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18-02-2004 News release 04/12

Israel/Occupied and Autonomous Palestinian Territories: West Bank Barrier causes serious humanitarian and legal problems

Geneva (ICRC) - The ICRC is increasingly concerned about the humanitarian impact of the West Bank Barrier on many Palestinians living in occupied territory.

Where it deviates from the "Green Line" into occupied territory, the Barrier deprives thousands of Palestinian residents of adequate access to basic services such as water, health care and education, as well as sources of income such as agriculture and other forms of employment. The Palestinian communities situated between the "Green Line" and the Barrier are effectively cut off from the Palestinian society to which they belong. The construction of the West Bank Barrier continues to give rise to widespread appropriation of Palestinian property and extensive damage to or destruction of buildings and farmland.

The ICRC has repeatedly condemned deliberate attacks against Israeli civilians and stressed that all acts intended to spread terror among the civilian population are in clear violation of international humanitarian law (IHL). It recognizes Israel's right to take measures to ensure the security of its population. However, these measures must respect the relevant rules of IHL.

The ICRC's opinion is that the West Bank Barrier, in as far as its route deviates from the "Green Line" into occupied territory, is contrary to IHL. The problems affecting the Palestinian population in their daily lives clearly demonstrate that it runs counter to Israel's obligation under IHL to ensure the humane treatment and well-being of the civilian population living under its occupation. The measures taken by the Israeli authorities linked to the construction of the Barrier in occupied territory go far beyond what is permissible for an occupying power under IHL. These findings are based on the ICRC's monitoring of the living conditions of the Palestinian population and on its analysis of the applicable IHL provisions. The Israeli authorities have been regularly informed about the ICRC's humanitarian and legal concerns.

The ICRC therefore calls upon Israel not to plan, construct or maintain this Barrier within occupied territory.

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