

THE WEST BANK AND GAZA

ISSUE

Although most large population centres in the West Bank and Gaza were transferred to Palestinian control in late 1995 and democratic elections for the President and the Legislative Council took place in 1996, there has been little or no substantial improvement in the human rights situation over the past year.

BACKGROUND

The signing of the Oslo II Agreement in September 1995 led to the expansion of Palestinian control in the West Bank and Gaza. While Israel still effectively controls 96% of the territory of the West Bank and 40% of Gaza, the Palestinian Authority (PA) now controls all major urban centres. Both Israel and the PA have taken strong actions to confront the security threat posed by Islamic extremists and other opponents of the peace process. The manner in which some of these actions have been undertaken has at times violated the rights of the civilian population under their control.

Israeli Practices

Canada remains concerned by on-going settlement expansion, closure, ill-treatment and torture of detainees, land confiscation, and the use of administrative detention. According to Israel's Landau Commission, Israeli security forces are allowed to use "moderate physical pressure" during interrogation when human life may be in imminent danger - a policy which was upheld by the Israeli Supreme Court's November 1996, January 1997 and January 1998 rulings lifting injunctions against these coercive methods. At the 1997 53rd UN Commission on Human Rights, Canada described the 1996 and 1997 rulings as "regrettable and illegal under international law". Amnesty International and Israel's B'tselem consider "moderate physical pressure" to constitute torture. These views were reinforced in May 1997 when the UN Committee Against Torture ruled that such practices contravene the UN Convention Against Torture as well as the Fourth Geneva Convention.

Suicide bombings in Jerusalem in July and September 1997 led to complete closure of the West Bank and Gaza for over 70 days, coupled with the temporary withholding of millions of dollars of Palestinian tax transfers. The Palestinian economy is estimated to have lost \$10 million per day and unemployment rose dramatically. Over the past year, settlement construction and demolition of Palestinian houses has continued. In addition, legislation was introduced in the Israeli Knesset calling for denial of compensation to Palestinians killed or injured by the Israeli security forces and the institutionalisation of severe interrogation techniques. Although the measures were not passed, they did serve to further complicate the search for peace.