

Israel turning Palestinian territories into “open-air prison” says UN Special Rapporteur

Jean Shaoul
14 July 2023

Francesca Albanese, the United Nations Special Rapporteur on human rights in the Palestinian territories, told the United Nations Human Rights Council (UNHRC) that Israel’s 56-year occupation of the Palestinian territories has turned the West Bank into an open-air prison for Palestinians.

Albanese, a legal expert, made this statement as she presented her “Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967” to the UNHRC Monday.

The report describes her team’s “concerns over the widespread and systematic arbitrary deprivation of liberty in the occupied Palestinian territory” and declared “[it] cannot capture the scale and extent of the arbitrary deprivation of liberty in the occupied Palestinian territory.”

“Nor” it added, “can it convey the suffering of millions of Palestinians who have, directly or indirectly, been affected.”

Speaking at a press conference in Geneva, she said that the high number of criminal convictions for Palestinians stems from “violations of international law and criminalization of ordinary acts of life. There is no other way to define the regime that Israel has imposed on the Palestinians—which is apartheid by default—other than an open-air prison.”

Gaza is often referred to as an “open-air prison” because of the 16-year-long blockade imposed by Israel, aided by Abdel Fattah el-Sisi, Egypt’s brutal dictator, and the Palestinian Authority of President Mahmoud Abbas. Albanese has extended this description to the occupied West Bank.

Her report explains that Israel has framed the entire Palestinian population living in the occupied territories “as a security threat, often presumed guilty, and punished with incarceration even when trying to exercise fundamental freedoms.” Furthermore, “By deeming all Palestinians as a potential security threat, Israel is blurring the line between its own security and the security of its annexation plan.”

“Palestinians are presumed guilty without evidence, arrested without warrants, detained without charge or trial very often, and brutalised in Israeli custody,” she added, outlining Israel’s detention practices that could amount to international crimes.

Albanese found that since 1967, more than 800,000

Palestinians, including children as young as 12, had been arrested and detained by the Israeli authorities. She pointed out, “My report does not condone any acts of violence committed by Palestinians while living under an unlawful occupation or in their pursuit to end it. However, we must acknowledge that most Palestinians have been convicted through a series of violations of international law, such as discrimination, persecution, and breaches of due process and for ordinary acts of life and in the exercise of legitimate civil and political rights.”

She concluded that Israel’s “array of laws, procedures and techniques of coercive confinement, transforms the occupied Palestinian territory into a constantly surveilled open-air panopticon.”

Albanese said Israel had built illegal settlements, segregated roads, walls, checkpoints, and physical infrastructure that “rests in the hands of the Israeli military, which writes, enforces, and reviews these martial laws that only apply to Palestinians,” acting as an arbitrary deprivation of liberty. At the same time, Israel applies its own domestic laws to Jewish-Israeli settlers who live in the occupied West Bank and East Jerusalem in contravention of international law. “This dual legal system is the pillar of Israel’s apartheid regime. The presence of the Palestinian Authority does not change this reality, nor does it alter Israel’s obligations under international law,” she said.

While the State of Palestine had invited the Special Rapporteur, Israel refused to allow her to enter the Palestinian territories to take evidence. Instead, she was forced to rely on virtual meetings and tours, as well as witness statements and a comprehensive review of primary and public sources.

The corporate media of the major imperialist powers, including the *New York Times* and the nominally liberal *Guardian*, have maintained silence on the report, with only some of the Middle East press and the Qatar-funded *Al Jazeera* and *Middle East Eye* reporting the Special Rapporteur’s comments.

Albanese’s report comes just one week after 1,000 Israeli soldiers, protected by armed helicopters and drones, raided the northern West Bank city of Jenin and its refugee camp, home to

14,000 Palestinians, in one of the largest military operations in the occupied West Bank in 20 years. The troops carried out the deliberate destruction of civilian infrastructure, including water and electricity supplies and healthcare facilities. They killed at least 12 Palestinians, including four teenagers, injured more than 100 and forced one-quarter of the camp's population to flee.

This UN report by a legal expert on humanitarian law has highlighted the criminal reality of Israel's occupation of the West Bank, East Jerusalem and Gaza, explaining how the Palestinian Authority (PA), established under the 1993 Oslo Accords, has added an extra layer of repression. The PA coordinates with the Israeli authorities in what amounts to a "revolving door" policy whereby Palestinians face arrest, interrogation, detention and often ill-treatment by first one and then the other.

It notes that since 1967, Israel has passed "2,500 orders controlling every minutiae of Palestinians' life, including public order and security, natural resource management, education, transportation, administration of justice, fiscal administration, taxation, planning and zoning." These measures, along with the plan to annex the West Bank, are aimed at "the de-Palestinianisation of the occupied territory" and the elimination of the Palestinians' right to exist as a national entity.

Prime Minister Benjamin Netanyahu's coalition of right-wing parties, including outright fascists with a large base in the illegal settlements on the West Bank, is preparing for the forcible displacement of millions of Palestinians and the incorporation of the West Bank into Israel.

Bezalel Smotrich, Israel's finance minister and leader of the fascistic Religious Zionism party, has expressed this quite explicitly. In his "One Hope" plan, he sets out his blueprint for war, annexation, ethnic cleansing, settlement and apartheid rule. He calls for a full-scale war against the Palestinians to extinguish all hope of establishing their own state. Such a war would be more economical in the long run than trying to "manage" the conflict. Israel will establish a "Jewish State from the [Jordan] river to the sea," and by "imposing sovereignty on all Judea and Samaria [West Bank], expanding and building new settlements and encouraging tens and hundreds of thousands of residents to come live in Judea and Samaria," establishing an "irreversible reality on the ground."

The Palestinians should be "encouraged" to emigrate, while those that remain should be confined to six municipal areas around Hebron, Bethlehem, Ramallah, Jericho, Nablus and Jenin, each with their own local government, possibly affiliated to Jordan. He stresses that he has few substantive differences with Netanyahu, who would rather maintain the fiction that the PA, not the six townships, is in charge of Palestinian affairs.

When PA officials tried to attend the funerals of the slain Palestinians in Jenin last week, they were ejected with shouts of "Out!" from the angry crowds.

In the six months since taking office, the Israeli government has approved the building of 13,000 new settlement homes and legalized nine settlement outposts previously deemed illegal. It has passed legislation enabling settlers to return to four settlements dismantled in 2005 and the government to revoke citizenship or residency from those (Palestinians) who have committed "acts of terror" and deport them to the occupied West Bank and Gaza Strip. It is to introduce legislation granting soldiers immunity for acts committed during military activity and allowing children under the age of 14 convicted of terror-related charges—such as throwing stones at soldiers—to be jailed.

At the same time, the government's fascist ministers have encouraged settlers to attack the homes and property of Palestinians in the West Bank, with Smotrich calling for the town of Huwara, the scene of a pogrom-like attack in February, to be wiped out.

The funding of the government's Jewish Supremacist State agenda will entail a massive onslaught on social and economic conditions within Israel that can only be accomplished by a brutal dictatorship, imposed not just on the Palestinians but Israeli workers and their families. This is what is driving Netanyahu's judicial overhaul aimed at eliminating the judiciary's limited ability to curb his government's powers and stuffing it with his own appointees.

The self-proclaimed leaders of the mass protest movement opposed to Netanyahu's judicial coup are no less committed to the Zionist state and its oppression of the Palestinian people than Netanyahu's far-right government. The central task is to develop within the mass protest movement a political consciousness and an understanding of the need to connect this struggle with the fight against the occupation and suppression of the Palestinians and against inequality and exploitation.



To contact the WSWs and the Socialist Equality Party visit:

[wsws.org/contact](https://www.wsws.org/contact)