

THE ANALYSIS OF HUMAN RIGHTS VIOLATIONS THROUGH ILLEGAL LAND GRABBING IN JERUSALEM BY THE ZIONIS STATE IN PALESTINE

by Anton Minardi

Submission date: 23-Jul-2020 08:19AM (UTC+0530)

Submission ID: 1361036241

File name: RIGHTS_VIOLATIONS_THROUGH_ILLEGAL_LAND_GRABBING_IN_JERUSAL.docx (37.8K)

Word count: 6771

Character count: 38797

2 THE ANALYSIS OF HUMAN RIGHTS VIOLATIONS THROUGH ILLEGAL LAND GRABBING IN JERUSALEM BY THE ZIONIS STATE IN PALESTINE

Anton Minardi¹

Eriska Nur Hasanah²

Hubungan Internasional

Fakultas Ilmu Sosial dan Ilmu Politik

Universitas Pasundan

Jl. Lengkong Besar No. 68, Cikawao, Bandung 40261

eriskanurhasanah731@gmail.com

2 ABSTRACT

The Israeli-Palestinian conflict arose in the late 1800s, when Jewish's immigration to the Palestinian part of the Ottoman Empire began to escalate. Formed as a Jewish state, Israel was attacked by soldiers from countries around Arabia and its acceptance in the region lasted for decades. For Arab Palestinians, the formation of Israel is a disaster: 80% of Palestinians chose to flee or be expelled by Israel. Eventually, many of them decided to evacuate in areas which were far from the territory of the Israel's land grabbing. This research uses a qualitative method of narrative study approach. Qualitative research is a centralized activity that places researchers in the world. Qualitative research consists of a series of material interpretation practices that make the world visible. This means that quality researchers study objects in their natural environment, trying to interpret phenomena in terms of the meanings given by society to them (Denzin & Lincoln). Data collection from literature studies means looking for data from books and journals that have been studied previously. The results showed that many human rights violations committed by the Israeli soldiers to Palestinians. Apart from seizing residents' land, many of them killed, locked up and raped Palestinian women. A lot of losses was caused, houses and facilities that have been damaged were destroyed over again by the Israeli soldiers.

Keywords: Human Rights Violations, Occupation, Conflict

¹ Jurusan Hubungan Internasional. Fakultas Ilmu Sosial dan Politik. Universitas Pasundan. 2019

² Jurusan Hubungan Internasional. Fakultas Ilmu Sosial dan Politik. Universitas Pasundan. 2019

ABSTRAK

Konflik Israel-Palestina muncul pada akhir tahun 1800-an, ketika imigrasi Yahudi ke bagian Palestina dari Kesultanan Utsmaniyah mulai meningkat. Terbentuk sebagai negara Yahudi, Israel diserang oleh para prajurit dari negara di seluruh Arabia dan penerimaannya di wilayah itu berlangsung selama puluhan tahun. Untuk Palestina Arab, pembentukan Israel adalah bencana: 80% dari Palestina memilih untuk melarikan diri atau diusir oleh Israel. Akhirnya, banyak dari mereka memutuskan untuk mengungsi di daerah yang jauh dari wilayah perampasan tanah Israel. Penelitian ini menggunakan metode kualitatif pendekatan studi narasi. Penelitian kualitatif adalah kegiatan terpusat yang menempatkan para peneliti di dunia. Penelitian kualitatif terdiri dari serangkaian praktik interpretasi material yang membuat dunia terlihat. Ini berarti bahwa kualitas penelitian peneliti objek dalam lingkungan alam mereka, mencoba untuk menafsirkan fenomena dalam hal makna yang diberikan oleh masyarakat kepada mereka (Denzin & Lincoln). Pengumpulan data dari studi literatur berarti mencari data dari buku dan jurnal yang telah dipelajari sebelumnya. Hasilnya menunjukkan bahwa banyak pelanggaran hak asasi manusia yang dilakukan oleh tentara Israel ke Palestina. Selain merebut tanah penduduk, banyak dari mereka tewas, dikurung dan memperkosa perempuan Palestina. Banyak kerugian yang disebabkan, rumah dan fasilitas yang telah rusak hancur lagi oleh tentara Israel.

Kata kunci: Pelanggaran Hak Asasi Manusia, Penduduk, Konflik

INTRODUCTION

Palestinian-Israeli conflict is motivated by Israel's desire to seize territory in Palestine. Israel seized the area with the aim that they could establish its National Home in Palestine. Jews, supported by the British state, increasingly occupied the land, until finally Israel made settlements in the Palestinian territories.

⁶ There are various mechanisms through which land grabbing occurs, ranging from direct private purchases and public private leases to biofuel production to the acquisition of large parcels of land for conservation arrangements, with a variety of preliminary results (Hall 2011, Woford 2010). Some of this land have been cleared of existing residents but not yet put into production; in many cases buyers and investors are just preparing for the next global crisis. The phrase '*Global Land Grab*' has become all-encompassing to describe and analyze the current large-scale explosion of national commercial land transactions.

¹² Land grabbing is a measure used by some governments (and corporations) to meet their food and energy needs by acquiring land in a foreign country. The 2011 Tirana conference of the international land coalition defines land grabbing as land acquisition that violates human rights, without prior approval from existing land users, and without consideration of social and

environmental impacts. In many cases, land grabbing is not the result of a transparent and democratic decision process (International Land Coalition, May 2011).

Today's land grab is characterized by variations across different agro-ecological contexts and property rights regimes. This affects diverse contexts such as peri-urban corridors, highly productive floodplains, forested plateaus, and remote rural outposts. This takes place in a variety of land rights regimes, including private, public, and community land and land reform settlements.

⁹ Some of the most prominent cases involved physical harassment, intimidation and violence; but others don't. It should be noted that a good deal of recent land investment has remained active, and thus has more to do with land value speculation than productive business.

Land grabbing that was occurred in Palestine caused many people being driven out of their homes, a lot of torture occurred, and massacres committed to residents in the area, especially in the Jerusalem area. This has entered into human rights violations.

Based on Article 1 Paragraph (6) Number. 39 of 1999, what is meant by violations of human rights is every act of a person or group of people including state officials, whether intentional or unintentional or negligence that

legally reduces, inhibits, limits and or revokes the human rights of a person or group of people guaranteed by the law and not getting or feared will not get a fair and right legal remorse based on the applicable legal mechanism.

METHOD

Research methods or scientific methods are procedures or steps in gaining scientific knowledge or science. So, research method is a systematic way to organize knowledge. Research method aims to find the truth of certain facts.

The type of research used here is qualitative research. According to Denzin & Lincoln (2011: 3) explains qualitative research as follows:

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Qualitative research is a centralized activity that places researchers in the world. Qualitative research consists of a series of material interpretation practices that make the world visible. These practices transform the world. They transformed the world into a series of representations, which included various field notes, conversation interviews, photographs, recordings, and personal notes. In this case, qualitative research involves a naturalistic approach to interpretation of the world. This means that quality researchers study objects in their natural environment, trying to interpret phenomena in the light of the meanings given by society to them.

The research approach used is narrative study. According to Riessman (2008) in the book Research Design Edition 4 explains that the narrative study is a research design on humanity in which researchers study the lives of individuals and ask someone to ask one or a group of individuals to tell about their lives.

Using a qualitative method of narrative study, researchers can describe more deeply The Analysis of Human Rights Violations Through Illegal Land Exploitation by the State of Israel in Palestine.

LITERATURE REVIEW

To analyze the issue that the author adopted, then the reference of the literature or previous research is required. Therefore, the author found three studies on the Israeli and Palestinian's conflicts. The three studies are:

First, Mediation and The Transformation of the Israeli-Palestinian Conflict by Louis Kriesberg Program on the Analysis and Resolution of Conflicts, Syracuse University that explains during the 1990s, the Israeli-Palestinian conflict underwent a profound transformation, which has proceeded slowly with severe disruptions and setbacks sometimes. This article examines the diverse contributions of various types of mediators for transformation at various stages of the process. Special attention is given to the Oslo negotiations, their

pioneers, and subsequent negotiations. Comparisons are made regarding various types of contributions made by different types of mediators. Mediators including intermediaries with leverage, such as the President of the United States, and mediators with several material resources, such as informal facilitators. At various stages of conflict escalation and de-escalation, various types of mediators can make appropriate and effective contributions. Creating and building peace in a protracted conflict requires a variety of complementary actions by diverse actors, including those on the opponent side and also by intermediaries. The mediating effectiveness is limited by the circumstances of each opponent, opponent relations, and historical context.

Secondly, the Palestinian and Israeli Conflict: Perspective of Communication by Junardi which explains about the background of the Israeli and Palestinian conflict and the differences in Israeli Zionism that place Jews immigrants into Palestine and expelled the Palestinian people from their hometown in Arab countries, especially Jordan and Iraq.

Last, the Balfour Declaration: The Beginning of the Palestinian Israeli Conflict by Emilia Palupi Nurjannah and M. Fakhruddin, Universitas Negeri Jakarta which explains the Ottoman Turkish power was taken over by

the British, because Turkey lost the war against Britain in World War I. So, LBB gave the rights to Britain to be able to manage the Palestinian territories until Palestine could stand alone. But both of them caused conflict between Palestinians and Jews. Because the Jews and Arabs have been given a promise to be able to run their own government. Instead, it became conflict and clashes and attacks carried out both. In addition, more and more Jews also inhabited the Palestinian territories especially with the issuance of the Balfour Declaration in 1917.

THEORETICAL FRAMEWORK

A. Human Rights

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According to Law of The Republic of Indonesia, Number 39 of 1999, Article 1 concerning on Human Rights as follows:

“Human rights are a set of rights inherent in the nature and existence of human beings as creatures of God Almighty and are His gifts that must be respected, upheld and protected by the law, government, and everyone for the honor and protection of human dignity.”

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According to Law of The Republic of Indonesia, Number 26 of 2000, concerning on Human Rights Violations as follows:

“Human rights violations are every act of a person or group of people including state officials whether intentional or unintentional or negligence that unlawfully

reduces, inhibits, limits and or revokes the human rights of a person or group of people guaranteed by this Law, and did not get, or it was feared that they did not obtain a fair and correct legal settlement, based on applicable legal mechanisms.”

B. Conflict

Ted Robert Gurr quoted by Santoso (2003: 78) and quoted again by Purnama in his book *Charlemagne Politics 778-814 AD* (2015: 17) says that:

“Conflict is an event of controversy between two or more groups with or without violence.”

Johan Galtung quoted by Santoso (2003: 78) and quoted again by Purnama in his book *Charlemagne Politics 778-814 AD* (2015: 17) says that:

“A group is said to be involved in a conflict if the group has goals that are not the same as other groups.”

C. Population

Ida Bagoes Mantra (2009) quoted by Herman (2018) in his journal said that:

“Population are the people in their matrices as individuals, family members, community members, citizens and quantity assemblies residing somewhere within a certain territory.”

D. Land Grabbing

Saturnino Borrás, Jr. in his journal *The Global Land Grab* (2013: 4) says that:

“Land grabbing is usually described as the illegal confiscation of land from a person or persons leading to their expulsion from the land. But in some cases farmers remain on confiscated land even though they have effectively lost control of it. In another example, some governments have usurped land for redistribution to others, often as a result of popular demands for more equitable sharing of national resources.”

DISCUSSION

A. Palestinian-Israeli's Conflict

The Israeli-Palestinian conflict arose in the late 1800s, when Jewish's immigration to the Palestinian part of the Ottoman Empire began to escalate. Formed as a Jewish state, Israel was attacked by soldiers from countries around Arabia and its acceptance in the region lasted for decades. For Arab Palestinians, the formation of Israel is a disaster: 80% of Palestinians chose to flee or be expelled by Israel (Arzt, 1997; Morris, 1987). Between 1949 and 1967, Palestine was effectively divided between Israel and Jordan, because the west bank was incorporated into Jordan. After the 1967 war, the West Bank and Gaza were ruled by Israel as occupied territory. In each of these periods, many ideas were voiced about how Jews and Arabs in Palestine might find mutually acceptable accommodation. (Kriesberg 2001)

³ Jewish leaders have urged different strategies to respond to anti-Semitic persecution, including emigrating from a country where persecution is severe, changing the political system in the country where they are persecuted, and building homes for Jews in Palestine. This last strategy, Zionism, takes various forms, but the dominant one is the variation on ethnonationalist ideology.

Palestinian leaders also urged various strategies to gain control over their collective life as Arabs and Palestinians and in response to the entry of Jews into Palestine (Kimmerling & Migdal, 1993). For the PLO, the goal of ending Zionist intrusion has gradually changed to the formation of a Palestinian Arab state with Israel. This ethno-nationalist formulation is not inherent in the collective identification of Jews or Palestinian Arabs. They are built on the journey of conflict between themselves and against other opponents. Instead, consider the struggle against apartheid in South Africa. The apartheid system is racist, imposing a complex system of discrimination in accordance with racial classifications imposed by governments controlled by ethnic minorities. Resistance to apartheid, as led by the African National Congress (ANC), however, is not racist and its leadership is not exclusive, recognizing people from Europe as other African tribes. In fact, the complex Arab-Israeli conflict has

experienced deep de-escalation, and many partial settlements have been reached. This settlement marked the transformation of two related struggles: Israel's conflict with Egypt and with Jordan. As a result, the Palestinian-Israeli struggle emerged as a central conflict, and even changed profoundly in 1993. Iraq and Iran, however, remained Israeli antagonists. (Kriesberg 2001)

Approaching the end of the 19th century, Palestine or when it was called Southern Syria was split into the Provinces of Syria, Beirut and Jerusalem by the Ottoman authorities. At that time, Palestine was dominated by Muslim Arabs with a few Christian Arabs, Druze, Circas, and Jews. Although living under the occupation of the Turkish nation, life in this region can be said to be far from conflict and violence. However, immigration to Palestine or what they call the Land of Israel has only been carried out individually or in small groups and the intention to establish a Jewish state has not yet occurred. The intention to establish a Jewish state emerged around 1859-1880 when anti-Semitic waves began to hit Europe and Russia. This is what triggered the formation of the Zionism Movement in 1897. This movement wants the formation of a Jewish state as a sanctuary for all Jewish nations in various corners of the world. This group has considered several locations in Africa and America before finally

choosing Palestine as the final destination.

Palestine was still the territory of the Turkish Ottoman Empire. The Zionism Movement which was supported by the Jewish National Fund then funded the purchase of land in Palestine which was still a Turkish Ottoman colony for the construction of settlements of Jewish immigrants. The wave of Jewish immigration after the formation of the World Zionist Organization has now become more organized with much clearer goals in the future. Initially, immigration of Jews from Europe to Palestine did not cause problems in the region. However, with more and more Jewish immigrants coming, more land is needed for settlement construction. Conflicts and disputes over land are not infrequent between these two nations.

The increasing number of Jewish immigrants in Palestine also made the Ottoman Empire worry. However, their concern was based more on the fact that most of the Jewish immigrants came from Russia who were the main enemy of the Ottomans in the struggle for power in the Balkans. The Ottomans worried that the Jewish immigrants from Russia would become an extension of their native land to weaken Ottoman rule in the Middle East. So, the first violence that befell Jewish immigrants in the 1880s in Palestine, especially those carried out by Ottoman Turks, was because they were considered to be

Russian or European, not because they were Jewish. Meanwhile, the move against Jewish immigrants was carried out by local residents, especially Arab citizens. They began to protest against the acquisition of land by Jewish settlers. For this protest action finally made the Turkish Ottoman Empire stop selling land to immigrants and foreigners. However, in 1914 the number of Jews in Palestine had numbered 66,000, half of whom were newcomers. (Ervan Hardoko. 2017. Kompas International, 29 October 2019)

While Palestine was divided in two, east side became Transjordania given to Abdullah, another son of Hussein bin Ali. The western part, which is still called Palestine, is directly under British control. During this Palestinian Mandate, the wave of Jewish immigration to Palestine grew significantly. Apart from being protected by the British, Jewish immigration was encouraged by the rise of anti-Semitic movements in Europe, for example in Ukraine which resulted in at least 100,000 Jews being killed in 1905. In 1919-1926 at least 90,000 Jewish immigrants arrived in Palestine. They immediately occupied Jewish communities founded on land that had been legally purchased by Zionist agents from Arab landlords. Not infrequently the purchase of this land displaced Arab cultivators. This condition makes Palestinian Arabs feel excluded. In addition,

Palestinian Arabs oppose this wave of Jewish immigration because they are worried that more Jews will threaten their national identity. As a result, throughout the 1920s, relations between Jewish and Arab groups in Palestine heated up and violent clashes between the two camps became more frequent. (Ervan Hardoko. Kompas International, 30 October 2019)

B. Palestinian Riots in 1929

The incident occurred at the end of August 1929 as a result of the struggle for the Western Wall of Jerusalem between Arab and Jewish groups which escalated into violence. In the riots that occurred on August 23-29, 1929, 133 Jews and 110 Arabs were killed and more than 600 people from both camps were injured.

After the riots, the Palestinian Mandate Government brought the provocateurs suspects to court. From the results of the trial, 26 Arabs and two Jews were convicted of murder and sentenced to death. Penalties are also handed down collectively to Arab citizens in Hebron, Safed, and a number of villages. The fines collected were then given to the victims of the riots. This riot was later investigated by an investigative commission formed by the British Government.

As a result, the investigative commission suggested that the British Government review immigration policies and land sales to the Jewish people. After the 1929

riots, the political situation in the Palestinian Mandate, although it did not cool, was relatively under control. Until the Arab Revolution broke out (1936-1939) in Palestine aimed at opposing British rule and preventing massive Jewish immigration from returning. The revolution itself ended in failure and great casualties. As a result of the three-year revolution, 300 Jews, 5,000 Arabs and 262 British police were killed. In addition, more than 15,000 people were injured. Although it failed, this revolution had a significant impact on Jews, Arabs and British rulers. (Ervan Handoko. Kompas International, 30 October 2019)

C. Jerusalem's Land Conditions

In Hebrew it is called Yerushalayim, and in Arabic it is called al-Quds. Jerusalem is one of the oldest cities in the world. In the past, this city was repeatedly captured, conquered, destroyed and rebuilt by various parties, and as if each layer of earth revealed various pieces of past history. The center of Jerusalem is part of the Old City, a labyrinth of narrow alleys and historic architecture that marks the four corners of the Christian, Muslim, Jewish and Armenian territories. Surrounded by a stone wall in the form of a castle where the foundations of the holiest sites in the world. Each region represents its own population. Christians have two regions, because Armenians are also Christians. This Armenian region, the smallest of the four, is

one of the oldest Armenian centers in the world.

1. Church

Inside the Christian Zone, there is the Church of the Holy Sepulcher, an important place of pilgrimage for Christians throughout the world. The place is located in a very important location in the story of Jesus: his death, crucifixion and resurrection.

In the belief of Christian tradition in general, Jesus was crucified there, on the Golgotha Hill, or Calvary hill, and his tomb is located in a cemetery building which is also believed to be the place of his resurrection. The Church of the Holy Sepulcher is co-managed by representatives of different Christian sects, notably the Greek Orthodox Patriarchate, Franciscan friars from the Roman Catholic Church and the Armenian Patriarchate, as well as Ethiopian, Coptic and Syrian Orthodox Christians.

This place is one of the main pilgrimage destinations for millions of Christians around the world who visit the empty tomb of Jesus and seek redemption in prayer at that location.

2. Mosque

The Muslim area is the largest of the four and contains the Dome of the Rock (Dome of the Rock) and the al-Aqsa Mosque in the highlands known by Muslims as Haram al-Sharif. The mosque,

which is managed by a waqf institution, is the third holiest place in Islam after the Grand Mosque in Mecca and the Prophet's Mosque in Medina.

Muslims believe that the Prophet Muhammad (PBUH) came to this Aqsa Mosque from Mecca on the night journey of the Isra Miraj, and prayed with the spirits of the prophets. A few steps from the mosque, is the Dome of As-Shakrah which contains a foundation stone that is believed by Muslims as a place where Muhammad departed for surge in the Isra Miraj incident.

3. Walls

In the Jewish area there is Kotel, or the Wailing Wall, or the Western Wall, the remnants of the wall where the ancient Temple was founded.

Inside the shrine is the Most Holy Room, the holiest site in Judaism. Jews believe that this is the foundation stone of the creation of the world, and the place of Abraham, was ready to sacrifice his son Isaac, or Ishmael. Many Jews believe that the Dome of the Rock is the place of the Holy of Holies.

Today, the Western Wall is a place where Jews can pray in the closest location to the Most Holy Room. Jews from all over the world visit this place to pray. (Erica Chernofsky. 2017, BBC. 18 November 2019)

D. Israel's Jerusalem Land Agreement

There was no land agreement in Jerusalem that belonged to Israel, but Israel had always had its own land. Namely the land of Canaan. In the 13th century, the transition to the Iron Age, Egyptian power withdrew, the economy slumped, the population declined due to natural disasters, wars, and disease outbreaks. The number of people called "ibri" increased. They have no land or special expertise; they are grouped to look for work as construction workers, become mercenaries, robbers on the highway, or try to open up land in infertile hilly areas (there, based on archeological excavations, the population is increasing). This was made easier by the discovery of new techniques: waterproof wells, metal tools, and terraced terraces.

In the 14th century in the Bronze Age, Egypt acted as a protector of royal cities that flourished in fertile areas, both in the valleys of Yisrael, Jericho, Gilgal, Ai, and Jerusalem and Mizpa (cf. Tell Amarna archives). The letters give a clear picture of the small kingdoms that followed the pattern of Egyptian culture with a hierarchical order of society; they paid tribute to Egypt, but remained sovereign. The economy develops because life is at peace.

The Lord had given the people of Israel the land of Canaan which was a place of residence and property, a shared heritage, in accordance with His promise to their ancestral ancestors. This event of giving is a point of praise, a basis for trust and hope for Israel, but also

a mandate to sanctify his life as God's people in God's own land.

The land was distributed (by lottery so as not to give the impression that certain parties took precedence) to large families so that Israelis could cultivate it and produce their needs. Families who acquired a portion of the land proven to be "authentic", members of the community with full citizenship rights. Therefore, land cannot be sold (Lev. 25:23). (Christoph Barth, 2010: 6)

E. Human Rights Violations which Occurred in Jerusalem

² Violations committed by the Israeli soldiers to the Palestinians would be very detrimental. Some of the violations committed by Israel are the construction of illegal Jewish settlements, the destruction and eviction of homes of Palestinian civilians, the killing and massacre of civilians. In addition, acts of arrest of children and torture in prisons, and many more human rights violations committed by Israel. (Agus Yulianto. 2017, Republika International. 16 September 2019)

Massive land grabbing by Israeli settlers has threatened Palestinians in East Jerusalem. The takeover of the Palestinian territories in Batan al-Hawa by Israeli settlers is the "most extensive expulsion process" in recent years in East Jerusalem. According to a report, the political objective of the takeover was to strengthen Jewish

control in East Jerusalem and frustrate the two-state solution. According to the Israeli daily Haaretz, Israeli human rights organization B'Tselem used a number of tactics to force Palestinians to sell their property, including sexual traps and various types of extortion, such as threatening to publicize agreed-upon sales so that sellers, fearing their lives, will then be forced to reduce their prices significantly to avoid the anger of their communities. (M clara Gadzo. 2018, Political Spy. November 19, 2019)

In the period 28 February-6 March 2019, Israeli forces carried out at least 67 military attacks on the Palestinian community in the West Bank and 74 other attacks on Jerusalem. Israeli forces arrested at least 32 Palestinians, including 3 children and a woman, from the West Bank, while 11 other civilians were arrested from Jerusalem and surrounding areas. Israeli forces made at least five arrests, they arrested a number of civilians for no apparent reason. On the same day, the Israeli military stationed in the border area of East Deir al-Balah opened fire on the farm, as a result the farmers fled for fear of their lives being threatened. And east of Khan Younis in the southern Gaza Strip. Israeli soldiers injured 92 civilians, including 26 children, 2 women, a journalist and 3 paramedics. The injured journalist was identified as Mohammad al-Dwaik. He was shot with rubber

bullets in the leg. Mohammad works as a reporter at Ithad Press. A 15-year-old Palestinian boy was shot by Israeli soldiers on Wednesday 6 March in a night protest near the Israeli border east of the Gaza Strip. (ACTNews, 2019. November 19, 2019)

Israeli civil administration which revealed that 3,455 Israeli homes and buildings were built on Palestinian land in the West Bank. The building is considered illegal under international law. The report detailed that the buildings were erected on private land which could be classified into three categories, namely, covering 1,285 buildings erected on "clear private land" which had never been declared as "state" land of Israel. Of these, 543 have been built on land whose owners, Palestinians, are known and have registered the land - referred to as "regular private land" by the civilian government. Another building, based on aerial photographs, stands on land that has been cultivated by Palestinians for years. According to Ottoman-era laws that still apply in the West Bank, these lands will be owned by the Palestinians who cultivate them. Second, it includes 1,048 Israeli buildings built on private land that were mistakenly used as state land. Third, it consists of 1,122 buildings that were erected in the West Bank more than 20 years ago when planning laws were barely enforced in the West Bank. (Suara Palestine News Agency, 2017. November 19, 2019)

A European human rights organization identified 376 Israeli violations of the city of Al-Quds (Jerusalem) in September. This report is based on data compiled by the human rights institution “Euro-Mediterranean Observatory for Human Rights”. The new settlement, he added, means displacing 470 locations inhabited by around 850 Palestinians. The existence of these settlements will change the demographics of the area. The next serious violation was the demolition and destruction of Palestinian homes and property in Jerusalem by the Israeli military.

The offenses also included 12 shootings and direct attacks carried out by Israeli forces in the Jerusalem neighborhood, the murder of Maryam Ka’abna (50 years), and the 29 injuries, including paramedics and a child. The report documents 77 Israeli attacks on cities and neighborhoods in Jerusalem, including the capture of 110 Jerusalem residents. (Anadolu Agency, Muslim Voice, 2019. 19 November 2019)

According to Israel, they used the pretext of “security” as an excuse to evict them all in order to expand housing to Israeli citizens. However, this action actually violates the agreement between the Israeli government and the Palestinian authority. (Agung Sasongko, Republika International, 2019. 17 November 2019)

The human rights agency urges the Israeli government to “stop the policy of racial discrimination between Palestinians and Israelis in the process of investigation, prosecution and trial, and to withdraw from the policy of demolishing Palestinian property and to stop their displacement schemes, and respect their right to worship and practice religious rituals.”

The UN was also asked to “develop a new mechanism to hold Israel accountable for its violations of the Palestinian population in the city of Jerusalem.” East Jerusalem has been under Israeli occupation since June 6, 1967, while the western part of the city has been under Israeli control since 1948, but the city emptied by the Palestinian Arab population soon after taking control.

Since its occupation in East Jerusalem, Israel has sought to convert it, wipe out its Islamic and Christian buildings, and expel its inhabitants with all the possibilities and by all available means, according to many witnesses. (Anadolu Agency, Muslim Voice, 2019. 19 November 2019)

Demographic concerns have dominated Israeli thinking since occupying East Jerusalem in 1967, and placed it under the control of Jewish officials in West Jerusalem in what Israel calls the new “unitary capital”. The city limits were extended eastward to attach

additional Palestinian land to Jerusalem and then filled the empty spaces with large Jewish settlement rings, said Aviv Tartasky, a researcher from Ir Amim, an organization that campaigns for equal rights in Jerusalem.

The aim is to sustain a permanent majority of Jews to ensure that Palestinians cannot risk claims to the city and to dispel Israeli fears that one day Palestinians will gain control of the municipality through elections. Israel continues to face a shrinking Jewish majority due to a higher Palestinian birth rate. At present, Palestinians comprise about 40 percent of the total artificially enlarged population of Jerusalem. Therefore Israel is aggressively pursuing a twin-pronged approach, according to analysts.

On the one hand, broad discriminatory policies that harm Palestinians and support Jewish settlers have been designed to erode Palestinian connections to Jerusalem, encouraging them to leave. On the other hand, the revocation of population rights and the gradual and forcible re-delineation of city boundaries have placed Palestinians outside the city, which some experts call “quiet transfers” or administrative ethnic cleansing. (Jonathan Cook, Political Spy, 2019. 19 November 2019)

F. The Loss of Jerusalem Citizens by Israel

The Applied Research Institute of Jerusalem (ARIJ)

reports that the Palestinian people suffer losses of 60 million work hours per year due to the rules of Israeli traffic checkpoints which inhibit Palestinians in the West Bank.

ARIJ conducted research using GPS to monitor and document traffic flow at military checkpoints. A total of 70 GPS installed in Palestinian public transportation vehicles and private vehicles selected according to the routes that are often traveled between cities in Palestine. Each GPS monitors vehicle location, time and speed every 10 seconds. This helps calculate the time spent by the vehicle at the military checkpoint. Data collection was carried out for 6 months from the beginning of January to the end of July 2018.

Based on this research, the cost of the loss of Palestinians due to obstructions at Israeli military posts is estimated at 60 million work hours per year, equivalent to 270 million dollars according to the Central Palestinian Statistics Bureau's average hourly wage report. In addition to additional fuel consumption of 80 million liters per year, equivalent to 135 million Dollars. The Israeli occupation forces (IDF) have recorded 92 permanent checkpoints plus dozens of additional checkpoints in the West Bank.

Palestinians traveling in the West Bank must pass 15 military posts between West Bank cities, in

addition to 11 posts heading to Al-Quds and the territory occupied in 1948. In addition, fuel consumption for cars running at very low speeds for a long period (1 - 10 km / hour) around 0.049 liters per minute. The negative impact of obstacles to traffic also leads to an increase in carbon dioxide emissions by 196 thousand tons per year due to fuel consumption. (Nusantara Palestine Center, 2019. 19 November 2019)

G. International Law and United Nations' Responses

⁸ Most of the international community, including the United Nations and International Courts, say settlements are illegal. The cornerstone is the Geneva Fourth Convention in 1949, which prohibits the transfer of people from an occupying country to its colonies. The resolution of the UN Security Council in December 2016 called Israeli settlements "no legal validity and classified as flagrant violations under international law". However, for previous resolutions concerning Israel, resolutions established under Article VI of the UN Charter are not legally binding.

⁸ However, Israel said the Geneva Fourth Convention could not be enforced de jure in the West Bank because the territory was technically not occupied. Israel claims it has been legally there as a result of defensive warfare and has not taken over the West Bank from the wrong sovereign power.

Israel argued the legal status of Jewish settlements in the West Bank recognized the League of Nations Mandate for Palestine in 1922 which was guarded by the UN Charter. (BBC Indonesia, 2019. 21 November 2019)

The construction of Israeli settlements in the Palestinian territories violates UN Security Council Resolution 2334. The resolution demands that Israel stop all settlement activities in the occupied Palestinian territories, including in East Jerusalem. The resolution was passed since December 23, 2016. However, Israel continues to build Jewish settlements in the Palestinian territories.

Before UN Resolution 2334 was published, the UN's highest judicial body, the International Court of Justice, had ruled in 2004 that Israeli settlements violated international law. Under international law, moving populations from or to occupied territories is illegal. Israel withdrew 8,000 settlers in the occupied territories in 2005, but that does not apply forever. At present, more than 600 thousand Israelis live in the West Bank and East Jerusalem, occupied by Palestine. In addition, Israeli attacks often target Palestinian civilians. That clearly violates international humanitarian law, which is the UN rule on the law of war. Israeli soldiers also killed journalists and nurses who clearly wore attributes. After all violations

of international law, Israel remains free from punishment. UN resolutions to stop violating Israeli law are always mental at the Security Council level. That was due to the veto rights of permanent members of the UNSC, the United States, an ally of Israel who always thwarted the resolution. (Nuraini. 2018. Republika, 21 November 2019)

Resolving the Israeli-Palestinian conflict is very difficult. The number of complicated conflicts, and the role of the UN is lacking because of the strength of Israel assisted by the United States, Donald Trump as the US President wants to patent illegal areas in Jerusalem, especially the West Bank for a place for Jews.

CONCLUSION

¹³ Based on the results of the research discussion in this practicum, the following conclusions can be drawn:

- ¹³ Human rights violations which occurred in the Palestinian Israeli conflict can be concluded that the land grabbing carried out by the Israeli soldiers caused many casualties, including torture, kidnapping, slaughter and murder. This conflict also harms Palestinians and damages residents' homes that are very significant.
- The eviction carried out by Israel to residents in Jerusalem is reasonable because of the security factor to make it easier for Palestinians to leave their homes.

- Losses incurred as a result of this confiscation of around 60 million work hours per year or equivalent to 270 million dollars.
- The role of the UN and international law in overcoming this problem has not helped the citizens of Jerusalem, because the American role in appropriating land in Jerusalem is enormous. The reason that underlies America to help in this plunder is the desire of the American President who wants to control the area in Jerusalem and make his own territory for the Jewish citizens.

SUGGESTION

In this Palestinian Israeli conflict, a lot of violations were committed by the Israeli soldiers. Many Palestinians are disadvantaged. The UN should be neutral in protecting Palestinians and making strong regulations so that Israeli soldiers do not take territory owned by citizens. This conflict must be resolved by quickly ratifying the United Nations' security council resolution number 2334 regarding Israeli Illegal Settlements in Palestine. There is a role for other countries to help and work for a resolution on this illegal seizure, so that Palestinians can occupy their place, without any interference from the Israeli soldiers.

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