .]

In 2015–2016, Addameer has documented continued cases of arbitrary detention, torture, and ill-treatment during arrest as well as in Palestinian prisons, detention and intelligence centers. These practices are in contravention with the International Covenant on Civil and Political Rights (ICCPR) as well as the Convention Against Torture, both of which the Palestinian Authority is a party [to]. The arrests have targeted university professors, students, journalists, teachers (teacher's strike in February 2016) and civil society activists. The Palestinian Authority's ratification of several key international human rights treaties in 2014 was welcomed by Addameer and other civil society and nongovernmental organizations, as a mechanism for accountability and strengthening human rights protection on the ground. However, in recent years the Palestinian Authority has displayed an alarming lack of commitment and political will to implement the provisions of the Convention Against Torture. Thus, the Palestinian human rights situation of Palestinian prisoners and detainees has deteriorated despite the accession to the treaty.

One account from a student who was arrested by Palestinian Intelligence forces and detained by Preventative Security Forces on 08 March 2015 exemplified the targeting and ill-treatment of students with differing political opinions, which contravene these conventions:

At approximately 10:30 P.M. the interrogation started. . . . When I refused to give any information, he took the chair that I was sitting on and made me stand, and the interrogation continued while I was standing on my feet until 7:00 A.M. without food, water, or allowing me to sleep. And after 7:00 A.M. they took me to the cell which was very small, the size of a mattress. It had a mattress and a light blanket. It was very dirty and cold and I asked them for a thicker blanket and they refused. The cell had only one small window and there was no toilet. [. . .]

Another account by a student in Ramallah who was arrested in 2015 (affidavit taken on 18 November 2015) described:

A Palestinian police officer brought to me a piece of paper that had a Facebook post of mine on it, which was critical of the Palestinian Authority. They asked me to read it. I read the paper and then they started hitting me in a barbaric way—as if they were in a brawl. They hit me in different ways: kickings, beatings, punching all over the body, but especially on my back. This lasted for about 45 minutes. . . . I was beaten by more than six police officers and they were constantly insulting me verbally. After they finished, they asked me to put my face against the wall and to raise one of my legs (shabah). They asked me not to move and not to touch the wall. . . . When I was standing some police officers would come into the room and start hitting and insulting me.

On 01 June 2016 a Palestinian journalist and resident of Birzeit was arrested by Palestinian intelligence. He gave the following account of his experience:

At approximately 9:30 P.M. while I was leaving my house in Birzeit, two cars with Palestinian license plates, one of which was a rental and the other was a regular car, tried to pass me in driving and suddenly I heard the sound of gunshots. I stopped because they were shooting and screaming at me. 4–5 intelligence personnel in civilian clothing attacked my car. They forced me to step outside the car. They started shouting at me and they forced me to get in their car without even telling me who they were. While they were taking me, one of them pressed very hard on my neck until we reached the Intelligence Centre in Ramallah. . . . Interrogation started at approximately 10:30 P.M. My hands were cuffed behind my back. I was blindfolded and the interrogation lasted for six hours while I was standing. Most of the questions were about the nature of my work as a journalist and they were threatening to put me in prison for a long period of time. . . . One of the interrogators said to me, “you will rot here . . .”

[. . .] Furthermore, these acts of torture and ill-treatment contravene Article 13 of the Palestinian Basic Law, which states that prisoners and detainees should be treated properly and should not be subjected to torture or ill-treatment. The violations of this law are crimes that necessitate accountability for perpetrators and remedies for victims. [. . .]

Addameer considers the actions of the Palestinian Security Forces to be in contravention with the Convention Against Torture and other international human rights treaties. These treaties prohibit the use of torture and ill-treatment against detainees and affirm the right of individuals to fair trial guarantees. Addameer condemns the use of torture and ill-treatment under any circumstances and considers this to be a non-derogable prohibition, to which individuals must be held accountable.

Addameer holds that the Palestinian Authority must comply with the conventions to which it is a party, especially considering the ongoing deteriorating human rights situation in the occupied Palestinian territories. Addameer further calls upon the Palestinian government to sign and ratify the Optional Protocol to the Convention Against Torture (entered into force on 22 June 2006). Addameer also calls upon the Palestinian Authority to define the crime of torture in its criminal code as it is defined by the Convention and to guarantee accountability for perpetrators of torture in its legislation.

B3. NUR ARAFEH, “WHICH JERUSALEM? ISRAEL’S LITTLE-KNOWN MASTER PLANS,” AL-SHABAKA, WASHINGTON, 31 MAY 2016 (EXCERPTS)

In May, Al-Shabaka policy fellow Nur Arafah published a brief analyzing Israel’s three separate master plans for Jerusalem: the Jerusalem 2020 Master Plan, the Marom Plan of 2011, and Jerusalem 5800. In the brief, Arafah explores the plans’ goals to Judaize the city using tourism and urban planning policies to reshape the city’s demographics. She outlines how the three plans reinforce each other and highlights the policies that have been established or reactivated to colonize the city, such as, for example, the Absentee Property Law.

Excerpts from the policy brief are presented below, and the full brief is available at <https://al-shabaka.org>.

Overview

It is the year 2050 and Israel has fulfilled its vision for Jerusalem: visitors will see a largely Jewish high-tech center amid a sea of tourists, with a minimal Palestinian presence. To achieve this vision, Israel is working on three master plans; one is well-known but two remain under the radar. [. . .]

The best known of the three Israeli master plans for the city is the Jerusalem 2020 Master Plan, which has not been deposited for public view even though it was first published in 2004. The least known are the Marom Plan, a government-commissioned plan for the development of Jerusalem, and the “Jerusalem 5800” plan, also known as Jerusalem 2050, which is the outcome of a private sector initiative and is presented as a “transformational master plan for Jerusalem” (see below). [. . .]

1. **The “Jerusalem 2020 Master Plan”** was prepared by a national planning committee and first published in August 2004. It is the first comprehensive and detailed spatial plan for both East and West Jerusalem since Israel’s occupation of East Jerusalem in 1967. Although the plan has not been validated yet as it was not deposited for public review, Israeli authorities are implementing its vision. The plan addresses several development areas including urban planning, archeology, tourism, economy, education, transportation, environment, culture, and art. The plan is available online in Hebrew as well as in Arabic at the Civic Coalition for Defending the Palestinians’ Rights in Jerusalem; this policy brief draws on the “Local Outline Plan”—Report N.4.
2. **The Marom Plan** is a government-commissioned plan for the development of Jerusalem that will be implemented by the [Jerusalem Development Authority](#). The Authority’s goal is to promote Jerusalem “as an international city, a leader in commerce and the quality of life in the public domain.” It is a major planning body for the Jerusalem Municipality, the Land Administration, and other organizations in the fields of housing, employment, etc.
The [Jerusalem Institute of Israel Studies](#) is conducting the consultation, research, and monitoring for the Marom Plan. The Institute is a multidisciplinary research center that plays a leading role in the planning and development policies for Jerusalem in the fields of urban planning, demography, infrastructure, education, housing, industry, labor market, tourism, culture, etc.
3. **The “Jerusalem 5800” Master Plan**, also known as “Jerusalem 2050,” is a private initiative founded by Kevin Bermeister, an Australian technology innovator and real estate investor. The plan provides a vision and project proposals for Jerusalem up to the year 2050, serving as a “transformational master plan for Jerusalem” that can be implemented together with other municipal and national government agencies. It is divided into various independent projects, each of which can be implemented on its own. The team for the implementation of the plan is said to include “the best Israeli tourism, transport, environment, heritage and security planners.”

A Jewish Destination for Tourism, Higher Education and High Tech

The development of the tourism sector in Jerusalem is at the heart of the three development plans examined in this policy brief. For example, under the 2020 Plan, the [Jerusalem Municipality](#) seeks to promote the tourism sector and to especially enhance the cultural aspects of Jerusalem. It is planning a marketing campaign to increase the potential of real estate development, support international and urban tourism, and invest in tourism infrastructure to ensure the sector’s development.

The Marom Plan also aims to develop Jerusalem as a tourist city. In 2014 alone, the Jerusalem Institute of Israel Studies conducted 14 of its 18 studies for that year on the tourism sector and submitted them to the Jerusalem Municipality, the Ministry of Jerusalem and Diaspora Affairs, and the Jerusalem Development Authority. Moreover, as part of the Marom Plan, the Israeli government earmarked around \$42 million to boost Jerusalem as an international tourist destination, while the Ministry of Tourism was expected to allocate some \$21.5 million for the construction of hotels in Jerusalem. The Authority also offers specific incentives to entrepreneurs and companies to establish or enlarge hotels in Jerusalem, and to organize cultural events to attract tourists such as the Jerusalem Opera Festival as well as events for the tourism industry, such as the Jerusalem Convention for International Tourism.

Promoting the tourism sector also lies at the core of the Jerusalem 5800 Master Plan, which envisages Jerusalem as a “Global City, an important tourist, ecological, spiritual, and cultural world hub” that attracts 12 million tourists (10 million foreign and 2 million domestic) and more than 4 million residents. [. .]

However, the tourism sector is not only seen as an engine of economic development to attract Jews into the city. Israel’s development of, and domination over, the tourism sector in Jerusalem, is a tool to control the narrative and ensure the projection of Jerusalem in the outside world as a “Jewish city” (see for example the official Ministry of Tourism map of the Old City). Israel has strict rules over who can serve as tour guides and the narrative and history that the tourists are told. Palestinian tour guides who do not abide by Israel’s false branding and who try to give an alternative and critical analysis of the situation can lose their licenses. [. .]

Another common goal of the three plans is to attract Jews from all over the world to Jerusalem by developing two advanced industries: higher education and high tech.

To promote the higher education industry, the 2020 Master Plan aims to build an international university in the city center with English as the main language of instruction. As for the Marom Plan, it seeks to make Jerusalem a “leading academic city” that is attractive to both Jewish and international students, who will be encouraged to settle in Jerusalem once they have finished their studies. In the same vein, the Jerusalem 5800 plan sees an opportunity to create jobs and achieve economic growth through “extended-stay educational tourism.”

The development of the higher education industry is intrinsically linked to the development of a high-tech, bio-information, and biotechnology industry. The 2020 Master Plan calls for the establishment of a university for management and technology in the city center of Jerusalem, and for government assistance in Research and Development (R&D) in the fields of high tech and biotechnology. Similarly, the Marom Plan aims at promoting Jerusalem as a center of R&D in the field of biotechnology. [. .]

Evicting Palestinians Using Urban Planning and the “Law”

[. .] Urban planning is another major geopolitical and strategic tool Israel has used since 1967 to tighten its grip over Jerusalem and constrain the urban expansion of Palestinians as part of its efforts to Judaize the city. Urban planning is at the heart of the 2020 Master Plan, which views Jerusalem as one urban unit, a metropolitan center, and the capital of Israel. One of the main goals of the plan is to “maintain a solid Jewish majority in the city” by encouraging Jewish settlements in East Jerusalem

and by reducing negative migration. Among other things, the plan aims to build affordable housing units in some existing Jewish neighborhoods as well as by building new neighborhoods. The plan also envisages connecting Israeli settlements in the West Bank, geographically, economically, and socially, to Jerusalem and Tel Aviv. [. . .]

However, while on the surface it appears that the Plan has an equal interest in Palestinian areas, it is actually discriminatory. It does not take into account the Palestinian growth rate in East Jerusalem and the accumulated scarcity of housing. It allocates only 2,300 dunums (2.3 sq. km) for Palestinian construction compared to 9,500 dunums for Israeli Jews. Moreover, most of the new housing units proposed for Palestinians are **located in** the northern or southern areas of East Jerusalem, rather than in the Old City, where the housing crisis is the most acute and where the settlement activity is also the most intense. [. . .]

The 2020 Master Plan is thus a political plan that uses urban planning as a tool to ensure Jewish demographic and territorial control in the city. The plan also supports “spatial segregation of the various population groups in the city” and considers it a “real advantage.” It aims to divide Jerusalem into various planning districts based on ethnic affiliation in which no area would combine both Palestinians and Israeli Jews. [. . .]

Israel has also been using law as a tactic to evict Palestinians and appropriate their land, so as to ensure its sovereignty and control over Jerusalem. As recently as 15 March 2015, the Israeli Supreme Court activated the [Absentee Property Law](#). This law was issued in 1950 with the aim of confiscating the property of Palestinians who were expelled during the 1948 Nakba. It was used as the “legal basis” to transfer the property of displaced Palestinians to the newly established State of Israel. After 1967, Israel applied the law to East Jerusalem, which allowed it to appropriate the property of Jerusalemites whose residence was found to be outside Palestine. The law newly activated in 2015 enables Israel to confiscate the property of East Jerusalem Palestinians currently living in the West Bank, and to consider their property in East Jerusalem as “absentee property.”

Furthermore, while Palestinians cannot claim the properties they lost in 1948 or in 1967 in what is now West Jerusalem, Israel’s Supreme Court has ruled in favor of Israeli settlers’ claims to win “back” homes that UNRWA had given to Palestinians who had fled West Jerusalem and Israel in 1948. In other words, the Supreme Court is being discriminatory since this law applies to Jews looking to return to property they had before 1948 but does not apply to Palestinians.

Another controversial and dangerous law is the Third Generation Law, which targets properties that were rented before 1968 and that are supposed to be protected by law. According to the new law, the protection period ends with the death of the third generation of Palestinian tenants after which the property goes back to its original owner, who are mainly Jews who owned the property before 1948. [According to Khalil Tufakji](#), more than 300 Palestinians now face the threat of eviction from their home. In Silwan alone, 80 court orders threaten hundreds of Palestinians with eviction.

Saving Jerusalem

Since 2001, Israel has closed at least 31 Palestinian institutions, including the Orient House, the former headquarters of the Palestinian Liberation Organization (PLO), and the Chamber of Commerce and Industry. The Governorate of Jerusalem and the Ministry of Jerusalem Affairs are also prohibited from working in Jerusalem, and are forced to operate out of a building in Al-Ram,

which lies to the northeast of Jerusalem and is outside the Israeli-imposed municipal boundaries of the city.

Given the leadership and institutional vacuum Israel has created in East Jerusalem, it is especially challenging to find ways to rebut its colonization of the city and dispossession of its Palestinian population. In the course of the research for this policy brief, I had the opportunity to speak to representatives of several organizations, official bodies, and community groups. There was broad agreement that one of the most urgent steps that should be taken is to establish popular committees in each East Jerusalem neighborhood. Such committees could raise East Jerusalem residents' awareness about their rights as residents and about Israel's plans for the future; encourage voluntary work; monitor and prevent Palestinians from selling their land to Israeli Jews; represent the neighborhood at national forums; and cooperate with each other to reinforce their efforts to defend Palestinian land.

Indeed, once these committees have been established in all neighborhoods, they could form what Jerusalemite organizations believe is also urgently needed: a representative body for Jerusalem at the national level, an inclusive body that would include the Jerusalem Governorate, representatives of civil society organizations and the private sector as well as independents. This body would work as a channel between Palestinians in East Jerusalem and the PA as well as with the rest of the world. Such a representative body could work on three main fronts:

1. The PA/PLO. A representative body for Jerusalem could lobby the PA/PLO to propel Jerusalem to the forefront of the Palestinian government's commitments and ensure that it receives the budget and other support it needs in order to counter Israeli Judaization policies.
2. The Arab and international community. In this sphere, a representative body for Jerusalem should take the lead in advocacy, lobbying and campaigning at the regional and international level, in coordination with the Palestinian Diaspora. For example, Jordan should be lobbied as Custodian of Holy Places in Jerusalem to help maintain a secure environment for Palestinians in East Jerusalem. Other Arab countries, in particular Morocco and Saudi Arabia given their special relationships with Jerusalem, should also be mobilized. [. . .]

These countries should also use their good offices, working with the PLO/State of Palestine, at the UN at all levels, including the Security Council, the General Assembly, the Human Rights Council, and the UN's programs and specialized agencies to expose Israeli policies in East Jerusalem, and call on member states to fulfill their legal obligations. In particular, member states should activate [Security Council Resolution 478](#) of 1980, which declared "all legislative . . . measures and actions taken by Israel, the occupying Power, which . . . purport to alter the character and status of the Holy City of Jerusalem . . . are null and void and must be rescinded forthwith." [. . .]

3. Palestinian communities in their homeland as well as in the Diaspora. These communities should help to develop and project a clear vision and operational strategy for Jerusalem. Practical measures should be identified to counter Israel's Judaization policies; enhance the productive capacity of the Palestinian economy in East Jerusalem and strengthen its links with the economy of the West Bank and Arab world; [promote the tourism sector](#) to support the limited economic development possible under occupation; revive the cultural and economic status of the Old City; enhance the educational and health sector; and foster the integration of Palestinians in East Jerusalem into the rest of the OPT. [. . .]

Palestinian civil society, particularly the Boycott, Divestment and Sanctions (BDS) movement has a vital role to play in targeting Israeli plans for tourism and high tech in Jerusalem, through campaigns to boycott Israeli academic and cultural institutions as well as businesses that are involved in the Judaization of Jerusalem. [. . .]

ISRAEL

C. ADALAH, "ISRAELI POLICE REVEAL NEW OPEN-FIRE REGULATIONS IN RESPONSE TO ADALAH'S COURT PETITION," HAIFA, 5 JULY 2016

In December 2015, the Israeli police updated its open-fire rules of engagement and distributed them to officers. After the police refused to share the new policies with the press or human rights organizations, Adalah petitioned the Lod District Court later in the month requesting the updated open-fire policies to be publicly released. As a result, the police released sections of the document to Adalah in June 2016.

The updated rules of engagement allow officers to fire live ammunition as an initial response, even before attempts are made to deescalate the situation with non-lethal means, in the cases of suspected firebombing, shooting fireworks, or stone-throwing using a slingshot. The updated regulations further entrench what international rights groups have deemed Israel's "shoot-to-kill policy" targeting Palestinians alleged to be involved in or accused of attacks against Israelis, resulting in what are tantamount to extrajudicial killings.

Presented below is Adalah's brief on the updated open-fire rules of engagement. The brief is also available at www.adalah.org.

Israeli police revealed primary sections of its updated open-fire regulations on 29 June 2016 in response to a court petition by Adalah—The Legal Center for Arab Minority Rights in Israel submitted in December 2015.

The regulations were updated and distributed to officers in December 2015 but remained classified and police refused to reveal them to the public until now.

The new regulations, vetted and authorized by Israeli Attorney General Avichai Mandelblit, permit officers—as an initial option, preceding any earlier attempt to employ non-lethal weapons—to open fire with live ammunition on those throwing stones or firebombs, and on those shooting fireworks.

According to the new police regulations, "an officer is permitted to open fire [with live ammunition] directly on an individual who clearly appears to be throwing or is about to throw a firebomb, or who is shooting or is about to shoot fireworks, in order to prevent endangerment." It is further specified that "stone throwing using a slingshot" is also an example of the sort of situation, which would justify the fatal use of live ammunition.

Despite releasing parts of its updated open-fire regulations to Adalah, the police still nevertheless refuse to reveal significant sections of the regulations. These censored sections likely deal with regulations concerning the use of the Ruger rifle and with the handling [of] offenses categorized as security-related in nature.

Adalah stated that as long as the Israeli police do not reveal its open-fire regulations in their entirety, it would continue to demand a court hearing and decision on the matter.

Adalah Attorney Mohammad Bassam, who prepared the petition demanding that the police reveal its open-fire regulations, emphasized that, “The new regulations allow officers to act in an unchecked and criminal manner. The chances that actions such as stone throwing or shooting of fireworks would present a life-threatening danger are extremely slim and there is no doubt that it is possible to handle such situations using non-lethal means. Nevertheless, the new regulations relate to such actions as if they were acts of war and grant legitimacy to light-trigger fingers [among officers], thus posing a fatal danger to the lives of young Palestinians. The new regulations contradict existing general guidelines according to which the use of a deadly weapon by officers is permitted only when there is substantiated fear of danger to the life of an officer or other individual, and only if there is no other means by which this danger may be prevented. In addition, it is clear that the regulations do not refer to just any stone throwers but that they were written specifically regarding Palestinian youths.”

On 10 December 2015, Adalah filed an administrative petition with the Lod District Court demanding that the Israeli police publicly reveal its updated open-fire regulations.

The court petition came in the wake of the police’s earlier refusal to release to Adalah certain details of its open-fire regulations, including: regulations according to which officers operate when confronting demonstrations in East Jerusalem and the Naqab/Negev; regulations dealing with the use of live ammunition against minors; and regulations dealing with use of the Ruger rifle as a protest-dispersal weapon.

“Following the alteration of the open-fire regulations—and potentially as a result of such—there were a number of cases in which it is suspected that police personnel fired lethal weapons in situations that did not justify their use,” Attorney Bassam wrote in the petition.

UNITED STATES

D1. NY GOV. ANDREW CUOMO, EXECUTIVE ORDER 157: DIRECTING STATE AGENCIES TO DIVEST PUBLIC FUNDS SUPPORTING BDS, ALBANY, NY, 5 JUNE 2016

On 5 June, New York governor Andrew Cuomo signed Executive Order 157, requiring the state to establish a blacklist of companies and institutions that promote or engage in “boycott, divestment, or sanctions activity targeting Israel” and to withdraw any investments in these entities. Cuomo’s executive order reflects the swelling counterattack against the Boycott, Divestment and Sanctions (BDS) movement on U.S. campuses and in state legislatures. In addition to New York, 12 other states have enacted anti-BDS laws, and Cuomo issued his executive order after Palestine solidarity activists had successfully thwarted two anti-BDS laws from passing the New York legislature. With the order, Cuomo was able to circumvent the state legislature and promote his own political agenda.

Presented below is the full text of the executive order, which is also available at www.governor.ny.gov. For more on Executive Order 175, see Dima Khalidi’s “Andrew Cuomo’s BDS Blacklist is a Clear Violation of the First Amendment” in this issue’s Selections from the Press.

WHEREAS, the State of Israel is a critical and invaluable ally of the United States;

WHEREAS, the State of New York and Israel enjoy a special historical relationship and share a commonly forged cultural bond;

WHEREAS, the State of New York does not support boycott related tactics that are used to threaten the sovereignty and security of allies and trade partners of the United States;

WHEREAS, in 2005, elements of Palestinian civil society issued a call for a Boycott, Divestment and Sanctions (BDS) campaign against Israel, coordinated by the Palestinian BDS National Committee;

WHEREAS, the State of New York unequivocally rejects the BDS campaign and stands firmly with Israel;

WHEREAS, the State of New York will not permit its own investment activity to further the BDS campaign in any way, shape or form, whether directly or indirectly;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby order as follows:

I. Definitions

A. "Affected State Entities" means (i) all agencies and departments over which the Governor has executive authority, and (ii) all public-benefit corporations, public authorities, boards, and commissions, for which the Governor appoints the Chair, the Chief Executive, or the majority of Board Members, except for the Port Authority of New York and New Jersey.

B. "Boycott, divestment, or sanctions activity targeting Israel" means to engage in any activity, or promote others to engage in any activity, that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel for purposes of coercing political action by, or imposing policy positions on, the government of Israel.

C. "Commissioner" means the Commissioner of the Office of General Services.

II. Publicly Available List of BDS Assets

A. Not later than 180 days after the date of this Executive Order, the Commissioner shall develop a list of institutions and companies that the Commissioner determines, using credible information available to the public, participate in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary. Such list, when completed, shall be posted on the website of the Office of General Services.

B. The Commissioner shall update the list every 180 days.

C. Prior to placing any institution or company on the list, the Commissioner shall provide to the particular institution or company written notice of the Commissioner's intent to include the institution or company on the list, and shall allow such institution or company a period of at least 90 days to present the Commissioner with evidence that the institution or company does not in fact participate in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary.

D. Where, pursuant to Section II(C) above, the Commissioner makes a good faith determination that the institution or company does not in fact engage in boycott, divestment, or sanctions activity

targeting Israel, either directly or through a parent or subsidiary, the Commissioner shall not include the institution or company on the list.

E. An institution or company that has been included on the Commissioner's list may request removal from the list by submitting written evidence to the Commissioner that the institution or company no longer participates in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary. If the Commissioner makes a good faith determination that the institution or company does in fact no longer participate in such activity, the Commissioner shall remove the institution or company from the list at the next opportunity pursuant to Section II(B) above.

III. Divestment of Certain Public Funds

A. All Affected State Entities are hereby directed to divest their money and assets from any investment in any institution or company that is included on the Commissioner's list pursuant to Section II above.

B. This Executive Order shall not be construed to require the premature or otherwise imprudent divestment of money and assets, but Affected State Entities shall achieve compliance with the directive in Section III(A) above no later than one year after the issuance of this Executive Order.

IV. No Further Investments in BDS Assets

A. No money or assets shall be invested by any Affected State Entity in the future in any institution or company that is included on the Commissioner's list pursuant to Section II above.

FURTHER, this Order shall take effect immediately and shall remain in effect until further notice.

D2. THE MOVEMENT FOR BLACK LIVES, "INVEST-DIVEST": ISRAEL AND PALESTINE, 1 AUGUST 2016 (EXCERPTS)

On 1 August, at the height of the 2016 U.S. presidential election campaign, the Movement for Black Lives (M4BL), a coalition of over 50 black-led organizations, released its comprehensive policy platform. While many aspects of the platform garnered media attention, the group's stance on Israel caused controversy. In the platform's "Invest-Divest" chapter, the coalition calls on the U.S. government to end military aid to Israel, endorses the Boycott, Divestment and Sanctions (BDS) movement, and condemns anti-BDS bills in state legislatures throughout the United States.

While some Jewish groups claimed the platform was anti-Semitic and dissociated themselves from the M4BL coalition, the platform garnered support from Arab-American and Palestinian groups. In response to statements of condemnation, on 6 August Dream Defenders, a M4BL member, released a statement saying, "Those who have previously claimed to be allies of the Black Lives Matter movement have shown us that they are comfortable with our resistance so long as it fits within particular confines and restrictions. . . . And as long as we stay silent about Israeli apartheid, they will 'stand' with Black liberation in the U.S." Other U.S. Jewish groups, such as Jewish Voice for Peace and Jews of Color, released statements endorsing the M4BL platform and expressing solidarity with Palestinians.

Presented below are all the excerpts from M4BL's platform that are relevant to Palestine, Israel, and the Middle East. The full platform is available at policy.m4bl.org.

A Cut in U.S. Military Expenditures and a Reallocation of Those Funds to Invest in Domestic Infrastructure and Community Well-Being

WHAT IS THE PROBLEM?

- America is an empire that uses war to expand territory and power. American wars are unjust, destructive to Black communities globally and do not keep Black people safe locally. The military industrial complex offers massive profits to private corporations from the death of our global diaspora by handing out massive government contracts to expand U.S. military presence across the globe, while resources for domestic infrastructure and social programs to meet the needs of Black people and working class communities within the U.S. diminish.
- The U.S. military accounts for over 50 percent of discretionary federal spending, a total of \$598.5 billion spent annually, as compared to \$70 billion spent on education, \$66 billion spent on health-care, \$63.2 billion spent on housing and \$29.1 billion spent on social security and unemployment. In addition, approximately \$3 billion in U.S. aid is allocated to Israel, a state that practices systematic discrimination and has maintained a military occupation of Palestine for decades. Together with aid to Egypt—Israel’s most important regional ally—this figure represents nearly 75 percent of all U.S. aid dollars. As these figures demonstrate, resources and funds needed for reparations and for building a just and equitable society domestically are instead used to wage war against a majority of the world’s communities.
- In the years since September 11 and the U.S.-driven “global war on terror,” U.S. military spending has increased by 50 percent. This war has led to the killing of 4 million civilians in the Middle East. U.S. arms and military corporations have made billions of dollars in profit off of waging disaster and destabilization in the Middle East, while increasing western control over the land and resources of the region. In South America and the Caribbean the war on terror has combined with a long-running war on drugs intensifying forced migrations, land grabs, and political disenfranchisement. The war on terror, has not made us safer and has only increased hopelessness as our fears are realized. [. . .]
- The U.S. justifies and advances the global war on terror via its alliance with Israel and is complicit in the genocide taking place against the Palestinian people. The U.S. requires Israel to use 75 percent of all the military aid it receives to buy U.S.-made arms. Consequently, every year billions of dollars are funneled from U.S. taxpayers to hundreds of arms corporations, who then wage lobbying campaigns pushing for even more foreign military aid. The results of this policy are twofold: it not only diverts much needed funding from domestic education and social programs, but it makes U.S. citizens complicit in the abuses committed by the Israeli government. Israel is an apartheid state with over 50 laws on the books that sanction discrimination against the Palestinian people. Palestinian homes and land are routinely bulldozed to make way for illegal Israeli settlements. Israeli soldiers also regularly arrest and detain Palestinians as young as 4 years old without due process. Every day, Palestinians are forced to walk through military checkpoints along the U.S.-funded apartheid wall.
- The expansion of the war on terror has been vividly expressed in the violence the West with U.S. leadership used to attack the people of Libya. Not only was a government

overthrown but arms were given to rebel groups who have violated the human rights of all Libyans. In the wake of this war crime Somalis, Nigerians, Eritreans and other communities who have been taking the risk of traveling through Libya for decades are experiencing even more hardship. The right of migration for many Africans inside and outside Libya has been placed in even greater jeopardy. Our family, our diaspora are now faced with rebel groups who attack them and smugglers who make them risk their lives in unsafe boats in dangerous waters. It is now not uncommon for hundreds of Africans to drown in the Mediterranean every week. This happens as the west ignores its role in creating this crisis, but we cannot sit by. We can no longer fund coups and civil wars. Our resources should be used to repair the damage we have done to our global community and rebuild our neighborhoods domestically.

- The interlinked systems of white supremacy, imperialism, capitalism and patriarchy shape the violence we face. As oppressed people living in the U.S., the belly of global empire, we are in a critical position to build the necessary connections for a global liberation movement. Until we are able to overturn U.S. imperialism, capitalism and white supremacy, our brothers and sisters around the world will continue to live in chains. Our struggle is strengthened by our connections to the resistance of peoples around the world fighting for their liberation. The Black radical tradition has always been rooted in igniting connection across the global south under the recognition that our liberation is intrinsically tied to the liberation of Black and Brown people around the world.
- The movement for Black lives must be tied to liberation movements around the world. The Black community is a global diaspora and our political demands must reflect this global reality. As it stands funds and resources needed to realize domestic demands are currently used for wars and violence destroying communities abroad. State violence within the U.S. is intimately linked with empire and war-making globally. [. . .]

FEDERAL ACTION:

- Build invest/divestment campaigns that end U.S. aid to Israel's military industrial complex and any government with human rights violations.
- Detail rebuilding and repair plan for domestic infrastructure across the country based on a commitment to a green economy and deep understanding of the threat of climate change.
- Expand American public transportation system with federal job guarantee for re-trained military personnel.
- Repair domestic infrastructure that is currently dilapidated.
- Engage the Leahy Law, which prohibits the U.S. government from providing military assistance to a foreign military unit where credible information exists that the unit has committed a gross violation of human rights.
- Organize campaigns against G4S and other global private prison companies that are profiting from the shackling of our community in the U.S., in Palestine, in Brazil and around the world.
- Detail funding needs of priority community building efforts like healthcare, education, and housing and re-route funding to address outlined needs.

STATE ACTION:

- Pass state resolutions supporting cuts in military spending and local re-investment in operations and resources for Black and working class communities.
- Fight the expanding number of anti-BDS bills being passed in states around the country. This type of legislation not only harms the movement to end the Israeli occupation of Palestine, but is a threat to the constitutional right to free speech and protest. [. . .]

LOCAL ACTION:

- Organize direct actions demanding a cut in military spending and local re-investment.
- Circulate sign-on letters demanding an end to local military spending.
- Fight for the de-militarization of local police forces and elimination of purchases of military surplus equipment.
- Map out local infrastructure needs and pass resolutions calling for the necessary reinvestment and rebuilding efforts. Coordinate direct actions of solidarity with South Africa, Palestine, Colombia and liberation movements across the globe. [. . .]

D3. U.S. GREEN PARTY, PLATFORM ON THE PALESTINIAN-ISRAELI CONFLICT, WASHINGTON, 6 AUGUST 2016

From 4 to 7 August, the U.S. Green Party held its 2016 Presidential Nomination Convention in Houston, Texas. In addition to nominating Jill Stein as the presidential candidate, the Green Party also met to finalize its platform.

While the U.S. Democratic Party's platform drafting process in June and July gained much attention for its discussions around Palestine, it was the U.S. Green Party that took a major stance on the issue. In its platform, the Green Party devotes a full subsection to the Israel-Palestine conflict. Having supported the Boycott, Divestment and Sanctions (BDS) movement as early as 2005, the party calls for ending U.S. military aid to Israel, endorses a one-state solution, and advocates for the establishment of a truth and reconciliation commission.

Presented below is the platform's section on the Palestinian-Israel conflict. The full Green Party platform is available at www.gp.org/platform.

The Palestinian-Israeli Conflict

Our **Green** values oblige us to support popular movements for peace and demilitarization in Israel-Palestine, especially those that reach across the lines of conflict to engage both Palestinians and Israelis of good will.

- a. We reaffirm the right of self-determination for both Palestinians and Israelis, which precludes the self-determination of one at the expense of the other. We recognize the historical and contemporary cultural diversity of Israeli-Palestinian society, including the religious heritage of Jews, Christians, Muslims and others. This is a significant part of the rich cultural legacy of all these peoples and it must be respected. To ensure this, we support equality before international law rather than appeals to religious faith as the fair basis on which claims to the land of Palestine-Israel are resolved.

- b. We recognize that Jewish insecurity and fear of non-Jews is understandable in light of Jewish history of horrific oppression in Europe. However, we oppose as both discriminatory and ultimately self-defeating the position that Jews would be fundamentally threatened by the implementation of full rights to Palestinian-Israelis and Palestinian refugees who wish to return to their homes. As U.S. Greens, we refuse to impose our views on the people of the region. Still, we would turn the U.S. government towards a new policy, which itself recognizes the equality, humanity, and civil rights of Jews, Muslims, Christians, and all others who live in the region, and which seeks to build confidence in prospects for secular democracy.
- c. We reaffirm the right and feasibility of Palestinian refugees to return to their homes in Israel. We acknowledge the significant challenges of equity and restitution this policy would encounter and call on the U.S. government to make resolution of these challenges a central goal of our diplomacy in the region.
- d. We reject U.S. unbalanced financial and military support of Israel while Israel occupies Palestinian lands and maintains an apartheid-like system in both the Occupied Palestinian Territories and in Israel toward its non-Jewish citizens. Therefore, we call on the U.S. President and Congress to suspend all military and foreign aid, including loans and grants, to Israel until Israel withdraws from the Occupied Territories, dismantles the separation wall in the Occupied West Bank including East Jerusalem, ends its siege of Gaza and its apartheid-like system both within the Occupied Palestinian Territories and in Israel toward its non-Jewish citizens.
- e. We also reject U.S. political support for Israel and demand that the U.S. government end its veto of Security Council resolutions pertaining to Israel. We urge our government to join with the UN to secure Israel's complete withdrawal to the 1967 boundaries and its compliance with international law.
- f. We support a much stronger and supportive U.S. position with respect to all United Nations, European Union, and Arab League initiatives that seek a negotiated peace. We call for an immediate UN-sponsored, multinational peacekeeping and protection force in the Palestinian territories with the mandate to initiate a conflict-resolution commission.
- g. We call on the foreign and military affairs committees of the U.S. House and Senate to conduct full hearings on the status of human rights and war crimes in Palestine-Israel, especially violations committed during Israel's 2008–2009 invasion of Gaza ("Operation Cast Lead") as documented in the 2009 "UN Fact Finding Mission on the Gaza Conflict" ("The Goldstone Report") authorized by the UN Commission on Human Rights.
- h. We recognize that despite decades of continuous diplomatic attempts by the international community, it has failed to bring about Israel's compliance with international law or respect for basic Palestinian human rights; and that, despite abundant condemnation of Israel's policies by the UN, International Court of Justice, and all relevant international conventions, the international community of nations has failed to stop Israeli violations of Palestinian human rights in Israel and the OPT, while Israeli crimes continue with impunity. We recall that ending institutionalized racism (apartheid) in South Africa demanded an unusual, cooperative action by the entire

international community in the form of a boycott, divestment, and sanctions (BDS) campaign against apartheid South Africa, and that BDS can become the most effective nonviolent means for achieving justice and genuine peace between Palestinians and Israelis, and for the region, through concerted international pressure as applied to apartheid South Africa; and that Palestinian resistance to ongoing dispossession has mainly been nonviolent, including its most basic form—remaining in their homes, on their land; and that while Palestinian armed resistance is legitimate under international law when directed at non-civilian targets, we believe that only nonviolent resistance will maintain the humanity of Palestinian society, elicit the greatest solidarity from others, and maximize the chance for future reconciliation between Israelis and Palestinians. However, we also recognize that our appeal to Palestinians to continue to resist nonviolently in the face of ongoing existential threats from Israel is hypocritical unless accompanied by substantial acts of international support. We recall that in 2005, Palestinian Civil Society appealed to the international community to support a BDS campaign against Israel, and that in response the Green Party of the U.S. endorsed this BDS campaign in 2005. Therefore, we support the implementation of boycott and divestment initiatives against Israel similar to those applied to South Africa in the apartheid era, which includes pressuring our government to impose embargoes and sanctions against Israel; and we support maintaining these nonviolent punitive measures until Israel meets its obligation to recognize the Palestinian people's inalienable right to self-determination and fully complies with the precepts of international law by:

1. Ending its occupation and colonization of all Palestinian lands and dismantling the Wall in the West Bank;
 2. Recognizing the fundamental rights of Palestinian citizens of Israel to full equality; and
 3. Respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN Resolution 194.
- i. We recognize that international opinion has been committed to a two-state solution to the Israeli-Palestinian conflict. Yet, we view the two-state solution as neither democratic nor viable in the face of international law, material conditions and “facts on the ground” that now exist in Israel and the Occupied Palestinian Territories. Given this reality, we support a U.S. foreign policy that promotes the creation of one secular, democratic state for Palestinians and Israelis on the land between the Mediterranean Sea and the River Jordan as the national home of both peoples, with Jerusalem as its capital. We encourage a new U.S. diplomatic initiative to begin the long process of negotiation, laying the groundwork for such a single-state constitution.
 - j. We recognize that such a state might take many forms and that the eventual model chosen must be decided by the peoples themselves. We also acknowledge the enormous hostilities that now exist between the two peoples, but history tells us that these are not insurmountable among people genuinely seeking peace.
 - k. As an integral part of peace negotiations and the transition to peaceful democracy, we call for the establishment of a Truth and Reconciliation Commission whose inaugurating action would be mutual acknowledgement by Israelis and Palestinians that they have the same basic rights, including the right to exist in the same, secure place.

D4. U.S. REP. BETTY MCCOLLUM, LETTER TO PRES. OBAMA CALLING FOR SPECIAL ENVOY FOR PALESTINIAN YOUTH, WASHINGTON, 20 JUNE 2016 (EXCERPTS)

In June 2016, U.S. Rep. Betty McCollum (D-MN) and 19 other representatives sent a letter to Pres. Barack Obama calling on him to appoint a special envoy for Palestinian youth. The letter discusses the conditions Palestinian children face under occupation, focusing on the imprisonment and torture of Palestinian children in Israeli prisons. In recent years, McCollum has organized several letters to Obama and the State Department on Palestinian children, and this one provides the clearest and most achievable request.

Excerpts from the letter are presented below. It is available with the list of signatories at mccollum.house.gov.

Dear President Obama:

We are deeply appreciative of your administration's efforts in pursuit of a negotiated peace to end the violence and settlement expansion that are the hallmarks of the Israeli-Palestinian conflict. While diplomatic efforts to resolve the conflict will certainly continue to require American leadership, for the foreseeable future any move to advance the peace process is in the hands of Prime Minister Netanyahu, President Abbas, and their respective governments.

Regardless of the manner in which Israeli and Palestinian political leaders decide to act upon their common future, a reality that must be acknowledged is that forty-six percent of the 4.68 million Palestinians living in the Occupied Palestinian Territories are under 18 years of age. These children deserve to grow up with dignity, human rights, and a future free of repression.

This enormous youth cohort represents another generation of Palestinian children growing up under military occupation with very few opportunities to improve their lives. These children live under the constant fear of arrest, detention, and violence at the hands of the Israeli military, as well as the threat of recruitment or conscription into armed groups. We view this as an unimaginably difficult and at times hopeless environment for children that only fuels the conflict.

The recent attacks against Israelis, including those perpetrated by Palestinian youth, are profoundly disturbing and must be condemned. These attackers are often using crude weapons knowing they will likely be killed by Israeli security forces. Appropriate measures must be taken by security forces to defend themselves and innocent civilians. At the same time, the root cause of such violent acts must be examined and understood within the context in which they are taking place. Does a life of utter hopelessness and the collective psychological trauma associated with the Palestinian people living for decades under Israeli military occupation directly contribute to the violence?

The people of Israel have a right to security and we support U.S. policies which advance Israel's security. We also strongly believe that human rights—including the human rights of Palestinian children—must be protected and promoted, never ignored. As far as U.S. policy is concerned, we should expect an Israeli child and a Palestinian child to receive equal treatment from the authorities and the legal system. If in fact we are truly seeking security for Israel then it is in the interest of the American people to advance the cause of security, human rights, equality, dignity, justice, and opportunity for Palestinians, just as we do for Israelis.

We must raise our profound concern regarding a longstanding policy of detaining, interrogating, and imprisoning Palestinian children as young as 12 and 13 for up to a year, sometimes longer, without

a trial and in violation of international standards. Recently, the Associated Press reported that a 12 year old Palestinian girl was imprisoned by Israel's military justice system. UNICEF, Human Rights Watch, B'Tselem, and other international NGOs have documented these human rights abuses against Palestinian youth. A report released in April by Defense for Children International–Palestine, based on the testimony of 429 Palestinian children detained by the Israeli military or police, found that three-quarters endured some form of physical violence following arrest. Israeli interrogators used position abuse, threats, and even solitary confinement to coerce confessions from some of these children. Such blatant abuses are unacceptable and contrary to U.S. interests and values.

The situation on the ground is rapidly deteriorating and we must act now. At the end of February, there were 440 Palestinian children in Israeli military prisons. This is the highest number since data became available from Israel Prison Service in 2008. For the first time in nearly four years, Israel has reintroduced the use of administrative detention against children. This is a procedure whereby a child can be detained without charge or trial, often renewable indefinitely. According to the most recent data from the Israeli Prison Service (February 2016), there were seven Palestinian children being held under administrative detention orders.

Mr. President, we believe the U.S. has a critical role to play in shaping the environment for peace between the people of Israel and the Palestinian people. Palestinian youth is one of the most critical demographic groups to building a secure future. We must act now to send a clear signal that we value their lives and well-being.

Therefore, we urge you to appoint a "Special Envoy for Palestinian Youth" to travel to the West Bank, East Jerusalem, and Israel to hear directly from Palestinian youth, human rights and legal experts, NGOs, Palestinian and Israeli officials, including police and military leaders. Such a fact finding mission will provide the Obama Administration with vital information necessary to actively promote human rights, but also establish a framework for the next U.S. administration. Both Israel and the Palestinian Authority have obligations under universal human rights norms and international human rights instruments for which they are accountable and a "Special Envoy for Palestinian Youth" will serve the important role of highlighting their respective successes and the shortcomings that demand action.

We are also calling on the Department of State to elevate the human rights of Palestinian children to a priority status in our bilateral relations with Israel and our ongoing engagement with the Palestinian Authority. The immediate appointment of a "Special Envoy for Palestinian Youth" will send a strong signal that truly reflects the spirit of your administration's tenure in the White House. Conversely, ignoring the trauma being inflicted on millions of Palestinian children undermines our American values and will ensure the perpetuation of a conflict and occupation we all want to see ended peacefully. [. . .]

RECOMMENDED REPORTS

R1. B'TSELEM, *THE OCCUPATION'S FIG LEAF: ISRAEL'S MILITARY LAW ENFORCEMENT SYSTEM AS A WHITEWASH MECHANISM*, JERUSALEM, 25 MAY 2016

In this 79-page report, the Israeli human rights group B'Tselem discusses the failures of the military law enforcement system through an analysis of 739 petitions the organization has

submitted to the military advocate general since the second intifada in 2000. According to the report's findings, in a quarter of the cases (182), no investigation was ever launched, and in nearly half (343), the case was closed with no further action. The report goes on to outline how the military law enforcement system's narrowly defined policies enable officials to ignore complaints of injury or harm to Palestinians by Israeli forces. The report is available at www.btselem.org.

R2. ADDAMEER, *IN THE SHADOW OF THE 2014 GAZA WAR: IMPRISONMENT OF JERUSALEM'S CHILDREN*, RAMALLAH, 20 JULY 2016

While Israel was conducting a military assault on Gaza in summer 2014, it simultaneously launched a crackdown on Palestinians in East Jerusalem. In this 76-page report, Addameer Prisoner Support and Human Rights Association focuses on the consequences of the summer 2014 onslaught for Jerusalem's Palestinians. That year, Israeli authorities arrested 1,769 Palestinians from East Jerusalem, compared with 1,037 in 2013 and 393 in 2012. Beginning with Operation Brother's Keeper in June 2014, launched in response to the kidnapping of three settlers, Israel bore down especially hard on Palestinian youth, particularly those with alleged connections to Hamas. Setting the scene for the latest Palestinian revolt launched in autumn 2015, Addameer's report highlights data for the years 2014–15. The report is available at www.addameer.org.

R3. CENTER FOR A NEW AMERICAN SECURITY, *ADVANCING THE DIALOGUE: A SECURITY SYSTEM FOR THE TWO-STATE SOLUTION*, WASHINGTON, 31 MAY 2016

This year, the Israel Policy Forum, a Zionist think tank based in New York, launched the Two-State Security Project. The initiative, which proposes security recommendations for a two-state solution, is a collaboration between research fellows at the Center for a New American Security and former senior Israeli officials at Commanders for Israel's Security. In May, the two groups released a 66-page report outlining security recommendations that privilege Israeli concerns over Palestinian freedoms. The recommendations would both enable Israel to retain "the right of self-defense" and "minimize Israeli visibility to Palestinian civilians" and, as such, they reflect Israel's continued effort to build a permanent occupation and further fracture Palestinian society while the peace process stalls. The report is available at www.twostatesecurity.org.

R4. AMNESTY INTERNATIONAL, *TIME TO ADDRESS IMPUNITY: TWO YEARS AFTER THE 2014 GAZA/ISRAEL WAR*, LONDON, 7 JULY 2016

In this brief report, Amnesty International discusses the lack of accountability concerning war crimes committed in Gaza during the summer 2014 assault. Calling on both Israel and Hamas to address impunity, the report focuses particularly on Israel's halfhearted military investigations, which led to charges against three soldiers and no changes to the rules of engagement or policy decisions that caused the deaths of over 1,400 Palestinian civilians and the destruction of over 18,000 homes. The report is available at www.amnesty.ie.

R5. EURO-MED MONITOR, *SQUANDERED AID: ISRAEL'S REPETITIVE DESTRUCTION OF EU-FUNDED PROJECTS IN PALESTINE*, GENEVA, 6 JUNE 2016

This 19-page report by Euro-Mediterranean Human Rights Monitor outlines Israel's destruction of EU-funded structures and projects in the occupied Palestinian territories from 2001–16. The authors discuss the effects that demolitions have had on donors' willingness to support such work in the West Bank as well as the rebuilding of Gaza. The report is available at www.euromedmonitor.org.