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Report of the Director-General

Appendices (Vol. 2)

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APPENDIX II

REPORT ON THE SITUATION OF WORKERS OF THE OCCUPIED ARAB TERRITORIES

INTRODUCTION

1. The present report is based on the findings of a mission sent by the Director-General to Israel and the occupied Arab territories to examine the situation of the workers of those territories and to determine, as far as possible, the extent to which effect has been given to the recommendations made by the Director-General in previous reports, in particular that submitted by him to the 78th Session of the International Labour Conference (1991).¹

2. The mission was carried out between 20 March and 1 April 1992 by Mr. William R. Simpson, Director of the Industrial Relations and Labour Administration Department, Mrs. Catherine Comtet, of the Equality of Rights Branch, and Mr. Fred Fluitman of the Training Policy and Programme Development Branch.

3. As in previous years the mission to Israel and the occupied Arab territories was preceded by other missions to a number of Arab countries to gather information relevant to the subject of this report. These missions, carried out by Mr. Shukri Dajani, Assistant Director-General, responsible for the Arab States, and Mrs. Hong-Trang Perret-Nguyêñ, Chief of the Equality of Rights Branch, visited Cairo, Amman and Damascus from 4 to 13 February 1992 and Tunis on 17 and 18 February 1992. They had consultations with the government authorities and with workers' and employers' organisations in Jordan, Egypt and the Syrian Arab Republic and with the International Confederation of Arab Trade Unions (ICATU) in Damascus. They also had talks with representatives of the League of Arab States and the Arab Labour Organisation in Cairo and, in Tunis, with representatives of the Palestine Liberation Organisation and the Palestine Trade Union Federation.

4. The present report is based on the information gathered by the representatives of the Director-General as well as on an

analysis of the voluminous documentation submitted by the parties during the course of the above missions.1

5. The conclusions and recommendations contained in the Report of the Director-General to the 78th Session of the International Labour Conference (1991) may be summarised as follows:

(i) The situation remained characterised by the state of military occupation which was in its 24th year. The tense atmosphere which had been aggravated by the popular uprising (intifada), now in its fourth year, had been further heightened as a result of the implications which the Gulf crisis had had for the occupied Arab territories. The workers of these territories and their families were in a more precarious situation than they had known for some time.

(ii) The consequences of the Gulf crisis had aggravated an already difficult economic situation caused by constraints on agriculture, industry and other sectors of the economy. The relatively poor efforts that had previously been made to promote development and employment opportunities in the territories commensurate with the requirements of a rapidly growing labour force had resulted in lower living standards, disturbing social conditions, increasing unemployment and general tension. There was, however, a certain realisation, especially within the Civil Administration responsible for the territories, that it was now imperative to improve the economies of the West Bank and the Gaza Strip. The problems of development and employment in these territories were of special importance in view of the serious consequences that would inevitably result if urgent attention was not given to them.

(iii) Active steps should be taken immediately to create conditions that were conducive to investment in productive activity and trade, promote the development of existing industries and encourage the establishment

1 Annex 1 contains a summary of the communications received from the authorities and organisations of the Arab States mentioned in the previous paragraph, as well as the written information supplied by the Arab Labour Organisation in Geneva.

Annex 2 contains a summary of the communication received from the Government of Israel.
of new enterprises in the territories. Trade between the territories and Israel and with other countries should be facilitated.

(iv) The existing vocational training facilities in the territories should be re-examined and adapted to meet the needs of industry, agriculture and other sectors of the economy, and urgent attention should be given to the problem of finding employment or other productive activity for workers who could no longer work in Israel or who could not find work in the territories commensurate with their skills or education.

(v) In order to dispel any suspicion about their utilisation, it was desirable that a proper accounting be made public of the resources and expenditure of the fund which comprises certain social security deductions from the wages of workers from the territories employed in Israel.

(vi) The Civil Administration responsible for the territories should ensure that trade union organisations were encouraged and developed, and that the free exercise of their legitimate trade union rights was guaranteed against any interference. The military forces should at all times be vigilant so as to ensure that their actions did not interfere with the free exercise of legitimate trade union rights, and that any leader suspected of illegal acts benefit fully from the guarantees of due process of law.

(vii) Considerable advantages could be gained if a genuine dialogue between the Palestinian trade unions and the Histadrut were established. Such a dialogue would contribute to the creation of a climate in which tensions could be reduced and restrictive measures attenuated or even lifted. The Histadrut could play a more influential role in securing for the Palestinian unions a greater degree of trade union rights and freedoms.

(viii) The dual legal and social systems that existed as a result of the policy of establishing Israeli settlements in the occupied territories and the massive and rapid extension of these settlements in the territories were the source of serious inequality and tension, and a matter of grave concern. The application of this policy necessarily involved measures that were arbitrary and discriminatory.

(ix) The Government was strongly recommended to take appropriate measures, including the removal of
restrictions on access to natural water and the granting of facilities for the export of local products, in order to restore to the people of the Golan a greater degree of freedom and sense of dignity.

(x) It was important that the ILO should continue to exercise whatever role it could to ensure that respect for human and workers' rights in the territories was fully restored and all discrimination eliminated.

(xi) In order to reduce immediate tensions and create a lasting peace it was essential to promote economic and social freedom, utilise more fully productive resources and develop institutions, in particular workers' and employers' organisations that could contribute to the vitality of the whole community.

6. The above recommendations complemented previous recommendations made by the Director-General in the reports which he has presented to the International Labour Conference on the situation of workers of the occupied Arab territories. As stated above, it was an objective of the mission this year to examine the extent to which action had been taken by the Israeli authorities to give effect to these recommendations.

7. In examining all the issues involved, both during the mission and in the preparation of this report, the representatives of the Director-General bore in mind, as they have always done, the relevant standards of international law, and in particular the Hague Convention of 1907 and the IVth Geneva Convention of 1949 of which Israel is a co-signatory. More especially, as regards equality of opportunity and treatment of the workers of the occupied Arab territories, and the issue of trade union rights both in the territories and in Israel, the representatives of the Director-General were once again guided by the principles and objectives laid down in the Constitution of the International Labour Organisation, including the Declaration of Philadelphia, the standards and resolutions adopted by the International Labour Conference, and by the principles enunciated by the supervisory bodies of the ILO.

8. Furthermore, as in previous years, this report is based not only on the relevant legislative texts in the field of competence of the ILO, but also on the information obtained concerning actual practice regarding equality of opportunity and treatment of the workers of the occupied Arab territories in respect of employment, conditions of work and social benefits, and of trade union activities. Reference may be made to the previous reports of the Director-General submitted to the International Labour Conference for a description of the relevant legislation and practice, which both remain substantially unchanged.
9. As has been emphasised in each previous report, the representatives of the Director-General, while being fully aware of the political situation in the region, its complex nature and its repercussions on the workers of the occupied territories and their families, have always taken the greatest care to remain within their terms of reference and to confine themselves to examining the rights and conditions of the workers of the occupied territories, the extent to which these rights can be freely exercised and any other circumstances which may have implications for workers and their living and working conditions. Any assessment that is made is in strict accordance with universally recognised principles and standards adopted by the international community which constitute the general framework of international law in force. Political matters as such do not fall within the competence of the ILO. In carrying out its mandate, however, the ILO cannot ignore the consequences for the free exercise of workers' rights and the principle of non-discrimination in employment of the prevailing political situation affecting the territories, or any other matters arising within the political context that have a direct or indirect effect on the situation of workers and the free and unimpeded exercise of their legitimate rights.

PROGRAMME OF THE VISIT TO ISRAEL AND THE OCCUPIED ARAB TERRITORIES

10. The representatives of the Director-General carried out their mission by having numerous meetings both in Israel and in the occupied Arab territories of the West Bank of the Jordan (including East Jerusalem), the Gaza Strip and the Golan.

11. The mission's task was at all times facilitated by the Israeli civil and military authorities who cooperated fully with the representatives of the Director-General in making appropriate arrangements for the meetings that were held in spite of the security measures, including intermittent curfews, that were in

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1 As in previous reports, the position of the Israeli Government regarding the Golan was stated in the following terms: "The ILO mission is meant to collect material for the Director-General's report on the administered areas. It is the position of the Government of Israel that the Golan, to which Israeli law, jurisdiction and administration have been applied, is not now such an area. In view of this consideration, approval for a visit of the ILO mission to the Golan was given as a gesture of goodwill and without prejudice. The decision to facilitate such an informal visit shall not serve as a precedent and does not contravene the Israeli Government's position."
force in the occupied Arab territories or in parts of them during the course of the mission.

12. The programme of the visit organised by the Israeli authorities, and revised in the light of specific requests made by the representatives of the Director-General, included discussions in Jerusalem and Tel Aviv with representatives of the Ministry of Foreign Affairs, the Ministry of Labour and Social Affairs, the Ministry of Defence and the Civil Administration of the occupied Arab territories. The Director-General's representatives also met and had discussions with senior officials of the Central Bureau of Statistics and the Bank of Israel. Discussions also took place with the Histadrut (the Israeli Trade Union Federation) and with the main employers' organisation, the Israeli Manufacturers' Association.

13. Arrangements were also made with the Israeli authorities, and facilitated by the Histadrut, for the representatives of the Director-General to visit a major construction site near Tel Aviv where discussions took place with the manager of this site as well as with a number of workers from the occupied Arab territories employed there. In Gaza and in Ramallah the representatives of the Director-General met with senior members of the Civil Administration and had discussions with those responsible for the labour exchange in Ramallah. They also visited a factory in Ramallah, vocational training centres in Nablus and in Gaza and an occupational safety and health centre in Gaza.

14. In addition, the representatives of the Director-General had numerous meetings with leading Palestinian personalities, including academics, lawyers, trade unionists, businessmen and economists. In particular, they met with the Chairman of the Arab Studies Society, the President of the Palestinian Academic Society for the Study of International Affairs (PASSIA), the Regional Manager of the Cairo-Amman Bank in Nablus, the President of the Red Crescent Society in Gaza and the executive members of the Chamber of Commerce of Gaza. Discussions were also held with representatives of various human rights organisations, both Palestinian and Israeli, and with the chief editor of one leading Palestinian newspaper. The Director-General's representatives also had detailed discussions with the executive members of the major trade union organisations in the West Bank and the Gaza Strip, as well as with workers and employers in East Jerusalem, Bethlehem, Ramallah, Nablus and Gaza. In the Golan they met with representatives of the town of Majdal Shams who had been authorised to speak also on behalf of the people of the other main villages of the Golan, viz. Mas'ada, Ein Qunya and Buq'ata.

15. The representatives of the Director-General also met with the Director of the Programme of Assistance to the
Palestinian people of the United Nations Development Programme (UNDP) in East Jerusalem and, in the Gaza Strip, with the Director and field officers of the United Nations Relief and Works Agency (UNRWA).

THE SPECIAL CONTEXT IN WHICH THE SITUATION WAS EXAMINED

16. The report on the situation of workers of the occupied Arab territories presented to the International Labour Conference in 1991 described how an already complex and grave situation had been further aggravated by the Gulf war that had taken place between January and March of that year. The consequences of that war for the territories and their inhabitants, consisting of intensified restrictions and curfews imposed by the military authorities, caused grave hardship to the entire population and severe damage to the economy of the territories. This year's mission took place against the background of the continued military occupation of the territories by the Israeli defence forces, the continuing economic consequences occasioned mainly by the Gulf war and the continuing uprising, or intifada, launched in 1987 by the Palestinian population against the state of occupation.

17. The situation in the West Bank and in the Gaza Strip remains characterised by a massive military presence which includes military personnel, assisted by Israeli and Arab civilian employees, who ensure the Civil Administration of the territories. During the year since the last mission was carried out, there has been little abatement in the confrontation between elements of the Palestinian population and the Israeli army in the territories. Acts of violence, such as stone-throwing, perpetrated by Palestinians or military response to these and other types of acts of civil disobedience, have resulted in numerous deaths and serious injuries - mainly of Palestinians. Throughout the year, such incidents, as well as other serious offences, including the killing or maiming of Israeli citizens by Palestinians in Israel, have often led to the closure of various parts of the territories or the imposition of total or partial curfews. There were also a number of cases of expulsion or deportation of Palestinians, many thousands of cases of arrest and imprisonment, the demolition and sealing up of homes in retaliation for alleged implication in violent acts, the confiscation and destruction of property - including the uprooting of olive trees and vines - and restrictions on the free movement of persons. The number of Palestinians held in administrative detention (without having been formally charged or tried) is stated to have decreased from 1,500 in January 1991 to 350 in December 1991. These figures, however, do not reveal the actual number of administrative detention orders issued in the course of the year concerning Palestinians released prior to
December 1991. According to certain human rights organisations there were over 3,000 such orders. There has also, in the past year, been a massive extension of existing and new settlements in the territories with all the consequences that the pursuit of this policy entails for the local population.

18. The general economic situation in the territories continues to be a cause of grave concern. While the numbers of Palestinian workers entering Israel have steadily increased since the end of the Gulf war and following the total ban on entry that was imposed during the war, unemployment and underemployment in the territories themselves have reached alarming proportions. In addition, the population continues to be deprived of the income deriving from remittances from Palestinian workers who previously worked in the Gulf States and of the financial assistance it received from other external sources. The severe winter of 1991-92 has also caused devastation to winter crops in the territories and many constraints and restrictions continue to impede Palestinian enterprises from developing export markets. Moreover, the economic situation continues to suffer as a result of the many strike days that are called by various Palestinian religious or political factions, by the action taken by some Palestinians – including the burning of buses – and the building of road blocks by settlers to prevent workers from going to work in Israel. The gravity of the economic situation and the increased tension to which it has given rise has caused the Civil Administration responsible for the territories to adopt a number of measures, including the granting of licences for new enterprises, and taxation relief, in an effort to alleviate some of the difficulties and promote development.

19. The situation of the occupied Arab territories is central to the Middle East Peace Conference which began on 29 October 1991 in Madrid. Successive rounds of talks have since taken place in Washington and in Moscow and, at the time of the mission of the representatives of the Director-General, a further round was to take place again in Washington, on 27 April 1992. It is obvious that the outcome of this Conference will have fundamental effects for the territories and their population as well as on all the matters which are the subject of the present report.

20. The foregoing is intended to provide a general description of the situation in which the representatives of the Director-General carried out their mission this year to Israel and the occupied Arab territories. In the chapters that follow, a more detailed examination will be made of the situation of the workers of the territories and the implications for them and their families of all the measures that have been taken since the previous report was established – or of those which continued to be applied during the past year.
THE ECONOMY AND THE LABOUR MARKET

The economy of the occupied Arab territories

(i) The economic environment

21. The economy of the occupied Arab territories remains fragile and underdeveloped, lacking in essential capital, infrastructure and institutions, subject to overregulation and other costly constraints and almost totally dependent on what is in the interest of Israel. Israeli civil administrators decide on economic policies and priorities. Israeli soldiers continue to close shops and streets at the slightest sign of unrest. Israeli settlers compete on unequal terms for land and water. Israeli tax authorities are felt to be omnipresent and Israeli judges are seen, as a matter of course, to condone the destruction of property and other means of livelihood, ordered by the military.

22. As pointed out in previous reports, Israel is firmly in control of the keys to production and income: capital, labour, land and water, knowledge and skills. Over the years the Israeli authorities have facilitated the employment in Israel of ever larger numbers of Palestinian workers. They have further encouraged massive exports - in terms of total consumption in the territories - of Israeli produce to the territories while reverse trade has lagged far behind - the deficit being covered by wages earned in Israel.

23. Per capita national income for 1990 is estimated to be US$2,290 for the West Bank and US$1,332 for the Gaza Strip, compared to US$10,453 for Israel (current prices). These data reflect the gross national product which, in the case of the occupied territories, exceeds by a margin of around 30 per cent gross domestic product on account of wages earned in Israel.

24. Trade between the territories and other countries is characterised by a massive deficit on the balance of goods. In 1987, the last year for which data on trade with Israel have been published, the territories exported goods worth US$304 million to Israel and imported goods worth US$962 million from Israel. The territories represented Israel's second most important export market (10 per cent of all Israeli exports), after the United States. Trade with Jordan and "overseas" countries showed a positive balance until 1987, when a deficit developed rapidly on account of increased imports and lagging exports. The external

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This section deals with the situation in the West Bank (excluding East Jerusalem) and the Gaza Strip.
position of the territories thus deteriorated further in the course of 1991.

Trade balance of the occupied Arab territories with countries other than Israel, 1980, 1985, 1987-91 (millions of current US dollars)

<table>
<thead>
<tr>
<th>Year</th>
<th>Jordan</th>
<th>&quot;Overseas&quot; countries</th>
<th>Countries other than Israel (Jordan plus &quot;overseas&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Exports</td>
<td>Imports</td>
<td>Exports</td>
</tr>
<tr>
<td>1980</td>
<td>107.3</td>
<td>5.5</td>
<td>11.5</td>
</tr>
<tr>
<td>1985</td>
<td>85.4</td>
<td>8.7</td>
<td>5.7</td>
</tr>
<tr>
<td>1987</td>
<td>78.2</td>
<td>9.4</td>
<td>3.4</td>
</tr>
<tr>
<td>1988</td>
<td>52.4</td>
<td>9.5</td>
<td>2.3</td>
</tr>
<tr>
<td>1989</td>
<td>40.4</td>
<td>8.5</td>
<td>3.9</td>
</tr>
<tr>
<td>1990</td>
<td>32.2</td>
<td>9.3</td>
<td>8.6</td>
</tr>
<tr>
<td>1991</td>
<td>38.4</td>
<td>9.2</td>
<td>9.5</td>
</tr>
</tbody>
</table>

Source: Central Bureau of Statistics

25. The representatives of the Director-General were informed by Palestinian businessmen that they could not import goods directly; they had to use Israeli traders which made these goods more expensive. As regards exports, numerous difficulties were cited. The Gulf war had led to a decline in Arab markets and transit trade via Jordan was disrupted; costly administrative procedures and non-tariff barriers, applied by Israel and third countries, eroded whatever competitive advantages the territories might have.

(ii) Recent developments

26. The economic situation in the occupied territories, and therefore the welfare of workers and their families, continues to be influenced largely by political events not of their making. The crisis in the Middle East last year resulted, inter alia, in a massive reduction in remittances from workers from the territories who worked in countries of the Gulf as well as in transfers to institutions such as hospitals and universities; up
to 25,000 Palestinian workers,\(^1\) most of them having lost all their savings, returned to the territories to compete for scarce employment opportunities; and the devastating 45-day curfew during the war led to an enormous loss in production, trade and income. National accounts statistics for 1991 are so far unavailable but few people doubt that they should reflect a major fall in per capita income. To make matters worse, farmers suffered considerable losses as a result of exceptionally bad weather during the 1991-92 winter season.

27. The Civil Administration for the territories, fully aware of the poor state of the economy and the constraints facing the business sector and concerned about the potential cost of inaction, acknowledged that various measures should be taken to encourage endogenous economic growth and "domestic" employment creation. It made a start — too little too late according to local observers — by liberalising imports of capital, reducing certain charges and reforming taxes, planning industrial parks and approving two new branches for the Cairo-Amman Bank. During 1991, 232 licences were granted for enterprises in the West Bank and Gaza Strip, including 67 for new enterprises.

28. Palestinian economists pointed out to the representatives of the Director-General that licences were only issued for projects which would pose no threat to Israeli producers. Moreover, in their experience, not all new projects for which licences were issued were equally viable. Serious feasibility studies would in several instances bring to light unacceptable flaws and risks associated with — for example — limited access to credit or to markets for inputs or outputs, insufficient infrastructure and circumstances typical of the occupation such as curfews and strike days. In fact, the current business climate was particularly uncertain and less than conducive to making a profit now or in the long term.

29. Some finance for enterprise development, according to these interlocutors, had been made available from sources abroad — including Japan and the United Nations Development Programme (UNDP); however, in vetting proposals, few were found worthwhile. Doubts were therefore raised about an early fruition of the considerable financial assistance which the European Community had decided, in August 1991, to make available for the benefit of the Palestinian population of the West Bank and Gaza; this assistance amounted to 60 million ECU (around US$85 million). Subsequent decisions specified that 12 million ECU were to fund a hospital in Gaza, 29 million ECU were for housing, 13 million in credit for agriculture, industry and services, 3 million for education, 2 million for export credits and 1 million

\(^1\) The Jerusalem Post, 14 Jan. 1991.
for general technical assistance. Negotiations had started recently on how precisely the money should be spent.

**1992 budget of the Civil Administration of the occupied Arab territories**

(million NIS)

<table>
<thead>
<tr>
<th>Income</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes, fees, etc.</td>
<td>676.0</td>
</tr>
<tr>
<td>&quot;Equalisation Fund&quot;</td>
<td>56.0</td>
</tr>
<tr>
<td>Other (incl. inflows from Israel)</td>
<td>36.0</td>
</tr>
<tr>
<td><strong>Total income</strong></td>
<td><strong>768.0</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recurrent expenditure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>206.0</td>
</tr>
<tr>
<td>Health</td>
<td>137.0</td>
</tr>
<tr>
<td>Other</td>
<td>309.0</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>652.0</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capital expenditure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>14.6</td>
</tr>
<tr>
<td>Health</td>
<td>28.8</td>
</tr>
<tr>
<td>Grants to Arab municipalities</td>
<td>24.0</td>
</tr>
<tr>
<td>Communications</td>
<td>16.2</td>
</tr>
<tr>
<td>Waterworks</td>
<td>16.8</td>
</tr>
<tr>
<td>Other</td>
<td>15.6</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>116.0</strong></td>
</tr>
</tbody>
</table>

| **Total expenditure**               | **768.0** |

**Source:** Based on data provided by the Civil Administration.

30. The representatives of the Director-General were, for the first time, able to obtain some partial information on the Civil Administration's budget for the territories. It is of interest to note that income worth NIS 56 million is said to represent the Equalisation Fund: the equivalent of deductions

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made from the wages of regular Palestinian workers in Israel for social benefits under National Insurance which they cannot legally obtain. Taxes, fees, etc. make up 88 per cent of total revenue. The total budget for 1992 of NIS 768 million pays for education, health and other recurrent and capital expenditure; according to the Civil Administration the budget does not cover expenditure on Israeli settlements in the territories and other items which do not fall under its jurisdiction.

Population and labour force

31. The most recent Israeli estimates\(^1\) indicate an end-of-1990 population of 1,597,000 for the occupied Arab territories, i.e. 955,000 for the West Bank and 642,000 for Gaza. The data do not include the Arab population or Israeli settlers in East Jerusalem and the Golan; 82,000 Israeli settlers – 4 per cent of them in the Gaza Strip and the rest in the West Bank – are also excluded.

32. These population data suggest an exceptionally high rate of growth of 4.6 per cent during 1990, i.e. 4.3 per cent for the West Bank and 5.2 per cent for the Gaza Strip. During 1989, the overall rate had been 2.9 per cent as the net result of a 4.2 per cent natural increase and 1.3 per cent emigration. Presumably, the migration trend reversed for the first time since the territories were occupied, following the Iraqi occupation of Kuwait and the return of Palestinians living there.

33. Population estimates for the occupied Arab territories are based on a census conducted in 1967 and are updated annually. Labour force and employment data are obtained through quarterly surveys of almost 8,000 households in the territories; results for the sample are inflated so as to correspond to the estimated total population. The Israeli Central Bureau of Statistics stresses that – as in any sample survey – estimates obtained in this way are liable to sampling errors; furthermore, since the start of the intifada, their enumerators have been confronted with various difficulties so that "responses to questions on employment were of a much poorer quality than in previous versions of the survey".\(^2\)

34. The labour force of the occupied Arab territories was thus estimated at 307,700 in 1990 – representing a remarkable increase of 6 per cent compared with 1989. In the West Bank


\(^2\) op. cit., p. 104.
almost 200,000 people – and in the Gaza Strip 108,000 – were reportedly 15 years of age or older and either employed or unemployed but actively seeking work. More than 90 per cent of these labour force participants were men; female participation is exceedingly low in the Gaza Strip, with less than 2 per cent of women 15 years old or over; it accounts for almost 10 per cent in the West Bank. Preliminary data on employment and unemployment during the last quarter of 1991 suggest that the labour force increased by 4.7 per cent during the year to reach around 322,000.

Employment and unemployment

(i) Total employment

35. The Israeli Central Bureau of Statistics, on the basis of their quarterly surveys, estimates that 296,500 Palestinian residents of the West Bank and the Gaza Strip were employed during 1990 – 10.6 per cent more than the previous year. Moreover, 79 per cent of those employed, compared to 73 per cent in 1989, were found to work full time – i.e. 35 hours or more during the determinant week. The number of women reported to be working recovered from its lowest level since 1970 and reached 26,500, just under 9 per cent of the total working population of the territories; in the Gaza Strip, however, the number of women workers continued to decline to reach a mere 2,800. Total hours worked by all employed in 1990 increased by 13 per cent over the year to 11.1 million; however, this is still 13 per cent short of the average for 1987, i.e. before the intifada started.

36. As a by-product of the Gulf war, early in 1991, a devastating 45-day curfew was imposed on the occupied territories. Employment data for 1991 have not been published so far but they are bound to reflect that economic activity virtually ceased at that time and that large numbers of workers found themselves without jobs once the war was over. The Central Bureau of Statistics released preliminary figures which suggest that total employment averaged 287,000 – 3.2 per cent less than in 1990; during the second half of 1991, total employment reached levels only just below those for the comparable period in 1990; total weekly hours worked during the fourth quarter of 1991 were estimated 12 per cent up from 1990, confirming a further increase in the proportion of workers working 35 hours or more per week.
### Employment of Palestinian workers by place of work, 1990

<table>
<thead>
<tr>
<th>Origin</th>
<th>Work in territories</th>
<th>Work in Israel</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bank</td>
<td>128,000</td>
<td>64,600</td>
<td>192,600</td>
</tr>
<tr>
<td>Gaza Strip</td>
<td>60,800</td>
<td>43,100</td>
<td>103,900</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>188,800</strong></td>
<td><strong>107,700</strong></td>
<td><strong>296,500</strong></td>
</tr>
</tbody>
</table>

**Source:** Central Bureau of Statistics, op. cit., table 27.21.

### Total weekly work-hours ('000) of Palestinians employed in the occupied Arab territories and in Israel (averages for 1987 and 1990 and for the fourth quarter of 1990 and 1991)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Workers from West Bank</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In West Bank</td>
<td>5 267</td>
<td>5 062</td>
<td>5 301</td>
<td>5 004</td>
</tr>
<tr>
<td>In Israel</td>
<td>2 899</td>
<td>2 513</td>
<td>2 330</td>
<td>2 897</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>8 166</td>
<td>7 575</td>
<td>7 631</td>
<td>7 901</td>
</tr>
<tr>
<td><strong>Workers from Gaza</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In Gaza</td>
<td>2 474</td>
<td>2 099</td>
<td>1 987</td>
<td>2 399</td>
</tr>
<tr>
<td>In Israel</td>
<td>1 955</td>
<td>1 467</td>
<td>1 375</td>
<td>2 009</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>4 429</td>
<td>3 566</td>
<td>3 362</td>
<td>4 408</td>
</tr>
<tr>
<td><strong>All Workers</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In territories</td>
<td>7 741</td>
<td>7 161</td>
<td>7 288</td>
<td>7 403</td>
</tr>
<tr>
<td>In Israel</td>
<td>4 854</td>
<td>3 980</td>
<td>3 705</td>
<td>4 906</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>12 595</td>
<td>11 141</td>
<td>10 993</td>
<td>12 309</td>
</tr>
</tbody>
</table>

**Source:** Data provided by the Central Bureau of Statistics.
(ii) Employment in the occupied Arab territories

37. In 1990, 189,000 or 64 per cent of all Palestinians employed were reportedly working in the territories themselves, 8 per cent more than in 1989 and 24 per cent more than in 1970. This apparent increase in "domestic" employment is indeed remarkable if one considers that so few new jobs have been created in the last 20 years. Moreover, employment growth of such proportions would suggest an upsurge in investment which is not borne out by the facts. The explanation lies in a major increase (21 per cent) in agricultural employment - presumably the net result of favourable farming conditions and the impact of the intifada in that people seek alternative income-earning opportunities. Furthermore jobs have been created in settlements. According to the Israeli Ministry of Labour and Social Services, some 4,000 workers from the West Bank and some 2,000 from Gaza were employed by settlers in the early months of 1992.

38. Preliminary data for the last quarter of 1991 show an overall 6 per cent decrease in employment in the occupied Arab territories compared to the same period in 1990. Whilst employment in the Gaza Strip increased marginally, a 10 per cent decrease is reported for the West Bank - again primarily due to developments in agriculture. It is worth noting, as in earlier reports, that a minority of Palestinians working in the territories, 40 per cent of those in the West Bank and 38 per cent in the Gaza Strip are wage employees; most of the others are self-employed in small enterprises.

(iii) Employment in Israel

39. The number of Palestinians working at any given moment in Israel is much debated and subject to some confusion. For a variety of reasons, people on either side of the "green line" separating Israel and the occupied territories are interested to know - or to show - how many or how few workers cross the border. Clearly, the number may vary considerably depending on the seasons and from day to day, e.g. as a result of curfews, strikes or holidays. Data on permits issued by the Israeli Employment Service, however interesting, do not provide the answer. Not all Palestinians who come to work in Israel (e.g. women) need a work permit and some who do, do not have one. Moreover, people with valid permits need not actually go to work every day; they may be prevented from doing so or they may have been laid off before their permit expired. Furthermore, some people are said to have more than one permit. As there is no systematic counting of workers at border crossings, the only comprehensive data are those collected by the Central Bureau of Statistics in their household surveys, inflated to correspond to
official population estimates. For reasons already mentioned, these data are subject to relatively wide margins of error.

Employment of Palestinian workers in Israel by main sector, 1989 and 1990

<table>
<thead>
<tr>
<th>Sector</th>
<th>1989</th>
<th>1990</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Agriculture</td>
<td>14 200</td>
<td>14</td>
<td>12 600</td>
</tr>
<tr>
<td>Construction</td>
<td>56 100</td>
<td>54</td>
<td>64 100</td>
</tr>
<tr>
<td>Industry</td>
<td>13 500</td>
<td>13</td>
<td>11 200</td>
</tr>
<tr>
<td>Other</td>
<td>21 100</td>
<td>20</td>
<td>19 800</td>
</tr>
<tr>
<td>TOTAL</td>
<td>104 900</td>
<td>100</td>
<td>107 700</td>
</tr>
</tbody>
</table>

Note: Totals may not add up due to rounding.


40. In 1990, some 108,000 or 36 per cent of all Palestinians employed are thus estimated to have worked in Israel. Almost all of them were wage employees paid on a daily basis commuting to and fro. Their number represents an increase of 2.7 per cent over 1989; this is exclusively due to a major shift towards employment in the Israeli construction sector which is under pressure to build additional housing for immigrants from the former Soviet Union. Employment in all other sectors decreased.

41. The dramatic events of early 1991, in particular the 45-day curfew imposed on the territories and its aftermath, upset numerous and often long-standing employment relationships between Israeli employers and Palestinian workers and led to what seem to be some fundamental changes in employment patterns and employment practices.

42. Following the Gulf war, large numbers of Palestinian workers remained unemployed for quite some time. Many hundreds, especially those who had jobs in municipalities or services, were permanently laid off, thus swelling the ranks of the unemployed in the territories themselves. Employment in Israel increased slowly at first; however it then rapidly gained momentum according to preliminary data by the Central Bureau of
Statistics. In the fourth quarter of 1991, an estimated 121,000 Palestinians came to work in Israel - a 10 per cent increase over 1990 and more than ever before. Moreover, these workers worked 4.9 million hours per week - 32 per cent more than in 1990; this was presumably because fewer days were lost due to curfews and strikes. Israeli employer representatives predicted that final estimates would show another major increase in construction sector employment and a further reduction of employment in industry and services.

43. Construction sector employers estimated that they employed some 70,000 Palestinians early in 1992 and said that in view of their current workload they would be happy to recruit more if they were available and allowed to come. Industry sources confirmed a newspaper report1 about a programme to train additional 30,000 Israeli construction workers, starting in February, 1992. The programme, initiated by the Contractors and Building Association and co-sponsored by the Histadrut and the Ministries of Labour, Housing and Finance, would - according to the newspaper - provide new workers six months' training, of which at least four months on the job; during their training, workers would receive approximately NIS 1,600 per month, shared between government sources and individual firms. The article, which reports on a press conference by the president of the Association, also mentions the possibility of increasing the number of construction courses in Russia for potential immigrants; it ends by saying that the Association expects the new plan to change the make-up of the sectors' workforce, particularly in the light of the departure of 8,000 foreign workers scheduled for the end of 1992, and that: "furthermore, the number of construction workers from the territories is expected to fall as the number of qualified Israelis grows". By how much and how fast is unclear. The same industry sources did not think that the newly trained Israelis, half of them recent immigrants, would stay in the trade for long. In any case, Palestinian workers were said to be more efficient and in no danger of losing their jobs as long as the building boom lasted.

Employment in the Israeli construction sector, Israeli workers and workers from the occupied Arab territories, 1985-90

<table>
<thead>
<tr>
<th>Year</th>
<th>Total employment (number)</th>
<th>Israeli workers (number)</th>
<th>Palestinian workers Number</th>
<th>As a %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>114,700</td>
<td>72,200</td>
<td>42,500</td>
<td>37</td>
</tr>
<tr>
<td>1986</td>
<td>107,300</td>
<td>61,800</td>
<td>45,500</td>
<td>42</td>
</tr>
<tr>
<td>1987</td>
<td>117,400</td>
<td>67,700</td>
<td>49,700</td>
<td>42</td>
</tr>
<tr>
<td>1988</td>
<td>127,900</td>
<td>73,700</td>
<td>54,200</td>
<td>42</td>
</tr>
<tr>
<td>1989</td>
<td>127,700</td>
<td>71,600</td>
<td>56,100</td>
<td>44</td>
</tr>
<tr>
<td>1990</td>
<td>140,300</td>
<td>76,200</td>
<td>64,100</td>
<td>46</td>
</tr>
</tbody>
</table>

Source: Central Bureau of Statistics, op. cit., tables 12.9 and 27.21.

(iv) Unemployment and underemployment

44. In 1990, according to Israeli estimates, only one in four Palestinian labour force participants worked for wages within the territories; the others were either self-employed in the territories (37 per cent), working for wages in Israel (35 per cent) or unemployed, i.e. working less than one hour per week but available for work and seeking it (3 per cent).1

45. It is obvious in circumstances such as those prevailing in the occupied territories that very few people can afford to be without work for any length of time and that the definitions used overlook large numbers of people with a serious employment problem of one kind or another. The term "underemployment" probably reflects better an insufficiency in the volume of employment than the term "unemployment". It covers all those in paid or self-employment, involuntarily working less than what is considered a normal duration and available for additional work. Another form of underemployment, less visible and more difficult

1 Ironically, one could argue that relatively large numbers of men in detention, on average around 15,000 according to Israeli sources, keep unemployment figures down; however, they are not considered part of the labour force because they are unavailable for work.
to measure, concerns a misallocation of labour resources or a fundamental imbalance between labour and other factors of production. Characteristic symptoms include low income, underutilisation of skills and low productivity. For example, Palestinian interlocutors pointed to large numbers of unemployed university graduates.

46. In any event, unemployment as defined by the Central Bureau of Statistics seems to have increased dramatically in the West Bank. Recent estimates by the Central Bureau of Statistics put the end-of-1991 figure at 10.3 per cent - compared to 3.6 per cent at the end of 1990. In the Gaza Strip, unemployment is said to have remained the same at around 4 per cent, presumably because in 1991 more people than ever went to work in Israel - something which close observers of the Gaza scene, including Palestinian economists and UNRWA administrators, find hard to believe. They estimate unemployment in the territories to have reached anywhere between 25 and 40 per cent of the labour force.

(v) Employment prospects

47. Employment prospects for the labour force of the occupied Arab territories remain as bleak as ever. On the supply side, labour force growth is assuming alarming proportions, mainly because half the population is under 15 years of age. With an average of 15,000 new entrants to the labour market per year, which is a conservative estimate, some 100,000 new jobs must be created in the territories between now and the end of the decade - if employment opportunities in Israel remain at their current level of around 100,000.

48. Unemployment in Israel is currently well over 10 per cent because, while the economy went into recession, there was a major influx of jobseekers - many of them immigrants from the former Soviet Union. There were 143,000 registered jobseekers in Israel in January 1992, 30 per cent more than in January 1991. The difference consisted almost in full of immigrants, 50 per cent of whom were university graduates. According to the Central Bureau of Statistics, some 135,000 among the


260,000 working-age immigrants who arrived during the last three years were labour force participants. At the start of this year, half of them had found jobs, 30 per cent were in training and 20 per cent (almost 30,000) were unemployed; the jobs were mainly in industry (39,000), in the public sector (9,500), in business services (6,000) but also in construction (5,000). More recent reports suggest that 85,000 immigrants had found jobs - two-thirds, however, not in their field of specialisation; 48,000 (36 per cent) were said to be unemployed.1

49. Given the unemployment situation and concerns about security, continued employment in Israel for large numbers of Palestinians should not be taken for granted. Workers from the territories badly need the jobs and many Israeli employers, in spite of all the difficulties, still insist on recruiting Palestinians. But such jobs in Israel are increasingly precarious; they are now almost all in construction and agriculture, sectors known for their fluctuating labour demand. The number of Palestinian workers in Israel are expected to decline by the end of the building boom - if not earlier.

50. Job creation in the territories is an uphill struggle. There are very few jobs to begin with and current investment plans, if they materialise, are not expected to increase the number of jobs in a significant way soon. Special measures including labour-intensive public works schemes, are urgently needed to constitute a social safety net for those who are unable to make ends meet otherwise. As a large proportion of new arrivals to the labour market will have to be self-employed, it is essential that they find the business environment conducive and have access to key inputs such as the necessary technical and management skills and credit, and to markets for the goods and services they produce.

Education and training

51. The representatives of the Director-General met the Vice-President of the Bir-Zeit University and members of its administrative council at Ramallah. They were informed that the decision to close the University, taken on 7 January 1987 by the authorities, had been extended for a further two months' period on 29 February 1992. Until that time, closures had lasted three months; the military authorities pointed out that this decision to reduce the period of extension bore witness to their true intention to reopen the establishment and that this time would be put to good use to discuss ways in which courses might start again with the administrators. After more than four years of

1 The Jerusalem Post, 1 Apr. 1992.
closure, the University started reopening on 29 April by stages. As for the five other universities closed at the same period, they were gradually reopened in 1990 - months after their reopening had been announced by the authorities. They were once again closed during the Gulf war and reopened some time after the end of the war - and in the case of some of them, intermittently. Schools and educational establishments were closed on 3 February 1988, and then reopened in June 1990 - also intermittently depending on developments.

52. The interlocutors of the mission also mentioned the practical difficulties caused by the long closure of the Bir-Zeit University which prevents them from having access to their libraries and laboratories and obliges them to rent premises scattered throughout the town and its surrounding area. While referring to Article 26 of the Universal Declaration of Human Rights guaranteeing everyone the right to education, the senior officials of the University also mentioned the financial difficulties with which the establishment has had to cope since the Gulf crisis; as in other branches of activity, the University is suffering from the breakdown in relations with the usual sponsors and from various forms of fiscal and administrative harassment by the authorities. For various reasons, the Civil Administration does not contribute to the budget of the universities.

53. The closure of universities and educational establishments considerably increases the difficulties of young Palestinians; these obstacles to education and training will have repercussions - as yet immeasurable - on the future of these young workers. Education is the cornerstone of overall economic development; measures of this nature, therefore, are usually considered to be a form of collective punishment, contrary to international law. Under these circumstances, it is vital that the universities should be able to operate normally once again and cease to be the target of reprisals to which they have been subjected for so long.

54. The Civil Administration for the occupied territories, the United Nations Relief and Works Agency (UNRWA) as well as certain non-governmental organisations, pursued, with minor improvements, their relatively modest efforts in vocational training. While a number of graduates have undoubtedly benefited from their training, it may be reiterated that the time has come to review policies and institutional arrangements so as to make the training system as a whole more relevant to the needs of the territories and more efficient. The link between current training activity and employment prospects in the territories is

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far from evident. It is important to consider explicitly and continuously — and from a macro-level viewpoint — how training can contribute to the creation in the territories of 100,000 jobs between now and the end of the decade; it should not be assumed that skills supplied will create their own demand. As things stand, training needs assessment has low priority. Employers are not involved in administering training programmes, nor do they contribute financially. Training for self-employment is virtually unheard of. Not much progress has been made in upgrading the skills of people already working — including the self-employed in micro-enterprises — to improve their productivity and income. It would be relevant to examine such issues simultaneously and in a coherent manner.

Taxation

55. In the course of the mission the representatives of the Director-General were once again confronted with numerous complaints from trade unionists, workers and employers about the system of taxation and the assessment and collection of taxes in practice in the occupied territories. While it was not within the competence of the mission to examine the intricacies and complexities of the taxation systems that apply in the territories under Egyptian and Jordanian law, as amended by numerous military orders, it is nevertheless relevant to mention this aspect in view of the extent to which taxation is seen by the Arab population as a fundamental cause of discontent as well as a source of discrimination and arbitrariness for the people of the territories. Indeed, it may be recalled that, in last year's report, it was stated that the question of taxation merited thorough investigation by the authorities in order to remove any discriminatory or arbitrary factors that may exist in the taxation system.

56. The Israeli authorities stressed that there was no question of any discrimination in the assessment of income or other forms of taxation between Israelis and the population of the territories. Indeed, they pointed out, Israelis pay pro rata higher taxes than do Palestinians. They also indicated that measures to simplify procedures, reduce income tax and provide for exemption from other taxes, introduced in January 1992, would reduce the overall tax burden on the territories. All taxes, however, would continue, as before, to be transferred directly to the budget of the Civil Administration for the benefit of the territories.

57. Almost from the very beginning of the intifada the Israeli authorities have been confronted with widespread resistance to the payment of taxes by the people of the occupied Arab territories. Both the legality of the taxation system, as well as the destination of revenues collected through taxation,
have been seriously questioned by the Arab population of the territories. This boycott was met with numerous raids on property and confiscation of assets by the authorities. While the intensity and incidence of confiscation have subsided, there remain many recorded instances in which individuals or traders have been subjected to such repressive measures for non-payment of taxes. There is also evidence that various types of permit, including work permits, travel visas and the like, are difficult to obtain if proof cannot be provided that all taxes have been fully paid.

58. The main problem, however, appears to stem from the arbitrary and excessive manner in which assessments are calculated for traders, individuals and even institutions such as universities. In many cases the problem is one of inadequate bookkeeping by traders and enterprises, thus making any accurate assessment difficult or impossible. In others, involving individual workers, the problem appears mainly to result from the non-payment of income tax or monies they earned in the past as irregular workers or subcontractors in Israel. In both cases, the common practice seems to be for the authorities to issue exaggerated assessments, calculated arbitrarily, and to enforce payment using intimidatory methods that include the confiscation of permits or identity cards or the confiscation of other types of asset. In some cases, traders and individuals have been able to negotiate the payment of more reasonable sums than those assessed by the authorities.

59. Despite the measures taken to simplify taxation and reduce the tax burden, the system of taxation and methods of collection continue to give rise to severe difficulties and discontent. It is, therefore, strongly to be recommended that the authorities rapidly examine additional ways of simplifying the system in order to make it more comprehensible and to introduce reasonable and equitable measures to ensure that arbitrariness and injustice can be avoided in the assessment and collection of taxes.

CONDITIONS OF WORK

Work permits

60. Employment in Israel is governed by the Employment Service Act of 13 January 1959, section 32(a) of which states that "in the branches of work, trades and occupations specified
in the Second Schedule\(^1\) a person shall not engage an employee, and a person shall not start working for an employer, unless the employee has been referred by an employment office and a written confirmation to such effect has been given by the latter". Paragraph (c) states that the term "employee" applies to manual labourers; paragraph (b) states that these provisions "shall not apply to an employee whose function in the job in question is a managerial or foreman's function or requires a higher education or a special measure of personal trustworthiness ...". These provisions apply to all persons from other countries who have come to work in Israel. As regards workers residing in the occupied Arab territories, these provisions are complemented by those of the 1972 Military Ordinance entitled "General Exit Permit (No. 5)"; a corresponding text applies also to the Gaza Strip. Section 2 of this Ordinance states that a Palestinian worker from the territories may find employment in Israel only through the employment office in his region which assigns him to a job offered by an Israeli employer. Section 32(a) of the above-mentioned Act and section 2 of the Military Ordinance are closely related. Moreover, the Palestinian worker is authorised to work only in the specific job and place of work to which he has been assigned by the employment office. If the employer can impose his preference and choice through the employment office, the Palestinian worker has no choice but to accept the job offered, for it is in respect of that job that the work permit is issued.

61. Section 42(a) of the above-mentioned Act provides that "the employment office shall not discriminate against a person on account of his age, sex, religion, ethnic group, country of origin, view or party affiliation, and a person requiring an employee shall not refuse to engage a person for work on account of any of these factors". However, paragraph (b) of section 42 limits this prohibition in the sense that "no discrimination shall be seen where the character or nature of the task or considerations of state security prevents or prevent a person's being referred to or engaged for some particular work". These considerations of state security are omnipresent in relations between the Israeli authorities and the Palestinian people and workers of the occupied territories, and they are likely to lead to discriminatory and arbitrary practices.

62. Inhabitants of the Gaza Strip who apply for work in Israel must be in possession of a valid "magnetic card", while

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\(^1\) The Second Schedule concerns employment in the building trades, in civil engineering, industry, handicrafts, water, electricity, mines, transport, agriculture, security services, restaurants, hotels, entertainment, offices or trade, excepting household work.
inhabitants of the West Bank (excluding East Jerusalem) must not be in possession of the green identity card which is issued for periods of six months to persons who have been released after being detained on security grounds, generally without being charged or tried. The green cards forbid entry into Israel and East Jerusalem. These special cards may be renewed at the end of the six-month period or replaced by a normal identity card. It will be recalled that the papers a worker needs in order to apply for a work permit are obtained only after a considerable amount of "red tape" in various offices of the Civil Administration and after paying the taxes required by the authorities. Allegations of corruption made against Israeli officials were mentioned to the mission and reported by a member of the Knesset (Israeli Parliament) in connection with the green cards.¹ Palestinian trade unionists mentioned that workers have had to pay officials 200 shekels to obtain a work permit. The Israeli authorities made no comment on these allegations.

63. An Arab resident of the territories usually requires a permit to work in Israel but there are some categories of persons for whom this is not indispensable. In the past about half these workers had permits but following the Gulf war and the consequent strict security measures the proportion of permit holders went up by approximately 50 per cent. Today about two-thirds of the workers have permits. The authorities state that they are following a policy of national preference in respect of job allocation, as is done in many countries, though in certain sectors such as building the employers insist on having Palestinian workers.

64. Initially a permit is issued for two months. If the worker remains with the same employer, the permit may be renewed for a period of one year, which itself is renewable. If there is any change of workplace or of employer the permit must be modified accordingly. It is the employer who files an application with the Employment Service, according to his needs. Jobseekers are dependent not only on demand but also on the Employment Service and the security services of the army (which are consulted before any permit is granted). Workers have no choice as to their employment: they apply and a job is allocated to them. Moreover, when the employer no longer needs the worker, or for other reasons, all he has to do is inform the Employment Service. The work permit is not a contract of employment. The

¹ On 5 August 1991 Mr. Dedi Zucker stated that officials in the Civil Administration were allocating green cards on the basis of criteria that were neither uniform nor objective and in exchange for bribes. The army announced that this matter would be investigated in two districts of the West Bank (The Jerusalem Post, 6 Aug. 1991).
Employment Services of the West Bank stated that approximately 60 per cent of the permits issued were for one year. Since the Services operate with computers, permits are now issued very quickly (in two hours instead of two to three days).

65. It will be recalled that Arab women and adolescents under 16 who work in Israel need no permits. Some seasonal or casual workers (gardeners, for example) may obtain what is known as a white permit from the military governor; this permit, which is valid for three months, enables them to work in Israel. The authorities have stated that hundreds of these permits have been issued for the West Bank.

66. In the Israeli settlements, where about 4,000 Arabs are working in the case of the West Bank (excluding East Jerusalem) and 2,000 in the case of the Gaza Strip, as well as a certain number without permits, workers are required to have a special permit, known as a blue permit, which is valid for three months. They are paid for directly by the employer. In the settlements there is no insurance other than that of private companies, contributions to which have to be paid by the employer. In principle, the Minimum Wages Act is applicable but there are no collective agreements.

67. The wages of workers who have permits are paid through the Payments Department of the Employment Service which has received the gross amount from the employer. The net wage is then paid after deduction of social security payments. Where applicable, this wage is supplemented by whatever social benefits are due under Israeli law, collective agreements or regulations thereunder. When the employer performs this operation, he is required to validate the permit. In some firms the employers have been declaring fewer days than those actually worked. Employers thus stand to pay less in social security contributions, as do the workers; moreover, they each save on taxation. This seems to be a common practice according to the information received by the mission from both sides; it is nevertheless very difficult to determine how far this reflects an agreement between employer and worker, who each benefit, and to what extent it is imposed by the employer. From now on the Ministry of Labour will require all employers to declare at least 15 days' work for each worker. Workers are obliged to wait two weeks after the end of the month's work before receiving their wages and are always in need of advances. It seems therefore that part of the wages are paid direct by the employer to the worker in the form of an advance on wages and that, at the end of each month, the remainder is transferred to the Employment Service. The authorities of the Ministry of Labour have issued a circular in Arabic to combat this fraud by drawing the workers' attention to their rights and explaining what they are losing by going along with this practice (the text of this circular appears at the end of Annex II).
68. During the Gulf war the occupied Arab territories remained under curfew for 45 days. This was a severe ordeal for the entire population which was temporarily deprived of a livelihood since all economic activity was at a standstill. When the authorities began to lift the restrictions gradually, they amended certain aspects of the work permits. Military Orders were adopted to restrict the freedom of movement of Arab workers when they are in Israel and to step up security. A military Ordinance of 17 February 1991, issued under Ordinance No. 378 of 1970 in respect of security on the West Bank, has suspended all driving licences, whether for work or personal use. Another Ordinance provides that workers may only enter Israel in authorised vehicles, that they must remain at their workplace between 5 a.m. and 7 p.m. (unless it is specified in their work permit that they are authorised to do shift work, that they may only be at their workplace and only for the purposes of their work).

69. A similar Ordinance was adopted on 8 February 1991 for Gaza, under Military Order No. 111 of 1969 in respect of the closing of the Gaza Strip; this concerns only the native Arab population, thus excluding Israeli settlers. According to this Ordinance the workplaces to which the Gaza Arabs have access are restricted to the area "south of the straight line that passes between the city of Ashod (approximately 40 kilometres north of the Erez military road block closing the Gaza Strip) and the city of Jerusalem, including the city of Ashod and the town of Gedera (ten kilometres east of Ashod), but not including the city of Jerusalem"; the other provisions are the same as for the West Bank. Consequently, Arab workers from the territories of the West Bank (excluding East Jerusalem) and the Gaza Strip are allowed to drive in only a very restricted perimeter in Israel and then only to go to their workplace; they must stay at the workplace between certain hours and may drive only authorised vehicles. The enforcement of these very strict measures by the army and police authorities is described later in the text.

Social insurance

70. If registered with the Employment Service and holding an Israeli work permit, Palestinian workers benefit from a twofold social insurance scheme: the social coverage established by collective agreements negotiated and concluded by the Histadrut in the large majority of sectors, and for which, theoretically, no condition of residence in Israel is required; and the supplementary (obligatory) national insurance run by the National Insurance Institute of Israel; conditions of residence are required for access to some of these benefits. The benefits guaranteed by collective agreements vary by branch of activity as follows:
### Social deductions in Israel, by branch of activity

<table>
<thead>
<tr>
<th>Branch of activity</th>
<th>Employer (%)</th>
<th>Worker (%)</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private enterprises</td>
<td>37.33</td>
<td>6.00</td>
<td>43.33</td>
</tr>
<tr>
<td>Public enterprises</td>
<td>15.80</td>
<td>5.50</td>
<td>21.30</td>
</tr>
<tr>
<td><strong>Industry and services</strong></td>
<td>12.50</td>
<td>5.50</td>
<td>18.00</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
<td>19.50</td>
<td>5.50</td>
<td>25.00</td>
</tr>
</tbody>
</table>

**Source:** Employment Service circulars (social allowances section), Nos. 28/89, 29/89 and 30/89 of 27 April 1989.

71. These deductions cover workers mainly for annual leave, sickness and retirement. According to the branch, they may also be granted severance pay, length-of-service bonuses, invalidity and survivors' pension, paid public holidays, etc.

72. Under the national insurance scheme all workers are eligible for benefits in the event of occupational accidents, maternity (provided the birth takes place in Israel) and the bankruptcy of the employer. Other benefits are provided by the National Insurance Law (old-age, family allowance, invalidity, unemployment, survivors', occupational diseases, nursing), although access to benefit requires residence in Israel or in an Israeli settlement; these benefits are therefore not available to Arab residents of the occupied territories. However, as can be seen from the following table, under the law these workers and the employer who employs them contribute in the same way as other workers to these benefits (6.5 per cent, plus 4.95), although they are not entitled to benefit. The policy is designed to ensure equalisation of the cost of labour and to prevent cheap labour and disputes which could arise as a result.
Social deductions in respect of national insurance

<table>
<thead>
<tr>
<th></th>
<th>Employer (%)</th>
<th>Worker (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational accidents</td>
<td>0.30</td>
<td>-</td>
</tr>
<tr>
<td>Maternity</td>
<td>0.05</td>
<td>0.60</td>
</tr>
<tr>
<td>Employers' bankruptcy</td>
<td>0.30</td>
<td>-</td>
</tr>
<tr>
<td>Other categories (invalidity, accidents, etc.)</td>
<td>2.20</td>
<td>4.30</td>
</tr>
<tr>
<td>Additional contribution</td>
<td>4.95</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>7.53</td>
<td>4.90</td>
</tr>
</tbody>
</table>

73. The total of the three categories from which Palestinian workers may benefit (0.98 per cent) is transferred to the National Insurance Institute. The rest, which is called equalisation of the cost of labour, i.e. 6.5 per cent, is transferred to the Civil Administration which must use it to finance various projects in the occupied territories. The additional 4.95 per cent contribution paid by the employer is used, according to the Israeli authorities, to finance occupational health services (periodical medical check-ups, first aid) and hospitalisation. The equivalent amount is likewise paid to the Civil Administration.

74. The legal framework for the employment of workers from the occupied Arab territories in Israel was established by a policy decision of the Israeli Government of 8 October 1970 which remains in force. The decision forms the basis of the policy of the Ministry of Labour and Social Affairs on wages and social benefits paid to workers from the Arab territories. The decision establishes the principles of equality of remuneration and benefits of Palestinian and Israeli workers before the law and under collective agreements when these workers are in an equivalent situation (paragraphs A and B). By virtue of this decision, it is also understood that the Payments Department of the Employment Service is responsible for making tax deductions (the wages received by Palestinian workers being net of tax), deductions in respect of national insurance and of the Histadrut, and any other deduction relating to social benefits (paragraph E). In addition, a territories fund for social development, was established by this decision to receive the equivalent of the deductions made from the wages of the workers in Israel in respect of the equalisation fund and civil defence (paragraph G). It is specified that the Prime Minister, Minister of Finance and Minister of Labour are to reach agreement on the manner of
administering the fund and regulating its expenditure (paragraph 4).

75. As stated in the previous reports, this fund is the subject of controversy, for the Palestinians complain that they know neither how much is in it nor what it is used for. The authorities of the Ministry of Defence told the Director-General's representatives that the Civil Administration receives the funds from the cost of equalisation of labour and spends them entirely on the development of the occupied territories.

76. Despite these verbal assurances by the authorities, the Palestinian workers say that they have not been informed of the real purpose of deductions and would like the sums collected by the Civil Administration and the Israeli Treasury from their wages to be known and to be used - and to be seen to be used - for the benefit of the Palestinian population. At the moment they are not convinced of this. The Palestinian spokesmen whom the Director-General's representatives met have always considered that the use of these funds for social purposes in the occupied Arab territories could only be guaranteed if it was absolutely clear how much money was involved, how much was actually being spent, and on what. They still claim the right to administer this money.

77. As regards the contributions to the National Insurance Fund from wages of Palestinian workers, the Israeli Association of Horticulturists submitted a complaint to the Supreme Court against the Employment Service since, as noted above, these contributions are equal to those deducted from the wages of Israeli workers, although the Palestinians are excluded from certain benefits. The substance of the case is pending, although the Court has temporarily suspended contributions due from the employer. Following this decision, an Israeli association for the defence of the Arab workers of the occupied territories, established in January 1990, "Workers' Hotline" (in Hebrew: "Kav La'oved"), has taken up the matter on behalf of the Palestinian workers in Israel by asking that these workers be given the right to the same benefits as the Israeli workers, that is entitlement to benefits in respect of their contributions and the suppression of the obligation to reside in Israel to receive certain benefits.

**Arrest of workers**

78. Although it appears that the number of Arab workers of the territories employed in Israel has returned more or less to what it was before the Gulf war, conditions are now different. Work permits significantly restrict the freedom of movement of workers. However, not all workers hold a permit for various reasons, but mainly because of the fact that, as elsewhere, non-declared labour is less expensive to the employer and
theoretically to the worker too. Thus a number of workers go into Israel without a work permit. Having regard to the numerous military controls, particularly in Gaza where a permanent military roadblock checks every vehicle and individual, these movements are made with the tacit agreement of the authorities.

79. A number of allegations concerning the arrest of workers in Israel were also mentioned to the mission by the Palestinian trade unions, the Palestinian and Israeli human rights organisations, university staff and Palestinian spokesmen. These arrests are made by the Israeli police which systematically search any Arab found outside a workplace; those whose papers are not in order are arrested and fined. An Israeli journalist stated in an article published on 27 December 1991 in the Israeli newspaper Haaretz\(^1\) "Every day, the police carry out thousands of identity checks in Israel, looking for Palestinians from the territories there without a valid permit. Checks are made, according to the police, depending on the 'appearance' of the persons, that is their oriental features".

80. The authorities of the Civil Administration stated that approximately 1,000 persons living in the West Bank were arrested each month and fined because they had no permit or because they were outside the zone authorised by their permit, or because they had exceeded the authorised time-limit, or because their permit had expired or they had changed work and their permit was no longer valid. The fines are of 350 shekels for residents from the West Bank and 500 shekels for those from the Gaza Strip (the daily average wage of an unskilled Arab worker in Israel is 20-30 shekels after deduction of transport expenses). The Palestinian trade unions told the mission that workers who were questioned by the police and whose papers were not in order were detained for at least 24 hours at the police station and found it difficult to pay their fines; the trade unions collect money to help them pay (fines are sometimes subject to negotiation). It was also pointed out to the mission that a worker arrested in such circumstances would have his identity papers seized along with his magnetic card if he lived in Gaza. In addition, even workers with a permit have been arrested and fined. According to the authorities, if a worker has been arrested once because his papers were not in order and fined, he could still subsequently obtain a work permit. On the other hand, if the offence is repeated, he must wait a month before being able to obtain a permit.

81. At the Ministry of Defence, the authorities responsible for the Civil Administration of the territories recognised that

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\(^1\) Quoted in "Revue d'études palestiniennes", No. 43, Spring 1992.
errors and acts of abuse had been committed in this respect by the police in Israel. The Civil Administration has requested that only persons whose papers are not in order should be questioned. A Bill is being prepared to increase the fines applied to workers without permits, and to employers who provide them with work (15,000 shekels for the worker and 2,000 shekels for the employer).

82. As in the past, workers are not authorised to spend the night in Israel, unless they are employed on shift work, which must be indicated on their work permit. In special cases, Israeli employers interviewed by the mission said that a worker may in exceptional circumstances be authorised by the police to spend the night in Israel if required to do so by his work and if the employer assumed responsibility.

83. The Israeli authorities told the mission that they applied a degree of flexibility towards Arab workers in Israel and emphasised that to work in Israel was a privilege for a Palestinian of the occupied territories who had a vital need to work. It should be added that Israeli employers admit that they have just as much need of these workers, who have the reputation of being hard-working and serious, as these workers have of their jobs to earn their living.

Conditions of employment

84. Whether or not they hold a work permit, and irrespective of the duration of the permit, Arab workers in Israel are employed on a daily basis. According to Israeli employers, the reason for this is that these workers are absent from work more often than Israeli workers. Days of strike, curfews, events connected with the Intifada, road blocks set up by settlers to prevent Palestinians from entering Israel (as a reprisal for incidents) are in fact a major cause of absenteeism. This absenteeism is only rarely the fault of the Palestinian worker who is often its victim. Be that as it may, Israeli employers insist that this system be maintained, since it is the only one which enables them to pay workers for days actually worked. Furthermore, the authorities of the Ministry of Labour said that the system is well suited to the payment of wages of days worked. According to information collected from Israeli and Palestinian interlocutors, no Palestinian worker of the occupied territories is employed in Israel on a monthly basis. Representatives of the Histadrut said that there were a certain number, although they could not give any figures. A minority of Israeli workers are also employed on a daily basis, although the general system is monthly employment.

85. For a worker, the difference in status is as follows. Under the provisions of Law No. 5736 of 1976 concerning sick
leave, the wage in respect of sickness paid to daily workers is that which corresponds to days worked (section 2(b)(2) of the Law), whereas for workers employed on a monthly basis, weekly days of rest and annual leave are included (section 2(b)(1) of the Law). Under Law No. 5711 of 1951 respecting annual leave, the annual leave is due once the worker has completed 75 consecutive days of work with the same employer (section 3 and 4 of the Law); daily workers are paid for these days according to an average rate of daily wage (calculated on wages received during the last three months divided by 90, a rate which is well below the daily wage which they would have received if they had worked), multiplied by the number of days due (section 10(b) of the Law); on the other hand, workers employed on a monthly basis are entitled, in respect of days of leave, to exactly the same remuneration which they would have received if they had worked. Furthermore, if a worker employed on a monthly basis is prevented from coming to work, he can negotiate with his employer the payment of the days not actually worked. The Palestinian interlocutors emphasised that as a result of this system the wages paid to daily workers are lower than those paid to workers employed on a monthly basis.

86. This situation does not apply only to Palestinian workers in Israel, since Israeli workers are also employed on a daily basis. But the situation does give rise to concern because of the circumstances and context in which it is set. Indeed, a Palestinian worker has no hope that his status will change in the future; even as his occupational situation stabilises and he stays with the same employer for many years and progresses in his employment, he is not protected from any of the vicissitudes characteristic of the employment of Arabs from the occupied territories. This was emphasised in the previous Report of the Director-General in paragraph 41; reference was made to many dismissals of workers during the Gulf war who were unable to go to work because of the permanent curfew imposed by the military authorities. Workers who had built up years of service and who were employed with a work permit were treated in the same way as those who were in a less stable situation. Thus most of the Israeli municipalities dismissed their Palestinian workers from the territories, as did the "Dan" omnibus cooperative, the "Egged" transport company, the "Co-op" chain of supermarkets, etc. The Palestinians allege that they were replaced by immigrants. In this connection, the Israeli authorities of the Ministry of Labour admitted the dismissal of 500 Palentinian workers employed by the Tel-Aviv municipality for a number of years, but said that this was an exceptional case; the reason for these brutal dismissals was ascribed to the acts of violence which occurred at this time against employers. Most of these dismissed Palestinian workers did not receive the severance pay to which they were entitled, and sometimes not even their wages (the Israeli association for the defence of Palestinian workers, "Workers' Hotline", said that it alone had presented to the
courts 150 cases concerning the non-payment of compensation and wages due).

87. Although the Israeli employers say that if a Palestinian worker were employed on a monthly basis he would be treated in the same way as an Israeli worker, this is only an academic hypothesis since there is no provision which establishes a different status for Arab workers and, on the basis of the information provided by the Israeli authorities, this situation is likely to continue. It is regrettable since it clearly places Arab labour in a position of weakness and liable to abuse and discriminatory practices, as pointed out by the associations for the defence of workers and human rights, as well as the Palestinian trade unions.

88. The Israeli authorities recognise that there is a problem in Israel concerning the application of Law No. 5747 of 1987 respecting minimum wages, which applies also to workers of the territories who are declared, and are thus holders of a permit. The Ministry of Labour and Social Affairs employs only two inspectors in the country to deal with complaints, which it believes insufficient to ensure respect by the employers of the legal provisions (since the adoption of the Law, only four infringements have been subject to proceedings). The Director-General of the Ministry of Labour pointed out the measures required to ensure that workers were no longer underpaid according to the law: there would have to be a radical increase in the number of inspectors (30 to 40 more) with powers to impose on-the-spot fines. Until such measures are introduced, he suggested that the 70 inspectors who currently supervise occupational safety and health should also be made responsible for monitoring the application of the Law respecting minimum wages.¹ It may be hoped, therefore, that the consultations under way will lead to a better application of the Law, since the complaints made most frequently by Palestinian workers concern wages, and to a significant reinforcement of the labour inspection services and their results.

89. In the Gaza Strip, workers going to work in Israel gather each morning at the "Erez" military control point between 5 a.m. and 7.30 a.m. (this is the checkpoint between Israel and Gaza). They separate into two groups made up of those who hold a work permit and those who do not. Workers with a permit line up one behind the other and move towards a sort of open terrain, without installations, and marked off by barbed wire. There is a hut at the entrance in which soldiers carry out checks. In this camp, the workers wait for employers to arrive with their vehicles (buses, minibuses or small trucks). Sometimes, the

employer does not come because that day he does not need his usual worker or workers. The latter thus return home. The other group, made up of workers without a work permit, stand opposite the camp in a place which is also separated from the road by barbed wire, to await some hypothetical employment for the day. If an employer arrives looking for workers, he makes his choice and takes them into Israel after the military inspections at the check point. These two camps are near the military road block and are surveyed by numerous soldiers positioned in the vicinity.

90. This military context which the Director-General's representatives themselves were able to corroborate on the spot, as well as the conditions of employment of Palestinians, in particular those from Gaza, are a violation of the dignity of workers and respect of the individual. It appears that some Israeli authorities are aware of this. Evidence and surveys quoted in the Israeli press show to what extent the imbalance in the relations between Israeli employers and Arab workers in the occupied territories is harmful to all concerned.

THE TRADE UNION SITUATION

91. It may be recalled that the main trade union structure in the West Bank - the General Federation of Trade Unions of the West Bank - was reunited in March 1990 and brought together the two principal factions led by Mr. Shaheer Sa'ad and Mr. George Hazboun, respectively (i.e. the General Federation of Trade Unions, with its headquarters in Nablus, and the Progressive Workers' Block of Bethlehem). The GFTU Workers' Unity Block (WUB), based in the Ramallah area - headed at the time by Mr. Mahmoud Ziadeh - had remained outside the General Federation upon its reunification. Out of the 16 executive board seats of the reconstituted Federation, which claimed to represent about 90 per cent of the workforce of the West Bank and approximately 90 trade unions (of which 31 were, at that time, registered), two had been reserved for the WUB. The position of the WUB had, however, been complicated by a split within its own ranks, a situation which would have to be resolved before the question of adherence to the General Federation could be pursued. In March 1991, the executive committee of the General Federation decided that, since it was not possible to hold elections, its members should remain in office for another year and that preparations would continue for the possible holding of elections in March 1992. In June 1991 Mr. Mahmoud Ziadeh, leader of one of the factions of the WUB, joined the General Federation and took up one of the two vacant seats on the executive committee.

92. During the past year only one new union (of driving instructors in the Hebron area) was registered in the West Bank, bringing the total number of registered unions in this territory to 32. Some unions were able to hold elections, while others,
e.g. the Building Workers' Union, were refused permission to do so by the military authorities.

93. Furthermore, during the past year a number of important trade union meetings took place in which executive members of the West Bank GFTU participated, or which they themselves organised. For example, on 19 and 20 September 1991, the executive committee of the GFTU organised and held a workers' Economic Conference in East Jerusalem, in the course of which a number of resolutions were adopted and recommendations made concerning the development of the occupied territories, the role of the Federation in economic development, the creation of unemployment and sickness insurance schemes, and the training of workers on the protection of their legal rights. In addition, a number of members of the executive committee, as well as members of the General Federation of Trade Unions of the Gaza Strip, attended a meeting of the executive committee of the Palestinian Trade Union Federation (PTUF), held in Amman, Jordan, from 21 to 24 January 1992. At this meeting, discussions took place on questions relating to trade union organisation, the employment situation, workers' education and training, health and safety, and external relations and international solidarity. A report on this meeting was transmitted by the General Secretary of the PTUF to the Director-General in February 1992. The General Secretary of the General Federation, Mr. Shaheer Sa'ad, and the Deputy General Secretary, Mr. George Hazboun, attended the 15th World Congress of the International Confederation of Free Trade Unions (ICFTU), held in Caracas, Venezuela, from 17 to 24 March 1992.

94. During their meetings with a number of members of the executive committee of the General Federation, the representatives of the Director-General learned that, since the Gulf war, the unions had been confronted with increasing difficulties. Although some financial assistance had been provided by a few European unions, the West Bank organisations had become impoverished as a result of the decline in the resources which had previously been made available from other external sources and the general inability of their members to pay their dues because of unemployment and their poor economic conditions. Some unions had fared better than others, but generally the situation was one of extreme hardship. In such a situation, the unions were gravely handicapped in their work; and their capacity to defend and promote the interests of their members had decreased. This had, in turn, resulted in a diminishing interest in the trade unions by the membership, a situation that was aggravated by the general fear of intimidation and possible arrest by the military forces for participation in trade union activity. In order to redress this, the unions, and in particular the GFTU executive, were making strenuous efforts to regain the confidence of the workers through the setting up of sickness and pension schemes, settling individual worker grievances with employers and negotiating collective agreements.
The mission was informed that some 60 collective agreements were now in existence in the West Bank, and a general agreement was being negotiated with some 40 employers for the Ramallah area. Seven labour committees (each consisting of between three to five members in enterprises with more than 20 workers) existed to deal with individual grievances. Moreover, the mission noted that trade union courses had been organised and carried out by the Bethlehem Centre for Trade Union Rights, an organisation which works with all trade union factions. More such courses were planned; and the representatives of the Director-General were shown a number of educational projects designed by the Centre. These included courses on trade union law, industrial safety and accident prevention, industrial development, management training and economic research. Two lawyers, one Arab and one Israeli, were, in addition, now working on a voluntary basis to assist workers who had legal or other problems with their employers.

95. According to a number of human rights organisations operating in the territories, including Al Haq, the West Bank affiliate of the International Commission of Jurists, the work that was being done by the unions for their members was commendable, given the difficult financial situation facing them and the harassment to which they were often subjected. There were now, however, serious internal difficulties in the General Federation, particularly as regards the leadership question. Some unions, it was learned, were contesting the right of the existing members of the executive to remain in office when their extended mandate expired at the end of March 1992.

96. The internal factional problems facing the General Federation were emphasised by the rival federation in Ramallah, the WUB, an organisation linked to the Democratic Front for the Liberation of Palestine. In a meeting between the Director-General's representatives and the General Secretary of the WUB, Mr. Adnan al Kilani, and some of his colleagues, it was stated that the WUB was trying to reconstitute the trade union movement, and that the lack of support for the non-elected leadership of the General Federation, particularly Mr. Shaher Sa'ad and Mr. George Hazboun, placed the Nablus Federation in a precarious situation. The WUB comprised 47 unions, only two of which (food workers and building workers) were registered. There was much criticism of the harassment to which the WUB and its members had been exposed. At a meeting of its central committee on 1 October 1991, its premises had been raided by the military and eight of its members arrested and held in custody for several hours, accused of discussing political matters. The WUB had links with some European trade unions and was developing fraternal contacts with others in Europe and in North America. The General Secretary emphasised that his main concern was the poor conditions of his members; and his organisation had taken concrete steps to establish a health insurance project for the workers.
97. The reduced activity and potential of the unions of the West Bank since the end of the Gulf hostilities has led to a corresponding reduction of the repressive measures to which trade unions and their members have been subjected in the past. The information gathered by the representatives of the Director-General shows that raids on trade unions, accompanied by the confiscation of files and other assets, were virtually non-existent in 1991. Both trade union interlocutors, as well as human rights organisations, informed the mission that they were unaware of such incidents during the past 12 months. On the other hand, a number of trade unionists had been arrested and detained, or remained in administrative detention without any formal charges being brought against them. There had also been considerable harassment of trade union leaders, particularly in the form of restrictions imposed on their right to travel abroad to participate in trade union meetings of an international character. A number of trade unionists, for example, were refused authorisation to travel to Amman for the meeting of the executive committee of the Palestinian Trade Union Federation. Nor did the Chairman of the General Federation of Trade Unions of Gaza receive authorisation to travel, in March 1992, to Venezuela, where he and another executive member of the Federation had been invited to attend the 15th World Congress of the ICFTU.

98. The trade union structure in the Gaza Strip remains substantially unchanged, with six registered unions comprising the Federation. Elections in all six unions, however, took place in September 1991 and in January 1992, Mr. Rassem Bayyari was elected Chairman of the Federation. The Chairman and other members of the Federation's executive committee informed the representatives of the Director-General that membership in the unions had substantially increased since the Gulf war and that their main efforts were concentrated on assisting the poor and the unemployed. They had set up a committee on labour rights and were active in providing social and sports facilities to their members. There was no collective bargaining as such but coordinated action with the newly elected Chamber of Commerce had resulted in saving some enterprises from closure and the preservation of some 2,000 jobs. The Gazan Federation complained, however, of constant intimidation, harassment and accusation by the military forces that they were involved in terrorist activities. They had no telephone line and were, therefore, unable to use fax equipment they had received from a European trade union organisation.

99. The only employers' organisations that exist in the West Bank and Gaza Strip are the Chambers of Commerce which, until late 1991, were purely formal institutions exercising no authority and having little, if any, influence on the economy. For many years no elections had taken place. In 1991, however, elections were held for some Chambers of Commerce and during the
mission the representatives of the Director-General had the opportunity of meeting the newly elected board of the Chamber of Commerce in Gaza. This Chamber, the largest association in the Gaza Strip, comprises 18,200 members (2,000 paid-up), representing trade, industry and agriculture. They saw their role as one in which they would strive to promote and develop the ailing economy in the region by campaigning against all the restrictions and constraints on trade imposed by the occupation forces. Their main complaints concerned the iniquitous taxes imposed on traders and enterprises and the difficulties encountered in the export of products to countries other than Israel. The Chamber of Commerce praised the work being carried out by the trade unions and was critical of the treatment to which the unions were subjected by the authorities.

100. Israeli Ministry of Labour officials insisted there was no policy of harassment of trade unions or intimidation of trade union officials. Any trade unions that were legitimate and pursuing normal trade union activities would be encouraged. On the other hand, senior officials of the Defence Ministry in Tel Aviv who are responsible for the Civil Administration of the West Bank and Gaza Strip remain convinced that the trade unions and trade union activity in the occupied territories are so bound up with political activity and associated with terrorist or other illegal acts as to render them unacceptable. During meetings with the Deputy Coordinator of Affairs in the West Bank and Gaza and other representatives of the Civil Administration, the representatives of the Director-General heard criticism that at no time had the unions ever denounced terrorist activities or the violent acts, including murder, that had been perpetrated in Israel by Palestinians. The representatives of the Civil Administration were also highly critical of the fact that, whereas elections were taking place in other sectors, e.g. the Chambers of Commerce, no elections had been held in the West Bank General Federation of Trade Unions. The unity, they stated, that had been declared in March 1990 had clearly failed because of internal political divisions amongst the leadership. There had been too many such divisions to risk elections and it was now doubtful whether elections would take place, at least for another two years. According to the Civil Administration, the Communist Party had very recently split into factions and this would have repercussions on the future composition of the Federation and its executive. Part of the leadership of the Workers' Unity Block had now joined the Federation, but the rank and file had remained with the WUB.

101. The representatives of the Civil Administration said that the strikes called by the Islamic Jihad and Hamas or by the unified leadership of the intifada continued although, in the past year, practically no strikes had been called by the unions over labour matters. Many thousands of workdays, however, continued to be lost through such strikes, resulting in great
economic hardship for the workers and the unions. It was for this reason, they said, as well as the financial losses that the unions had sustained as a result of being deprived of funds from external sources that trade unions were now beginning seriously to examine and criticise their role as political instruments. There were even some encouraging signs that the unions might be ready to concentrate on activities that were legitimate and in the interests of the workers. Any action, they insisted, in the form of arrests, administrative detention or otherwise, was taken exclusively for security reasons or for illegal or terrorist acts and had no relationship to legitimate trade union activity.

102. Concerned as they have always been with the problems of workers from the occupied territories who work in Israel, the trade unions of the West Bank and the Gaza Strip once again expressed serious doubts that the interests of those workers were adequately protected. All were of the view that the General Federation of Labour in Israel (the Histadrut), to which every Palestinian worker from the territories registered with the Employment Service and working in Israel paid 1 per cent of his wage, did not defend these workers, particularly when they had problems with their employers over the payment of wages or other benefits. Following the Gulf war, many thousands of workers from the territories had been laid off, many without the severance pay or other benefits to which they were entitled. Although such workers paid contributions to the Histadrut, entitling them to coverage under collective agreements in force, they could not become members of the organisation. Since they could not be represented by any other organisation, they were thus denied effective trade union representation in the more important areas of the employment relationship and worker protection.

103. In their meetings with executive members of the Histadrut, the representatives of the Director-General heard of the continuing efforts that this organisation was making to provide services and assistance to Palestinian workers. In particular, legal services had been increased to provide aid to workers who had problems relating to the non-payment of severance pay and other questions and more than 400 cases were being dealt with. In addition, the Histadrut had established, along with Ministry of Labour officials, a committee to supervise working conditions in Israel of workers from the territories, and seminars had been organised to train Arab employees working in labour exchanges in the West Bank and in the Gaza Strip.

104. The question of the relationship between the Histadrut and the trade unions of the West Bank and the Gaza Strip has been discussed in previous reports. It has been strongly recommended that there should be discussions between the Histadrut and the Palestinian unions about conditions of workers from the territories; these would not only be advantageous for these workers but, more generally, contribute to a climate in which
tensions could be reduced and restrictive measures lifted. The ILO has always taken the view that the Histadrut could play a more influential role in promoting and ensuring for the Palestinian unions a greater measure of respect for their trade union rights and freedoms, the guarantee of which is the responsibility of the State of Israel in accordance with international obligations which it is bound to respect. Since the present situation, in which the workers concerned can belong neither to the Histadrut, nor to West Bank and Gaza unions that can represent them, seriously brings into question the right of workers to join organisations of their own choosing (Article 2 of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), ratified by Israel), a dialogue between the Histadrut and the unions of the West Bank and the Gaza Strip could also be useful in resolving the problem of the absence of appropriate representation of these workers.

105. During the mission the representatives of the Director-General received indications, both from the unions of the West Bank and from the Histadrut, that there was now an increased readiness on both sides to engage in preliminary discussions on a more formal basis. A number of informal contacts to this end have recently taken place and the ILO can only welcome these developments. It may be hoped that the internal difficulties on both sides, as well as external pressures, which have contributed to preventing such a dialogue in the past, have now decreased to such an extent that more formal contacts between these organisations can be made in the near future. The ILO can only repeat that it remains at the disposal of the Histadrut and the unions of the occupied territories for any assistance it can provide in promoting such contacts and ensuring their success.

106. As regards the trade union situation in general and the fundamental role that the unions should be able to play, not only in promoting and defending the interests of their members, but also in the social dialogue that is vital for the reduction of tension and the advancement of development, it may be recalled that the ILO attaches particular importance to the free and unimpeded exercise of legitimate trade union rights. In examining this aspect of the situation, the representatives of the Director-General were guided by the principles on freedom of association as well as by the jurisprudence of the ILO supervisory bodies on the subject. As a Member of the ILO, the State of Israel is bound to respect and apply the principles of freedom of association to the occupied Arab territories, irrespective of the applicability of the corresponding Conventions on the subject in the Arab territories under its occupation.

107. It must be said, however, that, from all the information gathered by the representatives of the
Director-General during the mission, it is clear that the constraints imposed on trade unions and their activities under a situation of military occupation render the free exercise of trade union rights impossible. The commitment of the Israeli Government to democratic trade union rights — such as those enjoyed by the Israeli trade unions — is not matched, in the occupied Arab territories, by a similar commitment to assist, encourage and promote trade union rights and activities. On the contrary, there is considerable and convincing evidence of continuing harassment and obstruction of trade unions and their officials by the military occupation forces, ranging from arrests and administrative detention to other, more petty forms of harassment such as interrogation, refusal of permission to travel abroad, and the refusal of telephone and fax facilities. Even in a situation of military occupation, the elimination of such practices and constraints would be conducive to a reduction in the tensions that exist in the territories as well as constituting a step towards achieving a greater measure of protection against the numerous difficulties with which the workers of the occupied territories are confronted.

THE SITUATION IN THE GOLAN

108. The annexation of the Golan by the Government of Israel on 14 December 1981 has not been recognised by the United Nations or the autochthonous Arab population. The Security Council adopted unanimously on 17 December 1981 a resolution asking Israel to annul this decision. The Druze community in the Golan organises two protest demonstrations each year, on 14 February to commemorate the first general protest strike of 14 February 1982 and on 17 April, the national holiday of the Syrian Arab Republic. During these demonstrations, the authorities take very strict security measures and arrests are made. The United Nations observers and peace-keeping forces maintain a constant watch on the 1974 cease-fire line between the Golan, which has been occupied since 1967, and the Syrian Arab Republic. The Golan plateau has a significant strategic importance because of its dominant geographical situation and its water resources. This is why it is a crucial stake in the negotiations between Israel and the Syrian Arab Republic within the peace process initiated in Madrid.

109. The Director-General’s representatives went to the village of Majdal Shams, on the Golan Heights, where they met representatives of the Arab population who spoke on behalf of the inhabitants of Majdal Shams and of those of three other Golan villages (Masa'ada, Ein Qunya and Buq'ata), in accordance with the mandate entrusted to them by representatives of these villages. As each year, examination of the situation in the Golan is part of the mission of the Director-General’s representatives, but none of the information gathered there could
be discussed with the Israeli authorities because of the position they have adopted in this respect (see footnote, paragraph 10 above).

110. A document entitled "Declaration of the people of the occupied Syrian Golan on the occasion of the Madrid Peace Conference", in Arabic and dated 30 October 1991, was handed to the Director-General's representatives. This Declaration states that "Israeli practices are contrary to peace, security and stability of the world and continue to submit the occupied territories to a policy of oppression which seeks to Judaize the land and the population". The people of the Golan say that they have opposed Israeli occupation since 1967 and have refused to allow their Syrian Arab identity to be destroyed. They recall their refusal to accept Israeli laws and the annexation, as stated in the National Charter of 1981, and express their support for the Madrid Peace Conference.

111. The annexation law adopted by the Knesset included measures to impose Israeli nationality on the Druze community and to Hebraise school programmes. Furthermore, municipal councils are appointed by the authorities and thus opposed by the majority of the population which believes that it is not represented by these institutions. There are no municipal elections because the population refuses to participate as an expression of its resistance to the occupation. The Arab inhabitants of the Golan complain of pressure brought to bear on them to adopt the Israeli nationality; they say that their conditions of life and work are the result of their negative attitude to the authorities. The situation of the inhabitants with regard to international law is a special one: their citizenship is still not clearly defined. By virtue of the unilateral annexation by Israel, the inhabitants receive an Israeli identity card as an official document testifying to their legal existence and residence in Israel; they refuse, however, to be granted Israeli citizenship (the identity mentions the characteristic "Druze", which the the inhabitants of the Golan consider unacceptable). This results in a certain number of important restrictions regarding employment opportunities and freedom in respect of trade, movement and civic expression. The Druze population of the Golan is made up of approximately 15,000 persons who live essentially from agriculture or work as day labourers in Israeli enterprises or settlements. They say that they are the victims of discriminatory practices in all spheres.

112. The difficulties of the Druze inhabitants in the Golan concern the following areas:

(1) The confiscation of land. As in the occupied territories of the West Bank, including East Jerusalem and the Gaza Strip, one of the most serious aspects of the military occupation and the establishment of the settlements is the
confiscation of land, whether cultivated or not, individually owned or Arab common land. By depriving the native population of potentially usable land—whether now or in the future—the confiscation increases their difficulties and disrupts their economic and social structures. On the Golan Heights, land confiscation continues and the law suits which in some cases were initiated several years ago have still not been settled.

This year, the inhabitants of the Golan mentioned the confiscation of private land by the Israeli State; consequently, owners were invited to rent the same lands on a 49-year renewable lease. Moreover, Jewish colonies continue to be developed; the number of settlers is now more than 13,000. In 1989, the Director-General noted in his report (paragraph 77) that the number of settlers was 7,500, i.e. approximately half the Arab population. It appears that this figure will have doubled by the end of 1992, thus attaining the same level as that of the autochthonous population. Since the latter is developing naturally, there is scarcely any increase. Shortly before the inauguration of a new settlement in the Golan on 4 November 1991, populated mainly by Russian immigrants, the Israeli authorities announced their intention to establish four new settlements there consisting of 1,575 new housing units by the end of 1992. The new settlement will take the present number of settlements in the Golan to 33.  

The Arab inhabitants of this territory complain that the authorities refuse to grant them the building permits which they need and that in this respect they are the victims of not only discrimination but of administrative bureaucracy. This is why a school was built by the inhabitants at their own expense and the permit requested from the authorities only after the work had been completed. The inhabitants are confronted with this kind of problem in all matters concerning the public services; documentation centres and libraries are established and maintained only because of the individual participation by the population concerned.

(2) The use of water resources. The Israeli water company, Mekorot, has a monopoly that obliges every single inhabitant of the Golan to deal with it for their water supply, whether for domestic or agricultural use. The cultivation of fruit trees creates a water need that cannot always be met given the strict quotas established by the Mekorot company. A few years ago, the Arab farmers of the Golan built open reservoirs to collect rainwater to be used as the need arose. Israeli authorities informed the inhabitants that these high-capacity reservoirs

1 Al Fajr, 11 Nov. 1991.
diverted the rainwater from its natural course, thus causing a drop in the level of the lakes downstream and of the water-table.

The inhabitants said that they were subject to greater restrictions by the authorities on their domestic and agricultural consumption of water, despite the particularly wet winter this season. Rainwater is stored in open reservoirs in the middle of the crops. The inhabitants emphasised that the authorities were no longer granting any permits for new reservoirs and that the number of reservoirs was strictly controlled by means of comparative photography. Water supply is particularly important for agriculture in the Golan whose inhabitants earn their living in a traditional way.

(3) Agricultural produce. The only markets open to the agriculture produce of the Golan are Israel and the occupied territories of the West Bank and the Gaza Strip. The fact that they are obliged to sell their produce through Israeli wholesalers keeps the Arab farmers of the Golan in a dependent position which they would like to see eased. They consider that any monopoly situation to the advantage of the buyer, who knows the producer has no choice but to sell his produce or lose the profit from it, creates very unhealthy commercial inequality. Consequently, the Arab farmers of the Golan demand to be allowed to sell their produce direct to the Syrian Arab Republic and the EEC, as the Palestinian farmers in the other occupied territories have recently been allowed to do so. The situation has not changed in this respect and there are no negotiations under way which would allow the inhabitants to hope for any improvement.

As regards agriculture, the inhabitants mentioned that restrictions are imposed on them concerning the surface area of grazing pastures; in particular, taxes are levied for the grazing of their cattle, even if the land is their own. Furthermore, they stated that they were the victims of harassment under various pretexts, designed to undermine their resistance. For example, during the summer of 1991, an entire orchard of apple trees which were more than five years old was destroyed by the authorities who said the measure was to protect the environment. The farmer received no compensation. Other similar cases were mentioned, and it was stressed that such events often took place at night.

(4) Education and employment. The reduction of cultivable surfaces, the problems of crop irrigation, the absence of investment credits for developing the local economy and administrative harassment have clear consequences on employment. Most workers must go to Israel or to the Israeli Jewish settlements where, they maintain, they are subject to discrimination. The absence of any local industry or job outlets in the region creates unemployment, especially amongst university graduates. Mention has already been made in previous reports of
the problems in the sphere of education. Reference had been made to cases of the dismissal of teachers who participated in a strike on 14 February 1987 and their reinstatement had been recommended in previous reports. In order to teach, teachers in primary and secondary schools are now required to sign a document each year expressing their allegiance to the Government of Israel. Some agree, for economic reasons, to sign this declaration, but they are not necessarily those with the best qualifications or the most competent to teach. Some of them do not even hold the diplomas required for the post to be filled, but, according to the inhabitants, the main concern of the authorities is not the level of education. The inhabitants see these practices as contrary to the interests of young people in the Golan; they believe that the programmes established by the Israeli Ministry of Education, which are the same as those provided to the Israeli Druzes of Galilee, are designed to annihilate the Arab identity of these populations.

The inhabitants of the Golan who work in Israel or in the settlements of the territory are employed on the basis of fixed-term contracts, of a maximum of one month, which are renewable. Since they are considered by the authorities to be resident in Israel, these workers are covered by Israeli law respecting minimum wages and receive social security benefits (unemployment, sickness, old age, etc.) for which deductions are made from their remuneration, and they do not need a work permit. The arrival of Jewish immigrants from the USSR is said to have reduced the employment opportunities offered to Arab workers by the Israeli employers of the region and to have forced certain Arab inhabitants, who have lost their job as a result, to leave home to seek employment.

(5) Freedom of movement. The difficulties of the inhabitants of the Golan in this sphere concern families which have been separated for more than 24 years by the cease-fire line between the Syrian Arab Republic and the Golan. Theoretically, they cannot visit one another, although in the last three years some authorisations have been granted. According to the inhabitants, even here discriminatory practices occur. Restrictions are placed on young persons wishing to pursue higher education outside Israel, where the universities are too expensive for the Arab inhabitants of the Golan and where the entrance requirements do not correspond to the education received by young people of the Golan. At the time of the mission, there were only 38 young students in the Syrian Arab Republic, although 300 had applied. Although in general their diplomas are now recognised in Israel, they are required, in the case of medical diplomas, to adapt their training to national requirements. Mention was also made of the fact that the identity card given to these inhabitants states "undefined" against the heading "nationality", which makes it difficult to obtain visas for certain foreign countries and thus considerably restricts the
travel possibilities of the holders of these cards. The inhabitants insisted on their needs to intensify their contacts with the Syrian Arab Republic and to send more young people to study at Damascus University.

113. In a situation such as that described above, the economic outlook is hardly encouraging. The Druze farmers of the Golan expressed their desire to diversify their production, to see the arbitrary taxation on the basis of estimates of their agriculture production lifted and to be able to develop economically. For example, they would like to open a packing factory for the production of apples, which would ensure their independence from their current Israeli supplier. They pointed out that if they obtained the necessary authorisations, this enterprise could be created with local investment.

114. The difficulties of the inhabitants of the Golan remain the same; they believe that they are the direct effect of the state of occupation. The absence of future prospects is sorely felt by the population which remains attached to its country of origin. The authorities should endeavour to respect a number of internationally recognised principles regarding, for example, the exercise of freedom and the elimination of discrimination in whatever form. The reduction of cultivable land, the problems of crop irrigation, the absence of investment credits for the development of the local economy, as well as harassment at the administrative and taxation levels have clearly had negative consequences on employment amongst the inhabitants of the Golan; the same is true as regards school education programmes. Despite the tensions caused by what is at stake in the Golan, the authorities should endeavour to show flexibility in the granting of travel visas (in particular, when Arab residents want to visit their families on the other side of the cease-fire line) and to allow a normal development of the Druze population.

THE ESTABLISHMENT OF ISRAELI SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES

115. The question of the establishment of Jewish settlements in the occupied Arab territories and their social and economic consequences for Arab workers and their families was examined in previous reports. In 1979, the United Nations Security Council adopted a resolution (No. 446) that the Israeli policy and practice of establishing settlements in these territories had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. This position was reaffirmed unanimously in 1980 in another resolution (No. 465), the preamble of which emphasises the need to take measures for the impartial protection of the land, public and private property and the water resources. In 1980 the International Labour Conference also expressed its concern
regarding the establishment of settlements and not only called for an end to be put to the establishment of such settlements but also for existing settlements to be dismantled.

116. The settlements policy instituted by the Israeli authorities is indeed modifying the physical character and demographic composition of these territories, which the international community and the bodies of the United Nations have considered to be contrary to international law. In a number of declarations and resolutions, the international community has on many occasions called for a halt to the establishment of settlements which are at the heart of the current discussions on the negotiation of a peace settlement in the Middle East.

117. The establishment of settlements began immediately after 1967, with the first being established in the Golan; settlements are planned and controlled by the Government. This policy has been developed more or less intensively since that time and in particular at a more accelerated pace since the beginning of 1991. Jewish emigration to Israel from the CIS and the countries of eastern Europe and Ethiopia has led the Government to intensify the building of housing in the territories of the West Bank, including East Jerusalem, and the Gaza Strip. Although this massive immigration (approximately 200,000 in 1990 and 200,000 in 1991) has not been systematically settled in the territories proper – only a minority chooses to settle there – it strongly influences the Israeli housing market. This is why the increase in prices and demand in Israel has led many Israelis to move to the settlements of the occupied territories. They are encouraged to do so mainly by financial and tax incentives offered by the Government. According to an article by Mr. Goldbloom (of the "Peace Now" movement) published in an Israeli journal: "It is 30-50 per cent cheaper to buy a house in the territories than it is to buy a similar house in Israel. Loans are more convenient [loans are low interest or interest free], infrastructure is provided free of charge, there are substantial tax discounts". Mr. Goldbloom adds that during the 1990 fiscal year, the Government of Israel spent (on the settlements) a total of 1,500 million shekels in the occupied territories, which is equal to three times the amount spent during any other year in the territories since 1967.

118. According to a report by the Central Bureau of Statistics, "the number of building starts in the territories quadrupled during 1991, while building starts countrywide..."
doubled". (These building starts in the territories, which are subsidised, refer to the settlements: administrative complications make it extremely difficult for the Arab population to obtain building permits which are granted sparingly and never with any subsidies from the authorities.) In addition to these building starts, mention should be made of the installation of 5,565 mobile and prefabricated homes in 1991, according to information from the Ministry of Finance quoted by an Israeli newspaper. The increase in investments by the authorities is the result of a political determination expressed from the beginning of the occupation of the West Bank, including East Jerusalem, the Golan and the Gaza Strip, and which has been reiterated on several occasions by Mr. Sharon, Minister of Housing: "Israel will continue its 'unprecedented' settlement activity" in the territories and "there has been no change in the Government's decision to build" on land throughout this region.

119. On 8 April of this year the Council of Jewish Communities launched a major campaign to attract tens of thousands of Jews to move to houses currently under construction in the territories. This campaign, which was called "Settling the heartland", aims to move 70,000 persons within a year to the occupied territories; the campaign will last until October 1992 and is financed amongst other sources by the Housing and Labour Ministries.

120. The term settlement is deemed to apply to any civil or military installation of Jewish people in the occupied Arab territories. The unilateral decision of the State of Israel to annex certain territories does not alter the fact that the status of the settlements is debatable in the eyes of international law. As is well-known, Israel has extended its jurisdiction, legislation and administration to East Jerusalem and the Golan. It should nevertheless be noted that in several respects Israeli legislation applies to the settlers, regardless of the fact that they reside outside the recognised territory of the State of Israel, for all Jewish settlers living in the occupied Arab territories are considered to be resident in Israel. Although since 1969 settlers have had the legal right to take part in elections to Parliament (the Knesset), it is only since 1984 that they have come under Israeli legislation, following an amendment to the Order respecting emergency regulations applicable in the

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West Bank and the Gaza Strip (Order No. 5738 of 1977). According to section B of the Order, "the term 'Israeli resident' or any other term used to denote domicile, residence or the fact of living in Israel, is considered to include any person whose place of residence is the territory, who is an Israeli citizen or who is entitled to emigrate to Israel under the Law of Return (No. 5710 of 1950), it being understood that this person would be considered an Israeli resident if he or she were living in Israel". This specific status accorded to Jewish settlers ensures that, even in the case of a dispute with a non-Jewish inhabitant of the occupied Arab territories, they come under Israeli legislation and jurisdiction. Similarly, in 1987, an Order issued under the National Insurance Law extended to all Israeli citizens (or any person with the right to emigrate to Israel under the Law of Return, which applies only to the Jews of the Diaspora) living in the occupied Arab territories entitlement to the 11 benefits provided for by the legislation on the said national insurance. It was emphasised in the previous reports that the fact of not residing in Israel as such constitutes grounds for refusing Arab workers from the occupied Arab territories and their families payment of the social benefits to which the deductions made from their wages would normally entitle them.

121. Thus in the occupied territories the autochthonous Arab community governed by a civil administration placed under the authority of the Israeli Ministry of Defence and which is subject to specific legislation, develops separately from the newly established Jewish Israeli community. This dual legal and administrative system applicable to the two peoples was emphasised in the Country report on human rights practices for 1990 of the United States Department of State (page 1,452) in the chapter on discrimination. The report emphasises that "Palestinians - both Muslim and Christian - are treated less favorably than Israeli settlers on a broad range of issues, including equality before the law, the right to residence, freedom of movement, sale of crops and goods, land and water use, and access to health and social services". The Palestinian human rights organisation Al-Haq (affiliated to the International Commission of Jurists) adds in this respect that "in fact Israeli policies and practices in the occupied territories, including in East Jerusalem governed by Israeli law, are designed to benefit the Israeli population of the settlers to the detriment of the autochthonous Palestinian population". Al-Haq, as well as other Palestinian sources interviewed, pointed out to the Director-General's representatives that the benefits and subsidies granted to settlers by the Government are part of a situation in which 65 per cent of the Arab lands of the West Bank were confiscated illegally by the authorities and that the Palestinian towns and villages are encircled and isolated by the plans for the development of the settlements. Furthermore, there
is no project for the urban or rural development of the Palestinian agglomerations or their improvement or expansion.

122. Over the course of time, the Israeli State has expropriated — and continues to do so — the Arab land of the occupied territories, whether cultivated, non-cultivated, pasture or inhabited, in four ways: (1) the land "abandoned" by the populations which have fled since 1948, during the course of Israeli-Arab wars, as well as the assets of "absent" landowners have been confiscated. (2) The same is true concerning land formerly registered in the name of the Government of Jordan (in the case of the West Bank) and land whose usual Arab owner has never been able to prove ownership. In fact very often Arab farmers have no deeds of ownership of their land, which was acquired without any documentation or registration, but according to the custom of an oral declaration between two witnesses. In these cases, the Israeli authorities maintain that they are applying the Jordanian law which requires the farmer to prove that he has been tilling his land for ten years, but according to the Palestinian Human Rights Information Centre (PHRIC), few Palestinians have successfully defended their cases; they have lost their lands when the State of Israel has wanted to seize them.\(^1\) (3) Land may also be confiscated for military purposes, which should mean that such confiscations should, under international law, be of a temporary nature. Under a ruling of the Israeli High Court in October 1979 in respect of the Elon Moreh settlement, land seized for reasons of military security may not be used for the construction of civilian settlements, the establishment of which is motivated by political reasons, since these settlements are of a permanent nature. (4) The authorities also carry out expropriations which they deem to be in the public interest, which, according to the Palestinians, refers to the Israeli population of the settlements (for example, when the authorities want to build access routes to the settlements which are generally situated on isolated heights).

123. In addition to being seized through expropriation or confiscation, Arab land is also subject to restrictions concerning its use under Military Order No. 393 of 1970. The military command, which has full powers, may prohibit, stop or limit any building on such land if it believes that such a measure is necessary to the security of the army or the maintenance of public order. In most cases this land surrounds settlements, camps or military installations or access routes to the settlements. In the case of access routes, it should be remembered that a road development plan from 1983, the so-called Plan No. 50, is designed to link up the settlements, bypassing Palestinian villages and providing settlers with rapid access to

\(^1\) The Jerusalem Post, 10 May 1991.
Israeli towns from east to west. Clashes between Israeli settlers and Arab residents in the occupied territories have led the authorities to develop further a parallel road network for use by the inhabitants of the settlements. In some regions, fertile Palestinian land has been sacrificed. For example, in the south of Jerusalem, many vineyards were destroyed between Bethlehem and Hebron.

124. According to Israeli statistics, there were 82,000 settlers as of 31 December 1990 divided between the West Bank (excluding East Jerusalem) and the Gaza Strip. This figure does not reflect the real situation since in 1991, settlements grew at 60 per cent, according to Palestinian sources and the Israeli "Peace Now" movement.1 The Israeli Ministry of Finance stated in January 19922 that there were 130,000 Jewish settlers in the territories of the West Bank (excluding East Jerusalem where there are more than 120,000), including between 4,000 and 5,000 in the Gaza Strip, according to the sources. In the Golan, there are allegedly more than 13,000. The number of settlers in the occupied territories is thus around 263,000. The total number of settlements is estimated at 194: 33 in the Golan, 17 in the Gaza Strip, eight in East Jerusalem and 136 in the West Bank. Most of the settlements house between 20 and 120 families, although it is estimated that two-thirds of the settlers are in East Jerusalem, in its suburbs and in the agglomeration which has spread over part of the territory of the West Bank. The most populated settlement in the occupied territories (Ma'aleh Adumim - 15,750 inhabitants) acquired the status of a town on 18 February 1992. During the ceremony, the Israeli Prime Minister declared that Ma'aleh Adumim was only the first of many cities which Israel will establish in the territories.3

125. The Palestinian population considers that the general settlement policy, by confiscating land and imposing restrictions on water resources, has meant that a large proportion of the population who would normally have earned their living by traditional agricultural work have gradually begun to seek employment in Israel as unskilled workers because of the lack of jobs in the territories. This would appear in part to have resulted in the economic dependency of the occupied Arab territories on Israel, particularly as regards agricultural produce. The Jewish inhabitants of the occupied territories consume two to three times more water than the Arab inhabitants; no quota is imposed on them for their domestic consumption or for


2 ibid.


8841c/v.2 53
watering crops. On the other hand, the Palestinian localities are restricted to the amounts which they drew in 1967 and do not have the right to bore new artesian wells. They are obliged to receive their supplies from the Mekorot Israel company which has a monopoly. The problem is particularly acute in the Gaza Strip (where 50 per cent of the land has been seized), where the Arab inhabitants complain of the mediocre quality of the water and its salinity, which is confirmed by UNRWA, and its consequences on their health (an abnormal increase in kidney disorders has been noted in Gaza). Since the upper water-table has been drained, the settlers in Gaza draw their water from deeper deposits through newly dug wells to which the Palestinian population does not have access.

126. Whether in the Gaza Strip or the West Bank, the development of Jewish settlements has only worsened the socio-economic difficulties of the Palestinian population and is a source of tension. Indeed, armed clashes occur increasingly frequently between the two communities and the Israeli settlers have organised themselves into armed militia. The report of B'Tslem (Israeli human rights organisation) for 1990-91 points out that 42 Palestinians have been killed in the occupied territories by Israeli civilians since the beginning of the intifada (most settlers are armed when they move around in the territories).

127. The pursuit by the Israeli Government of its policy of expanding existing settlements and the establishment of new settlements can only be deplored once again. The pace is such that the Palestinian population speaks of "mushroom settlements". The human consequences of this political process are regrettable, in particular because they increase the problems of a population which is already experiencing difficulties. It is to be hoped that the appeals made to the authorities by the international community for the halting of the settlements will at last be heard and that this question, which is at the heart of the recently established peace process, can be settled in a reasonable and just manner.

TECHNICAL COOPERATION

128. The International Labour Office has had a technical cooperation programme for the Arabs in the occupied Arab territories since 1980. This activity is in response to a request from the International Labour Conference to the Governing Body and the Director-General of the Office "to provide all types of assistance and support to Arab citizens in Palestine and the other occupied Arab territories to strengthen their economic and technical capabilities and to counteract the effects of the Israeli occupation and settlement policy". Funds from the
Organisation's regular budget for technical cooperation have been allocated to projects in the occupied territories.

129. The technical cooperation programme is prepared and updated in line with the needs indicated by the beneficiaries themselves. To define these needs, the exchange of views that take place during the missions mentioned in paragraphs 2 and 3 of this report, to Israel, the occupied Arab territories and the Arab countries of the region, are taken into consideration. All the parties concerned are consulted, as well as the Palestine Liberation Organisation (PLO), in accordance with the resolutions of the United Nations General Assembly concerning assistance to the Palestinian people. In addition, the discussions held at inter-agency and other meetings concerning economic and social assistance extended to the Palestinian people under the auspices of the United Nations are also taken into consideration.

130. Under inter-agency agreements, the ILO is able to collaborate in implementing its programme with the UNDP in East Jerusalem to carry out its "programme of assistance to the Palestinian people". This collaboration takes two forms: the ILO may provide the UNDP with experts for UNDP projects being carried out on the spot or, in the case of an ILO project, the UNDP takes on the practical coordination and provides its good offices vis-à-vis the Israeli authorities and its knowledge of the area. So far, and since 1980, this collaboration has always been efficient and productive, and it meets with the satisfaction of both agencies. The current ILO projects cover trade union training and vocational rehabilitation of the handicapped.

131. For several years, the ILO has been attempting to give a course on training methodology for trade union instructors which aims at developing workers' education by teaching the Palestinian trade unions techniques likely to enhance their ability to run their unions and to promote and defend their members' occupational interests. Various factors have blocked the implementation of this project since its inception, and they were the subject of long comment in previous reports. In April 1991 during discussions held with trade union leaders from the occupied territories, the Director-General's representatives suggested that the course be held in the occupied territories. Taking account of the fact that it is impossible for certain persons to move from one area of the territories to another, it was proposed that the same course should be organised successively in different places. The Israeli authorities expressed their agreement in principle with this suggestion.

132. Consultations continued throughout 1991, and a worker education consultant was sent to explore the possibility of organising these courses and to prepare for them in practical terms in December. Following this consultative mission, it was decided that in a first phase three four-day courses would be
held for some 30 participants in Nablus, Bethlehem and Gaza. The first course took place in Nablus from 7 to 11 April 1992. It was warmly welcomed by the participants, who requested that technical cooperation in the field of worker education be developed. The other courses were given in Bethlehem and Gaza at the end of April and beginning of May.

133. On numerous occasions the ILO has emphasised the need to provide technical assistance to workers' organisations in the occupied territories. In paragraph 122, the 1990 report states that "it is particularly important to develop 'professional' trade union structures and this should be understood by the Israeli authorities as a positive element on the path to social progress and, consequently, peace". Fortunately, this positive approach is shared by the parties, and the ILO will continue its efforts through other courses, seminars, research and the provision of equipment so that this technical assistance may bear fruit.

134. The project concerning the vocational rehabilitation of the handicapped, organised jointly with the UNDP and UNRWA, began in October 1991. Three consultants were sent for a period of six weeks to hold specialised vocational training seminars for personnel responsible locally for vocational rehabilitation and training as well as placement of the handicapped. As previously mentioned, this project is to be implemented over a three-year period, and will thus continue this year.

135. A continuation of this activity is foreseen in other areas of interest to the ILO in which its expertise and experience can be useful - such as vocational training - and there are plans to continue consultations to determine other needs, such as those of employers' organisations. The ILO attaches considerable importance to the extension of its technical cooperation programmes to assist Arabs in the occupied territories. It hopes that favourable circumstances will allow it to attain its aim.

CONCLUSIONS AND RECOMMENDATIONS

136. This report - the 15th submitted to the International Labour Conference on the situation of workers of the occupied Arab territories - is based essentially on the information gathered by the representatives of the Director-General in the course of the mission which they carried out in Israel and in the

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occupied Arab territories between 20 March and 1 April 1992. As in previous years the mission was carried out with the full cooperation of the Israeli authorities and with the full participation of all the personalities, individuals and institutions, both Israeli and Palestinian, for all of whose assistance and cooperation the International Labour Organisation expresses its deep gratitude. It is to the credit of all the parties concerned that they see the role played by the ILO as one which, particularly in the more general context of the Middle East Peace Conference, can make a useful and lasting contribution towards the search for solutions to the problems confronting the workers of the occupied Arab territories - problems that are central to the process of establishing a situation of peace and social justice in the region.

137. It is clear that the continuing state of military occupation - now in its 25th year - of the West Bank (including East Jerusalem), the Gaza Strip and the Golan Heights renders impossible a situation in which the standards and principles enunciated in ILO instruments can be fully respected. Resistance to the Israeli occupation by the Arab population, which culminated in the uprising, or intifada, in December 1987, remains constant and has created an equally constant situation of tension and violence and a permanent state of insecurity between the Israeli and Palestinian populations. Security measures, including intermittent but frequent curfews, travel restrictions and other constraints imposed by the military authorities have had - and continue to have - serious repercussions for the workers of the territories, and their freedom of employment choice, of association, of movement and of expression continue to be severely limited not only as a result of the occupation but also as a result of the economic conditions that they are obliged to endure. Although the past year has witnessed a somewhat calmer situation than in previous years, this has been the result rather of the poor economic conditions existing in the territories and the fact that the intifada has, to some extent, given way to the more general efforts being made at the political level to achieve a settlement of the overall problems affecting the region. There have nevertheless been numerous acts of violence resulting in death or injury, and it cannot be said that tension has subsided to any significant degree.

138. Already before the Gulf war the economic situation in the occupied Arab territories was precarious and overdependent on that of Israel. In the immediate aftermath of the war, however, the territories were, in addition, virtually deprived of the considerable income that had been hitherto available from remittances from Palestinian workers in the Gulf States as well as income from workers from the territories who had worked in Israel and who were, for some time after the war, barred from access to Israel. As regards the latter, many have regained access to their work in Israel but this has done little to
alleviate the alarming economic situation in the West Bank, and more particularly in the Gaza Strip.

139. Some efforts have been made by the Israeli authorities and the Civil Administration responsible for the territories to relieve the situation. Measures have been taken to afford a number of tax concessions; licences for new enterprises have been granted more liberally; restrictions on the inflow of foreign capital have been lifted; and some additional banking facilities are being made available. Important as these measures are, it is, nevertheless, difficult to conclude that they will have any major impact on the ailing economy of the West Bank and the Gaza Strip — at least in the short term. It is, however, encouraging that these steps have been taken and it is to be hoped that, in line with previous recommendations that endogenous development must be promoted, further measures will be introduced to limit undue economic dependence of the territories on Israel and reduce tension in the region. Such measures should be designed to facilitate trade between the territories and Israel, and with other countries, by reducing excessive tariffs, taxation and unnecessary restrictions. If the grave unemployment and underemployment situation in the territories is to be relieved, it will be of the utmost importance that the Civil Administration vigorously pursue its efforts to assist in the creation of new enterprises and encourage the necessary investments that will make this possible.

140. Other positive signs noted by the mission this year were the reopening of all the universities; the steps taken to improve existing vocational training facilities available in the territories; and the material improvements made in labour exchanges to facilitate and accelerate the processing of work permit applications, the payment of benefits and the provision to workers of information about their rights. It is to be recommended that these steps be consolidated and that additional efforts be made to reinforce and adapt the vocational training facilities in order to meet the needs of the economy in the territories and facilitate the absorption of trained workers into the active workforce.

141. As regards the many thousands of workers of the occupied Arab territories who work in Israel, it can only be concluded that much remains to be done to eliminate the harassment to which they are subjected and to ensure appropriate and effective protection against the types of discrimination to which they are exposed. The daily contract basis on which the great majority are employed in Israel means that they are entirely dependent upon the employers who, on a daily basis, can decide whether or not to engage the worker. Such a system has obvious negative effects on wages over a period and the calculation of benefits. It is also degrading for workers who, especially in Gaza, may wait in vain for their employers to send
authorised transport to take them to their place of work in Israel.

142. Active steps could also be taken to eliminate what seems to have become a common practice whereby employers register for workers a smaller number than the actual number of days worked - thereby placing both themselves and the workers in a situation of fiscal illegality as well as reducing the workers' entitlement to benefits. Instructions should be given to employment offices to exercise greater vigilance in this respect. As regards those workers of the occupied Arab territories who continue to work in Israel without an appropriate permit, it is to be hoped that the Israeli authorities will continue to take appropriate measures, including the imposition of deterrent fines on employers, to eliminate the practice. As already pointed out in previous reports, such workers do not enjoy any social protection and are subject to exploitation.

143. For the first time the Israeli authorities provided the mission with partial figures relating to the 1992 budget of the Civil Administration for the West Bank and the Gaza Strip. The ILO is not, of course, in a position to verify the accuracy of the information supplied, nor is it within its competence to comment on the manner in which such resources have been disbursed. The information so supplied will, however, provide the opportunity for debate on these issues in appropriate circles.

144. As for trade union rights, it is evident that their free and unimpeded exercise is not possible in a situation of military occupation in which security measures and other constraints imposed by military orders, as well as in practice, do not permit trade unions or their leaders to perform their normal functions. Evidence of this is the continuing harassment of trade unions and their leaders, restrictions on their freedom of movement and, in certain cases, arrest and administrative detention without any charges being laid. This year, in particular, the trade unions in the West Bank and in the Gaza Strip have demonstrated that they are genuine organisations determined to pursue the economic and social interests of the many workers they represent. The ILO remains convinced that these organisations are, in so far as circumstances permit, playing an important role in the defence and promotion of workers' rights and that they can make an effective contribution to securing the kind of social conditions that are essential if tensions are to be reduced in the territories. The response of the Israeli civil authorities, and even the Civil Administration responsible for the territories, demonstrates a certain incoherence between the stated willingness to encourage genuine trade union activity and the reality to which the unions and trade unionists are in fact exposed within the context of military occupation. The Civil Administration should take steps to encourage the development of these organisations and ensure
that the free exercise of their legitimate trade union rights is guaranteed against interference. The trade unions, for their part, should also ensure that, without prejudice to the freedom of opinion of their members, they limit their activities strictly to the social, economic and trade union fields.

145. The ILO has previously emphasised that considerable advantages could be gained through a genuine dialogue between the trade unions of the West Bank and the Gaza Strip and the Israeli General Federation, the Histadrut. Apart from the mutual recognition such a dialogue would demonstrate, it would contribute to creating a climate which was conducive to improving relations between the Arab population of the territories and the Israeli population. More particularly, dialogue between these organisations could help resolve the question of trade union representation of the many thousands of workers from the territories who work in Israel and who, contrary to internationally recognised principles on freedom of association, are deprived of this right. There are more encouraging indications this year that both sides may be ready to engage in discussions and the ILO can only repeat its willingness to provide the necessary forum, facilities and any other assistance it can to promote such a dialogue.

146. The policy of establishing or extending settlements in the occupied Arab territories has long been considered by the ILO as one which has severely detrimental effects on the territories and the Arab populations of the territories. For this, and other reasons, the international community has strongly denounced this policy which, over the past year, has been pursued more relentlessly than at any time since the occupation began. The inequality and tension resulting from the dual legal and social systems the settlements involve as well as the arbitrary uprooting of trees and vines and the confiscation of land that are necessary for the construction of settlements and roads leading to them are, for the ILO, matters of the gravest concern because of the disastrous consequences they have for the livelihood of the local population.

147. The resistance of the population of the occupied Golan Heights remains firm to Israeli attempts to impose cultural and educational norms which the population finds unacceptable. The discriminatory treatment of the people of the Golan and the continuing restrictions on their economic activities are matters which the Israeli authorities have taken no steps to improve. On the contrary, the additional restrictions on access to water, the expansion of settlements in the Golan and the confiscation of land all indicate a worsening situation for the population of the region. It can only be recommended that the authorities adopt policies that do not undermine the cultural heritage of the population and remove the constraints that impede the population from developing its economic activity.
148. Finally, it may be recommended that the Israeli authorities accept, and place no obstacles in the way of, increased technical programmes for the workers of the occupied Arab territories. Some programmes are already under way and it is the intention of the ILO, within the limits of its capacity, to develop further programmes that are designed to enhance economic development and the promotion of institutions — in particular workers' and employers' organisations that can make an important contribution to social peace and economic progress.

149. The political context, and in particular the continuing military occupation, in which the problems of the workers of the occupied Arab territories are examined in this report are such that it may now be timely to consider additional ways through which a more direct dialogue could be established between the parties involved to examine all the issues in the field of worker rights to which the situation has given rise. The ILO would welcome any overtures, and in particular from the Israeli Government, which might result in the establishment of a mechanism, comprising representatives of all the parties involved, whose mandate would be to seek solutions to the social and labour problems evoked in this report. The good offices of the ILO are at all times available to promote the dialogue that is essential if the problems identified in this report are to be resolved. The ILO will spare no efforts to assist in seeking solutions which will at the same time guarantee full protection of worker rights and make a vital contribution to peace in the region.

COMMUNICATIONS RECEIVED FROM ARAB COUNTRIES
AND ORGANISATIONS

The following has been compiled from reports and
documentation received in connection with the consultations
mentioned in paragraph 4 of this report.¹

INTRODUCTION

Flouting resolutions, Conventions and international laws,
the Israeli authorities continued according to these
communications to confiscate land, establish colonies, repress
workers, trade unionists and workers and to violate basic rights
in 1991.

All these practices impeded the economic and social
development of the occupied territories and had harmful effects
on the lives of the Palestinian population.

The population and the labour force: Some figures

According to the Jordanian Ministry of Labour, the Arab
population of the occupied territories (including East Jerusalem)
totalled 1,800,000 in 1991: 64 per cent of these were living in
the West Bank and 36 per cent in the Gaza Strip. The Arab labour
force in these territories totalled 342,000 in 1991, of whom
55,000 were employed in sectors of the Israeli economy, with the
remainder (192,384 men and 98,496 women) employed in the Gaza
Strip and the West Bank. Table 1 shows the distribution of the
Arab labour force in the various economic sectors in the West
Bank and in the Gaza Strip.

Table 2 shows the distribution of Palestinian workers in the
main sectors of the Israeli economy. Note that 70 per cent of
these workers are employed on an irregular basis (in other words
without a work permit), especially in construction and cleaning
services, which implies that they fail to benefit from many
entitlements provided for under the labour contract.

¹ Due to lack of space, the voluminous documentation
received this year has not been reproduced in its entirety, but
is available for consultation at the International Labour
Office. The information already contained in previous reports
has generally not been repeated here.
### Table 1. Distribution of the Arab labour force in the main economic sectors of the occupied territories, 1991

<table>
<thead>
<tr>
<th>Economic sector</th>
<th>West Bank (percentage)</th>
<th>Gaza Strip (percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>25.5</td>
<td>19.7</td>
</tr>
<tr>
<td>Industry</td>
<td>13.8</td>
<td>15.8</td>
</tr>
<tr>
<td>Construction</td>
<td>27.7</td>
<td>28.5</td>
</tr>
<tr>
<td>Trade</td>
<td>12.2</td>
<td>12.0</td>
</tr>
<tr>
<td>Transport</td>
<td>4.0</td>
<td>4.1</td>
</tr>
<tr>
<td>Public services</td>
<td>11.7</td>
<td>12.8</td>
</tr>
<tr>
<td>Other</td>
<td>5.1</td>
<td>7.1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

### Table 2. Distribution of the Palestinian workers employed in the main sectors of the Israeli economy, 1991

<table>
<thead>
<tr>
<th>Economic sector</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>6,050</td>
<td>11.0</td>
</tr>
<tr>
<td>Industry</td>
<td>13,805</td>
<td>15.1</td>
</tr>
<tr>
<td>Construction</td>
<td>24,805</td>
<td>45.1</td>
</tr>
<tr>
<td>Services</td>
<td>10,340</td>
<td>18.8</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>55,000</td>
<td>100.0</td>
</tr>
</tbody>
</table>

I. ISRAELI SETTLEMENT POLICY IN THE OCCUPIED ARAB TERRITORIES

(1) Land confiscation

The establishment and increase in the number of settlements, closely bound up with Jewish immigration, have meant that even more Arab land has been confiscated recently. Indeed, in 1991, 140,013 dunams of land were confiscated (most of which was agricultural land), bringing the area of land confiscated between 1967 and 1991 to 3,045,655 dunams.

Land confiscation not only allows the Israeli authorities to establish settlements and enlarge others but also to build roads. Referring to a report prepared by the Israeli movement "Peace Today", the Jordanian authorities point out that 186 km of
roads were built in 1991 and that the Ministry of Housing allocated 27 million shekels for building roads for the settlers; funds were also earmarked for this purpose by various bodies, such as the Histadrut. The above-mentioned report adds that ten roads are being built in the West Bank and the Gaza Strip and that there are plans to build a further seven roads. Most of the roads serve to link up the various settlements. In 1992, there are plans to build many roads, including one main road which will link the Jerusalem settlements to the Gush Atzion group of settlements; it will be 14 kms long and cost 20 million shekels.

Land confiscation meets military or public interests and is often carried out on the grounds of national security. For instance, 2,000 dunams were confiscated in the Ramallah district and used for building a military airport. In the El-Khalil district, the Israeli authorities confiscated three dunams to sink an artesian well. It should be added that, in accordance with a decision recently taken by the occupation authorities, any land from which a shot is fired towards an Israeli car is confiscated.

(2) The establishment of settlements and immigration

In one of its reports, the PLO notes that, in spite of the holding of the Peace Conference in Madrid and all the appeals at international level to urge Israel to stop establishing new settlements, the occupation authorities are stubbornly continuing to apply their expansionist policy. The unrestrained development of the settlements may be attributed to the massive arrival of Jewish immigrants from the ex-Soviet Union. According to the PLO, the Jordanian authorities and the Damascus Chamber of Industry, about 200,000 Jews arrived in Israel in 1991. There were 113,000 settlers in the 143 settlements in the occupied territories alone, whose numbers were swelled by a further 20,000 in 1991. In this context, the Federation of Syrian Trade Unions, quoting the Israeli Minister of Settlement, notes that a million Jewish immigrants are expected to arrive in Israel during the next three years. It adds that 1,200,000 Jews from the Commonwealth of Independent States have asked to immigrate to Israel.

For its part, the Palestine Trade Union Federation is worried about what it refers to as the "Judaisation of Jerusalem". It explains that massive building projects are planned around the city which will be encircled by a large number of settlements. We shall return to this subject in the next section.

According to the Jordanian authorities, 21 new settlements were established in the occupied territories in 1991, bringing
the number of settlements in the West Bank to 238 and those in the Gaza Strip to 35. Amongst the new settlements established during the six first months of 1991 are the following: Refafa, built in the West Bank by the religious movement Gush Emunim; Telmona-b, near Ramallah; Telmona-c; Jeljit; and Ja'afon Hdacha to the south-west of Jerusalem.

Nine further colonies were established during the second half of 1991:

- Kiryat Segher. Built in Israel, this will form part of a group of settlements (called "the Seven Stars") which will be established during the next two years;

- Haradar-b. This has been built near Ramallah;

- Eshkolot. Located in the El-Khabil area and built by the Gush Emunim movement;

- Tsorigha'al. This is part of the group of colonies "the Seven Stars". It has been built near the Green Line and may in the future extend up to the West Bank;

- Neve Oranim. The Israeli authorities claim that it is only an extension of the Kerni Shemron settlement;

- Jenot Ariel. Located in the Nablus area;

- Rahlim. This settlement is on the road linking Nablus to Ramallah;

- Yad Ya'er. Located to the west of Ramallah;

- Gefa'at Hamtos. This will be established near Jerusalem.

(3) The increase in the number of settlements

The Jordanian authorities, the Federation of Syrian Trade Unions and the Palestine Trade Union Federation are worried about the danger represented by Israeli expansionist designs, especially by the Judaisation of the City of Jerusalem. On this matter, it writes that, according to a "settlement plan" announced by the Housing Minister, Ariel Sharon, 36,000 homes will be built in the settlements surrounding Jerusalem during the next four years. Six thousand, five hundred homes have already been built in the settlements of Ma'aleh Edumim, Gefa'at Zaev and Betar; a further 1,500 are being built; and 2,570 homes will be completed in 1992. The latter are divided up between the three above-mentioned settlements and the settlements of Efrat and Edumim.
As regards the settlements in the West Bank and the Gaza Strip, they are being considerably extended so as to be able to take in 850,000 Jewish immigrants in the future. Indeed, the funds earmarked for settlement in the occupied territories exceeded by 20 per cent the amount invested in this item by the Ministry of Housing for the 1990-91 period. According to the Jordanian authorities, between 16,000 and 19,000 fixed and mobile (caravans) housing units were established in the West Bank settlements in 1991. As regards the sum earmarked for the extension of settlements in the West Bank up to 1992 — where most of the immigrants from the former Soviet Union are housed — this is estimated to be about US$1 billion.

II. ISRAELI PRACTICES AGAINST THE PALESTINIAN LABOUR FORCE

(1) Unemployment and the deteriorating economic situation

Reiterating what they wrote last year in their reports, the League of Arab States, the Ministry of Labour of Jordan, the Palestinian Trade Union Federation, the International Confederation of Arab Trade Unions (ICATU) and the Federation of Syrian Trade Unions state that the major causes of unemployment in the occupied territories are the Gulf war — the after-effects of which are still being felt by the Palestinian people — the curfew and Jewish immigration. Another reason for this unemployment may be added: the extremely severe restrictive measures on employment taken by the Israeli authorities after the Gulf war. These measures made it necessary to obtain a work permit, reduced the number of Palestinian workers able to be recruited by an Israeli employer, increased the number of "green cards" and allocated the so-called "red card".

These measures were examined in a number of reports received and in an analytical study prepared by Mr. Majed Sabih for the Centre of Workers' Studies at Ramallah, submitted by the Jordanian Ministry of Foreign Affairs. Mr. Majed Sabih explains that the occupation authorities, in spite of the lifting of the curfew after the end of the Gulf war, decided to make it compulsory for any Palestinian worker to obtain a work permit. They took this step in order to slow down the entry of Palestinian workers in Israel and encourage Israeli enterprises.

1 These three points were developed in the 1991 Report of the Director-General, pp. 51-55.

2 On this subject, see the 1990 Report of the Director-General, pp. 56-57.
to employ Jewish immigrants. An Israeli employee must request a work permit from the Civil Administration - which only grants it if the occupation authorities do not have a compromising file on the worker concerned. This permit is issued for one week or a maximum of one month, at the end of which time it may be renewed; this does not mean however that the worker might be employed throughout all the period for which the permit has been granted or that, if the permit is granted, the worker will have the job he has been promised. Furthermore, Palestinians are not allowed to work in any other place than that for which the permit has been granted. This explains why, according to Mr. Majed Sabih, a number of Palestinians have been arrested by the Israeli police and had to pay fines on the grounds that they were not employed at a workplace for which their permit was valid. The author adds that only 50,000 permits had been issued up to May 1991; he nevertheless points out that the Israeli authorities have, alongside the rising number of settlements, increased the number of work permits issued because they need to employ a larger number of Palestinians in the building sector - a sector in which Jewish immigrants generally refuse to work. According to the Israeli daily newspaper Jerusalem Post of 13 August 1991, 72,000 Palestinian workers are registered with Israeli employment agencies; but Mr. Majed Sabih notes that this is only a temporary measure, which will come to an end once the building work in the settlements has ended.

The Jordanian Federation of Chambers of Commerce states that the number of Palestinians employed in Israel has dropped on account of the work permit situation, reaching 25,000 at the end of April 1991. Out of these 25,000 persons, 10,000 come from the Gaza Strip. According to the Palestine Trade Union Federation, there were about 30,000 Palestinians employed in Israel with a work permit at the same date. The Jordanian Federation of Chambers of Commerce mentions, in this context, that the occupation authorities make Israeli employers recruiting a Palestinian without a work permit pay a fine that might be as high as US$8,000; they also impose a penalty of $1,000 a day on any Israeli continuing to employ an Arab beyond the date fixed by the work permit. In addition, the worker also has to pay a fine of $200 and also runs the risk of being arrested. The Federation of Chambers of Commerce goes on to say, however, that any Israeli employer recruiting a Jewish immigrant is provided with financial assistance of $250 a month; this grant covers the first six months of the labour contract. Also with a view to encouraging the employment of Jewish immigrants, the occupation authorities have, at the request of the Israeli employers, reduced from ten to four the number of Arab workers an employer is authorised to recruit; this information is provided by a Palestinian researcher, Hicham El-Khatib, in his study published in the daily newspaper El-Fajr.
According to the Federation of Syrian Trade Unions, Israeli employers try to cut their expenses by falsely declaring to the competent authorities that they pay their workers higher wages than those they actually pay.

Both the ICATU and the Palestinian research worker, Majed Sabih, deplore the increase in the number of green cards which only aggravates the problem of unemployment. Quoting the Israeli daily newspaper Haaretz of 17 June 1991, Majed Sabih notes that 15,000 Palestinians hold a green card; 9,000 of these workers are from the West Bank and 6,000 from the Gaza Strip. The ICATU reports that 20,000 green cards were issued in 1991 to Palestinians, including Shaher Saad and other trade unionists. On this point, the ICATU notes: "in short, a Palestinian worker employed in Israel is obliged to carry four cards: an identity card, a magnetic card, a work permit and a red card". The latter is a work permit designed specifically for those living in the Gaza Strip, who may not leave this territory and go to Israel to work unless they hold this card. This matter is of particular concern to the Arab trade union organisations. The Federation of Syrian Trade Unions explains that the red card may not be granted to persons who have been arrested.

These restrictive measures have had particularly serious repercussions on those living in the Gaza Strip and have contributed towards the economic decline in this territory, where the unemployment rate ranges from 35 to 50 per cent and where, for 23 years – in other words, since the occupation – no economic structure has been created to provide employment for the inhabitants. Furthermore, the creation of a real "slave trade" in the Gaza Strip has only served to worsen the situation. We shall return to this point in the next section.

It should be finally mentioned that the unemployment rate in both territories reached 40 per cent in 1991 and that in September, there were 160,000 Palestinians out of work – accounting for 50 per cent of the Arab labour force. The increase in the employment from year to year has been accompanied by such a drop in the living standards in the occupied territories (about 50 per cent), that UNRWA has been obliged, according to the daily newspaper El Rai'i of 14 May 1991, to provide assistance to all the inhabitants in these territories.

(2) Inequality of treatment and discrimination

(a) The setting up in the Gaza Strip of what is called a workers' recruitment camp has aroused the indignation of a number of people, including a member of the Knesset, an Israeli trade unionist and a Palestinian journalist who, in an article published in the daily newspaper El-Itihad of 17 May 1991, criticised the attitude of Israeli employers and officials. The authors of this article describe the "martyrdom" of workers in...
the Gaza Strip who, unable to find work at home, are obliged to accept all the inhuman conditions forced upon them before possibly finding work in Israel.

The camp has been built near the Erz Dam; it covers an area of five dunams confiscated from inhabitants of the town of Beit Hanoun and is encircled by barbed wire and surrounded by a police cordon. It is an open-air camp in which health services and seats for the workers are lacking; there are not even any taps for drinking-water. Not only jobseekers are obliged to go to this camp very early in the morning but also those who already have a job in Israel. Why? Because the employers, most of whom are building or cleaning contractors, or even small-scale farmers, are obliged, on orders from the Israeli authorities, to go to the camp personally every morning with a vehicle to pick up the workers and also to take them back in the evening. These employers arrive with the list of Palestinians holding a work permit. They only recruit those they need; the others are obliged to return home empty-handed after having waited for hours in inhuman conditions. Sometimes an employer, when he has succeeded in replacing a Palestinian by a Jewish immigrant, does not go to the camp to pick up a worker waiting for him, even when this worker has been promised a job. In their article, the authors also explain that workers are usually recruited for very short periods (one to three days a week) and their employers often refuse to pay them. According to dozens of Palestinian workers, a third of the persons fortunate enough to have found a relatively stable job are paid the minimum wage (1,000 to 1,250 shekels a month); and half of this sum goes towards paying their travel from their home to the assembly camp and from the latter to their place of work. In addition, Palestinian workers have to put up with humiliating treatment from the soldiers in the camp.

In their reports, the Arab trade union organisations also deplore the setting up of the recruitment camp. For its part, the Government of Jordan points out that, thanks to this camp, the occupation authorities prevent the Palestinian workers from moving freely in the Israeli territory marked off by the Green Line.

(b) Fired by their determination to replace Palestinians by Jewish immigrants, the Israelis are continuing with their unlawful dismissals. Quoting the Jordanian press of July and September 1991 on this matter, the Government of Jordan notes that, in the Ma'ale Edumim settlement, a factory owner dismissed his Arab employees without paying them any compensation and replaced them by immigrants. In order to give an advantage to Jewish immigrants, hotel establishments and hospitals no longer allow Palestinians from the occupied territories to do shift work. Furthermore, the Ministry of Health, on grounds of security, has reduced the number of Palestinians working in
public hospitals; out of the 800 persons it previously employed, the Ministry has only kept on 140.

During the Gulf war, 15 Palestinian workers employed in the Israeli "Elet" factories stated that they had been dismissed merely because they were Arab.

The ICATU mentions the "rapid rise of racism in Israel" in its report; it points out that, following the call by the Rabbi Youssef Shalom Elthef to ban the employment of Palestinians, the owner of a supermarket, Mr. David Zetcherman, dismissed ten of his Palestinian employees and forbade, on the initiative of Rabbi Eliazar Shakh, to allow other Palestinians employed in Israeli enterprises to enter his supermarket. Furthermore, two Israeli federations of small-scale farmers tried to dismiss 43,000 Palestinians to replace them by Jewish immigrants. For its part, the Israeli Minister of the Economy called for a cut in the number of Palestinian workers.

The ICATU adds that racism does not only take the form of dismissals. For instance, Israeli employers not only refuse to pay a Palestinian employed without a work permit but also denounce him to the police. This happened to Mahmoud Ibrahim El-Khatib, Salame El-Khatib and Sami Salman who had to pay fines for carrying out illegal work; what is more, they were not paid their wages. The Government of Jordan quotes a number of examples of these cases, which we are unable to reproduce in their entirety. It should also be pointed out that Arab workers have had to pay a fine of 2,000 shekels each on the grounds that they were employed without a work permit on building sites or that they held false papers.

The Government of Jordan's report gives the names of a number of teachers dismissed arbitrarily:

- Azmi Fayek Salame, from the village of El-Fendkoumie/Jenin;
- Moustafa Youssef Beni Awde, from the village of Tamoun/Nablus;
- Abla El-Khatib, teacher at the Azna Secondary School;
- Mohamed Souleiman Baroud, from the El-Shat'e camp;
- Badr Ismaïl Yassin, director of the El-Rafidayn Secondary School in the Gaza Strip. He had been teaching for 33 years.

The above-mentioned facts bear witness to the seriousness of the situation. Basing its information on certain statistics, the ICATU refers to 30,000 dismissals carried out in 1991. The Government of Jordan, quoting the Israeli daily newspaper Davar, points out that 38,000 Palestinians are at present employed
without a work permit in Israel, whereas they numbered 115,000 before the Gulf war; for its part, the ICATU stipulates that 50,000 to 60,000 Palestinians work without a permit in Israel.

(c) All the reports received agree that the deductions made on Palestinian workers' wages only profit the coffers of the State and Israeli employers, while those living in the occupied territories virtually go hungry. Fuller details on this subject are provided by two Palestinian research workers (already mentioned) Adel Samora and Hicham Khatib. In their study, they report that direct and indirect deductions made on Palestinians' wages during the past 23 years amount to US$25 billion. The two research workers base their calculations on a figure of 50,000 workers employed legally in Israel. They point out that direct deductions - health insurance, income tax, social security, etc. - account for 30 per cent of workers' wages; unfortunately, these workers do not receive in return the benefits to which they are entitled. The only right they have is to be treated in the public hospitals, of which there are only six in the occupied territories; indeed, workers prefer to avoid these, given that they are not sufficiently reliable. The two authors further mention that, out of a wage of 738 shekels earned by a Palestinian in February 1991, approximately 197.32 shekels were deducted as contributions. As regards pensions, it should be mentioned that a Palestinian receives US$75 per month after 15 years' work, whereas an Israeli receives approximately $400 for the same length of service.

Turning to indirect deductions, the authors explain that these correspond to paid leave to which regular Palestinian workers - unlike their Israeli counterparts - are not entitled because they are not considered as workers paid on a monthly basis, even if they have worked for 20 years in the same establishment. The profits made by the Israeli private sector as a result of indirect deductions have amounted to US$15 billion during the last few years and have enabled the sector to straighten out its economy.

(3) Arrests and detentions

After the adoption of measures restricting the employment of Palestinians, there was an upsurge in the number of arrests of workers not holding a work permit. Quoting the Jordanian press, the Ministry of Labour of Jordan notes that hundreds of workers were arrested by the police on the grounds that they did not hold a work permit whilst on Israeli territory behind the Green Line. In Tel-Aviv the Israeli police arrested 40 workers in the Gaza Strip, although they had work permits, and obliged each of them to pay 500 shekels in exchange for release pending their trial. Eight workers from Bethlehem were also arrested in the area of Netania on the grounds that their permits did not allow them to work in this area. In Ramat Be'haron, the Israeli police
descended on a number of building sites and arrested several Arab workers. The Government of Jordan mentions other arrests, without however giving the reasons for these. The Israeli Military Court also sentenced the teacher, Yassin Fadl Hachem, from the Beyn Dako village in the district of Ramallah, to 13 months' imprisonment and ordered him to pay a fine of 1,000 shekels. The reason for this sentence is not given.

(4) **Violence against workers**

As every year, the Palestinian workers have suffered acts of violence at the hands of both the settlers and Israeli soldiers, as pointed out in the report of the Ministry of Labour of Jordan. The Ministry quotes a number of examples reported in the Jordanian press:

- in Zhouya/Jenin, settlers fired on workers employed in agriculture, wounding one of them;

- Israeli soldiers attacked workers carrying out repairs in the El-Farouk Mosque in Rafah, injuring a number of them as well as passers-by;

- a 67-year old Arab guard was beaten up by Jewish extremists in West Jerusalem, who tried to stab him and wounded him; nevertheless he managed to escape;

- Israelis threw stones on a car transporting workers from the town of Assdoud and managed to injure one of them. Following this incident, the Israeli police declared that those responsible had been extremist Jews who had acted for racist reasons;

- a number of Jewish faithful prevented Arab jobseekers from going to the El-Messdar district in Jerusalem on the grounds that it was a sacred place - leading to a clash between both parties.

### III. **ISRAELI PRACTICES AGAINST TRADE UNIONS AND TRADE UNIONISTS**

In order to discourage trade unionists and prevent their activities, the Israeli authorities - as is their wont - ransacked trade union premises, arrested trade unionists, placed a number of them under house arrest and forbade others to travel abroad. However, these measures did not prevent the holding of the Workers' Economic Conference, organised by the Executive Committee of the Palestine Trade Union Federation, to be held in Jerusalem from 19 to 20 September. A number of recommendations were adopted at this Conference concerning: (1) trade union reorganisation (in particular the establishment of a new
unemployment insurance scheme and a full health insurance scheme for workers); (2) the role of the Federation in economic development, worker training and the protection of workers' rights; and (3) development on the whole.

As regards the closure and ransacking of trade union premises the ICATU and the Government of Jordan mention that the Israeli authorities closed trade union offices in Jerusalem, Ramallah, Tulkarm, Nablus, El-Khalil and Gaza. Furthermore, the police raided the headquarters of the Catholic Youth Association in Gaza at a time when Palestinian key figures, heads of enterprises and chairmen of trade unions in the Gaza Strip had gathered there to examine living conditions in this territory with a view to improving them; the police threatened the participants at the meeting and took their names.

The ICATU mentions the expulsion of three trade unionists in March 1992: Jamal Abou Jabal, Jamal Abou Jedia and Mou'in Mousaslem. It also mentions the expulsion on 2 January 1992 of 12 trade unionists and Palestinian inhabitants. Turning to arrests, it points out that a number of trade union executives were arrested at the beginning of 1991, including: Shaher Saad, Georges Hazboun, Rasem El-Biyari, Rachid El-Rachk, Adel Abou Rahile and Mahmoud Ziyade. Similarly, all the members of the Executive Committee of the Palestine Trade Union Federation in Ramallah were arrested on 5 October 1991. Their names are as follows:

- Jabr Zaydan;
- Adel Ghanem;
- Walid Badad;
- Selim (illegible);
- Mohamed Darssie;
- Faraj El-Rafati;
- Fayssal El-Maroudi;
- Khaled Abou Hilal;
- Samer Sama'an;
- Shafik Issa;
- Cherif Moussa.

Furthermore, the secretary of the Municipal and State Enterprise Workers and Employees in Tulkarm, Mr. Ibrahim Saleh
El-Hafi, was arrested. He had previously been arrested twice and detained each time for six months; furthermore, he holds a green card.

The Israeli authorities also arrested on 22 January 1991 the trade unionist, Adnan Zaydan El-Kilani, whom they had previously tried to murder when he was being held at Anssar 3 in the Negev desert. They had murdered his brother, Ahmed El-Kilani, when he was being interrogated for belonging to the Federation of Trade Unions in the district of Jenin. On 12 November 1991, Amina Abdel Jabar El-Rimawi, trade union executive from Ramallah, was arrested. He is still being detained.

The Government of Jordan mentions two arrests: that of the lawyer, Fouad Chnoudah, member of the Lawyers' Trade Union in Gaza, and that of Radwan Abou Ayyach, president of the Palestinian League of Journalists who was brought before the military court on the grounds that he was a member of the Fath Movement. Furthermore, Nada Tawir, chairman of the Federation of Women's Works Councils in the West Bank and in the Gaza Strip, was placed under house arrest in Tulkarm although she lives in Ramallah. Similarly, Sami Adwan, chairman of the Trade Union of Workers of the El-Khalil University, and member of the Higher Education Board in the West Bank, was placed under administrative detention for a period of five months.

Apart from arrests and detentions, mention should be made of restrictions on freedom of movement ordered by the Israeli authorities, which prevented the following persons from travelling abroad for a period varying from three to six months:

- Zouheira Kamal, chairman of the Federation of Women's Works Councils in the West Bank;
- Salah Abou Katich, trade unionist;
- Anwar El-Naboulssi, trade unionist.

The Israeli authorities also forbade the above-mentioned journalist, Radwan Abou Ayyach, to go to Madrid to the Peace Conference; they also prevented Shaker Joude, chairman of the Trade Union of Agricultural Engineers, and Ziad Abou Ayn to go to Vienna to take part in the Eighth Conference of Non-Governmental Organisations concerning the Palestinian Problem. Similarly, Mohamed Sawan, secretary-general of the Trade Union of Palestinian Teachers in the Occupied Territories, and his deputy, Taha Nasar, were not authorised to go to Amman to take part in meetings on problems in the teaching profession.

Furthermore, a number of trade unionists are often manhandled and threatened by the occupational authorities. For instance, the authorities threatened to take reprisals against
IV. ISRAELI PRACTICES AGAINST ARAB EMPLOYERS AND PRODUCERS

All the reports received agree that by trying to tighten the stranglehold on Arab producers, the Israeli authorities have managed to cause real famine in the occupied territories where the economy is already stifled as a result of the Gulf war. On this subject, a Palestinian research worker, Mehdi Abdel Hadi, writes: "Israel is not fulfilling its commitments in the occupied territories and the Green Line is being transformed into a Red Line." He calls upon international aid to combat hunger in these territories.

(1) Shops

Shops are sometimes closed without reason but often on the usual grounds - stone throwing, the use of petrol bombs or explosives. The Government of Jordan states in its report that hundreds of establishments have been closed: 40 in Jenin, 100 in Gaza, 50 in Nablus, and dozens of others in El-Khalil, El-Bira, Bethlehem, Ramallah and some camps in the occupied territories. Accused of not holding a permit to trade, owners often have to close their shops and are obliged to pay heavy fines. These establishments have included chemists, grocery shops, garages, a textiles factor, a butter-making factory and jewellery shops. The Israeli authorities also do not hesitate to break into certain establishments and confiscate the identity papers of their owners and their goods, such as furniture, machines, money or files. In El-Bira, the occupation authorities broke into a stone and brick factory, confiscated the goods loaded onto a lorry belonging to the factory and illegally detained its owner. In Jenin they also made a raid on the industrial area, confiscated the identity papers of many of the shop owners and obliged them to go to the municipal tax office.

These arbitrary practices have also included the demolition of eight establishments in Rafah which belonged to Salama and Mohamed Kachta and to Sameh and Majed Abou Jazar. A further six establishments were demolished in the Jbalia camp. We should also mention that a commercial centre was demolished on the grounds that it had been built without a permit.

(2) The agricultural sector

Considered to be one of the most important activities in the occupied territories, because it is the main source of income for 23 per cent of the population, agriculture is undergoing a serious crisis. The Israeli authorities are not only content...
with destroying or uprooting vines and hundreds of olive trees and fruit trees, confiscating or burning agricultural land or destroying crops and greenhouses on the pretext of stone throwing, fire bombs and the building of roads to the settlements; they also forbid Palestinian investors to set up enterprises and put every obstacle in their way to prevent them from carrying out their economic projects. The Federation of Syrian Trade Unions points out in its report that the occupation authorities have been refusing for years Palestinian requests to set up a dairy products factory enabling farmers to improve their production. For its part, the Government of Jordan mentions that the Israeli authorities refused - without giving any grounds - to allow the Palestinian businessman, Khodr El-Masslamani, to enter in the Gaza Strip, although the latter is the representative of a number of western enterprises in the West Bank and in the Gaza Strip. Similarly, three Israeli officers obliged a Palestinian businessman in the Gaza Strip to hand over, after threatening him with a gun, a cheque of 750,000 shekels on the pretext that they were only obeying official orders.

As regards livestock, the Government of Jordan points out that the occupation authorities are continuing to confiscate sheep herds, impose heavy fines on stockbreeders and destroy sheep folds, poultry farms and cattle pens on the grounds that they were built without previous authorisation or that their owners are wanted by the police. A settler even fired on an Arab shepherd after having killed 20 of his sheep. Furthermore, the occupation authorities do not allow stockbreeders to graze their cattle in many areas on the pretext that they have been declared military zones. They have even restricted the amount of fertilizer to which farmers are entitled.

Concerning water resources, the ICATU mentions that 80 per cent of these resources are reserved for the use of Israelis; 60 per cent have been tapped by the occupation authorities and 20 per cent by the settlers established in the occupied territories. In this context, the Federation of Syrian Trade Unions mentions the example of the Kiryat settlement where the 5,000 inhabitants consume 5,000 to 6,000 m³ of water, whilst the town of El-Khalil - with its 90,000 inhabitants - only consumes 6,000 to 7,000 m³. What is more, the Federation points out that many Palestinian villages are suffering from a lack of water. In Beni Naïm, for example, the Israeli authorities cut the water in the village for more than two years to penalise the villagers for not having paid their taxes.

(3) The repressive fiscal policy

The Government of Jordan feels that the taxes imposed on the Palestinians are a way of penalising them unfairly. Dozens of examples in the Government of Jordan's report bear witness to the repressive methods used by the Israeli authorities for years;
they conduct "fiscal campaigns", break into shops in order to arrest their owners or oblige them to go to the tax office to pay their taxes, detain some shopkeepers and confiscate their identity papers and goods on the grounds that they have not paid their taxes, or oblige them to pay taxes out of any proportion to their income. In El-Khalil, Kabatia (area of Jenin) and Sour Baher (south of Jerusalem), police, accompanied by tax officials, undertook a fiscal campaign: they broke into houses, arrested their inhabitants and confiscated their driving licences and cars on the pretext they had not paid their taxes. In Beit Fajar, tax officials demanded 5,000 shekels in tax from the owner of a stone-grinding firm — although his enterprise had stopped operating five years before. Tax officials also often put up road blocks at the entrance and exit of towns to stop the inhabitants and make them pay taxes.

The Jordanian authorities mention once again the fine of 350 shekels that Palestinians must pay if they write slogans hostile to the occupation on the walls of their homes. A fine of between 1,500 to 5,000 shekels is imposed on guardians of teenagers accused of throwing stones.

The ICATU and the Federation of Syrian Trade Unions are indignant about the introduction of a new tax known as the "life tax", ranging from 80 to 1,000 shekels, which is deducted every month from the wage of a Palestinian worker. According to an officer of the Israeli army, this tax corresponds to "a tax on the air breathed by the worker". The amount deducted is equivalent to about 12 per cent of the wage of a Palestinian.

V. VIOLATION OF FUNDAMENTAL RIGHTS

(1) Arrests and deprivation of freedom

In its reports, the PLO condemns the new methods adopted by the Israeli authorities to put down the intifada and penalise the Palestinian population. It explains that special army units which have been granted greater freedom of action by the occupation authorities are causing terror in the occupied territories by assassinating intifada activists. Similarly, in order to maintain the terror, the Ministry of War has appointed officers well-known in the past for their terrorist activities in the occupied territories. The PLO adds that there has been an increase in the number of round-ups to try and arrest persons sought by the occupation authorities, especially in the rural Palestine areas and in the areas of Ramallah, Jenin and Nablus.

1 See on this subject the 1990 Report of the Director-General, p. 71.
The Israeli soldiers use helicopters, flare bombs and vibration bombs to carry out these arrests. They even go so far as to lay traps for Palestinians by disguising themselves in order to arrest the persons they are looking for. In the month of October alone, there were 855 round-ups which led to the arrest of 47 persons.

The Government of Jordan points out that more than 3,514 persons were arrested in 1991. There were collective waves of arrests, as every year, accompanied by the application of provisions providing for teenagers to be detained for up to 18 days. Furthermore, 661 Palestinians from the occupied territories were placed under administrative detention for a duration ranging from one month to one year - which may be extended according to the case.

Furthermore, 3,130 Palestinians were brought before the Israeli courts in the occupied territories in 1991. The sentences handed down ranged from seven to 12 months' imprisonment and 14 to 24 months' suspended sentences. Some were sentenced to several years' imprisonment and 34 Palestinians were sentenced to life imprisonment. Furthermore, every sentenced person had to pay a fine of between 500 to 700 shekels. In 1991, the total amount of fines paid is estimated to have been about 2,882,390 shekels.

The Palestinian press agency Wafa refers, in a communiqué, to a strong letter sent by UNRWA to the Israeli authorities protesting against the violation of basic rights in the occupied territories. In this letter, UNRWA accuses the occupation authorities of having thrown vibration bombs at its buildings and the officials inside these buildings, and having attacked its ambulances and prevented its lorries loaded with supplies to enter Silwad, Mazra'et El-Charkie'e and Ain Yabroud - villages placed under a curfew for one month. As regards the Palestinian population, UNRWA points out that during clashes between the Israeli authorities and the civilian population, 75 Palestinians, including 25 young persons under 15 years of age, had been killed. It adds that since 15 December 1991, the town of Ramallah and its vicinity have been placed under curfew at night, whereas this has been imposed in Nablus and the surrounding area since 22 December 1990.

The Damascus Chamber of Industry describes the suffering endured by Palestinian prisoners and refers particularly to the prison of Bir El-Sabe'e where, because of the psychological pressure put on the prisoners, 165 of them have tried to commit suicide by slashing their wrists. UNRWA reports that Moustafa Akkawi, held in the El-Khalil central prison, died in February 1992 during an interrogation by Israeli soldiers.

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(2) Restrictions on freedom of movement of Palestinians

These restrictions include the ban on travel and the right to go to some regions declared military by the occupation authorities, as well as expulsions, house arrests and the curfew. The PLO points out that in October and November a curfew was imposed 408 times in a number of villages - just before and during the Peace Conference in Madrid.

Furthermore, the Government of Jordan notes that the Israeli authorities have closed the two only bridges linking the occupied territories and Jordan and prevented many people from travelling, including doctors, journalists, engineers and lawyers. They even prevented an inhabitant from the village of Beit Sahour to go to the United States to join his family. Similarly, a resident of Jerusalem was refused authorisation to go to Jordan for medical care. Often no reasons are given for the ban on travel.

Seventy-one Palestinians were expelled in 1991. For instance, a doctor, Moussa Jaber Azab, was expelled to Sweden after having been held by the Israeli authorities because he did not hold a residence permit for the Gaza Strip. Dozens of married men and women have also been separated from their families following an expulsion on the grounds that they did not hold a permit for a family reunion. Antoun Jreiss El-Choumli, mayor of a village, was sentenced to five years' expulsion by an Israeli court.

Detentions are often extended by house arrests of unlimited duration; this happened to 13 young persons from the village of Kharbeth Beni Hareth who had already spent one year in prison. Two women were also placed under house arrest: I'tidal Awad Allah Abou Zanid; who had been detained for 15 days in the El-Masskoubie prison, and Nada Tawir. The latter was kept under house arrest for six months.

(3) Attacks on individuals and private property

Referring to a speech made by a well-known Palestinian figure, the Damascus Chamber of Industry writes that, in spite of the negotiations started in Madrid, the Israeli authorities continue to massacre and inflict injury on hundreds of Palestinians and to attack their goods. Dozens of children maimed as a result of bombs thrown by Israeli soldiers are at present being cared for in rehabilitation centres. The Chamber of Industry also refers to a Palestinian family in Jericho obliged to live in a tent because their house was sealed up. Putting seals on a house is one of the collective penalties imposed on Palestinian families when one of its members is suspected of throwing stones. Generally speaking, the home is usually demolished after this action; however, the Government of
Jordan explains that homes may also be demolished on the grounds that they were built without a building permit - or for reasons of national security or because the owner of the home has a relation detained in an Israeli prison. But the punishment does not stop at demolition. The occupation authorities also raid homes, break any furniture they find or take whatever they need: computers, televisions, electronic apparatus, etc. According to the aforementioned Government, 1,078 homes were destroyed in 1991.

It is difficult to list persons who have been shot or injured as a result of torture or the explosion of tear-gas bombs; fearing to be arrested, most of the persons concerned fail to declare their injuries and go to hospital to have their wounds treated. An average figure of 8,000 persons injured may however be advanced. One hundred and thirty persons were killed by bullets.

VI. ISRAELI PRACTICES AGAINST TEACHING AND RELIGIOUS ESTABLISHMENTS AND HOSPITALS

In the letter of protest to the occupation authorities already mentioned above, UNRWA accuses Israeli soldiers of having thrown a vibration bomb at one of its schools in the El-Breij camp in the Gaza Strip, terrifying the pupils and causing them to run away. UNRWA adds that four of its schools were closed in the Gaza Strip on military orders, of which two were in Deir El-Balah and two in the El-Nassirat camp; they were closed on 25 and 29 January 1992, respectively.

The Government of Jordan also refers to the closing of hundreds of UNRWA schools and other establishments in 1991, on the grounds that pupils were being provocative, throwing stones or organising demonstrations. The Israeli soldiers often also raided the schools and sabotaged exams; this happened in two establishments in Nablus where the students were not able to sit their school-leaving exams. Israeli soldiers also use iron bars in attacking educational establishments, laying waste to them and arresting the students.

Furthermore, to serve their military interests, the occupation authorities do not hesitate to transform some schools into barracks.

Turning to universities, the Government of Jordan points out that, in spite of the lifting of the curfew in March 1991, the Israeli authorities extended for three further months the order to close the four major Palestinian universities, those of Bir Zeit, El Najah, El-Khalil and the Islamic university - establishments that educate 80 per cent of the Palestinian students. A little later in the year, the occupation authorities
once again ordered the closure of the university of Bir Zeit from 1 September 1991 to 31 January 1992.

Like the schools, the universities do not escape Israeli attacks. According to the Jordanian press, settlers broke into the premises of the El-Khalil University, took a number of files and books and damaged the archives.

The situation in the health sector is scarcely better. Hospital staff have to put up with raids carried out by Israeli soldiers in health establishments; they break in and search the premises on the grounds they are looking for suspects or arrest patients suspected of having carried out activities hostile to the occupation. They even threw a tear-gas bomb into a hospital in Jenin causing the death of a child.

The Government of Jordan also mentions the closing of the only health establishment in Ya'bed and of the emergency clinic in the Nour Chams camp in the area of Tulkarm. It also points out that the occupation authorities refused to allow the inhabitants in the Jenin area to build a new hospital, although the old one is inadequate to meet the demand. The situation is further aggravated by the fact that hospitals in the occupied territories are faced with a budgetary deficit estimated at $20.3 million. Given the lack of facilities, patients in health establishments in the Gaza Strip have to be transferred to Israeli hospitals.

The demolition, closure and desecration of holy places are so many examples of Israeli practices against religious establishments. In Qalqiliyah, Israeli soldiers broke into three mosques, broke the windows and tore up books and copies of the Koran they found there. In Beit Sahur, they confiscated the loudspeakers of all the mosques. In El-Khalil, the El-Ibrahimi Mosque was declared a military zone and closed to the faithful. In Beit Hanoun, the occupation authorities forbade the inhabitants of the village to continue building work on their mosque on the grounds that it had been built without a permit. It should be pointed out that the walls of the mosque were demolished by the Israeli authorities in 1990. The latter also desecrated tombs in the Greek Orthodox Cemetery in Bethlehem, closed the gates of the City of Jerusalem to forbid the faithful access to the El-Aqssa Mosque and ordered the closure of Salah El-Din Mosque in Kabatiya, because a flare bomb had been thrown from the mosque onto a patrol of soldiers.

VII. THE SITUATION IN THE GOLAN

The following information is based on communications received from the Ministry of Labour and Social Affairs of the
Syrian Arab Republic, the Damascus Chamber of Industry, the Federation of Syrian Trade Unions and the PLO.

Statements recently made by Israeli high-ranking officials prove that the occupation authorities are still continuing, in spite of peace efforts made in Madrid, to apply their expansionist policy which consists of considering the Golan as an integral part of Israel. Both army chiefs and Zionist extremists want to hold on to the Golan; for the first group, its importance is strategic as it constitutes a "zone of dissuasion against any enemy land attack"; for the Zionist extremists, it presents a golden opportunity to establish and extend their settlements. Indeed, the building project concerning the Golan, approved by the Israeli Ministry of Housing, plans to establish nine colonies in this territory - four (Brokhim, Eghmon, a third in the north of Golan and a fourth in the south) in 1991 and five in 1992. The Knaf settlement, already established, was opened in May. Furthermore, the Ministry of Economy and Planning had plans to build 3,000 homes in 1991, 1,800 in the Ketsrin settlement and the rest in the agricultural settlements - where, during the first six months of last year, 160 and 120 families of Jewish settlers were housed, respectively. The Syrian authorities and organisations point out that the building of 1,482 homes, out of the 3,000 planned, began in 1991. It should be pointed out that in March 1991 there were 12,000 Jewish inhabitants in the Golan, that this figure has been increasing by 10 per cent each year since 1988 and that the arrival of 15,000 settlers in the Golan is expected in the near future.

As regards the confiscation of land, the reports mention that the situation is the same as in previous years: the Israeli authorities are taking over the most fertile land to establish their settlements, particularly land on the plains of Beka'ata, Massa'ada and A'in Kanie; and they are continuing to start unlawful fires in agricultural areas.

Concerning employment, the Syrian authorities state that similar to their counterparts in the Palestinian occupied territories, Arab workers in the Golan are subject to discrimination and employed in menial and heavy work, such as building and cleaning. University graduates have great difficulty in finding a job as the Israeli authorities refuse them any employment on the grounds that they hand information to the Syrian authorities that might compromise the security of Israeli territory.

As regards the agricultural sector and the use of water resources, the communications received reiterate the information contained in the 1991 Report of the Director-General, to the effect that "the only markets open to the agricultural produce of the Golan are Israel and the occupied territories of the West Bank and the Gaza Strip" and that, moreover, the Israeli water
company, Mekorot, has a monopoly that obliges every single inhabitant of the Golan to deal with it for their water supply. The Federation of Syrian Trade Unions and the Ministry of Labour add, in this context, that the Israeli authorities tap 46 million m³ of water every year from the Golan and that they have planned building for their own profit a farm to raise dairy cattle and a dairy produce factory in 1991 - which will cost from $5 to $6 million.

Mention must also be made of the injustices suffered by the local Druse councils. Citing the Italian press, the Damascus Chamber of Industry states that the members of these councils organised a demonstration in May to protest against the discrimination they encountered at all levels and to demand credits to develop their municipality. The chairman of the local councils went on hunger strike for the same reasons during the month of May.

As in the occupied territories in the West Bank and the Gaza Strip, arrests in the Golan are made on the grounds of national security. In February, 12 people were arrested. In March, the regional court in Nazareth sentenced two young men from Majdal Shams to three years' suspended sentences on the grounds that they were collaborating with the Syrian authorities. Fares El-Sha'er and Bassam Souleiman, from the village of Majdal Shams, were also sentenced in April to ten years' detention — of which eight years' imprisonment — for the same reasons.

On the subject of education, the information provided confirms that contained in the 1990 Report of the Director-General. Furthermore, the Federation of Syrian Trade Unions states that the Israeli authorities prevent students from the Golan from going to university in the Syrian Arab Republic. They are therefore obliged to learn Hebrew to be able to enrol in Israeli universities; but, when they are admitted, the occupation authorities place them under administrative detention when they are supposed to sit their exams.

VIII. THE DEVELOPMENT OF INTERNATIONAL ACTION

The need to implement fully resolutions No. IX of 1974 and No. II of 1980, adopted by the International Labour Conference, as well as the IVth Geneva Convention relative to the protection of civilian persons in time of war, of 12 August 1949, and the relevant United Nations resolutions was reiterated. Positive references were made to the process of negotiations under way and to the genuine desire for peace of the Arab parties contrary to

1 idem, p. 79.
the duplicity of the Israeli Government which is obstructing the peace process by pursuing its policy of immigration and establishment of settlements in the occupied territories.

The importance of the ILO's action to assist workers in the occupied territories was stressed. It was, however, considered that there was not an adequate follow-up to the Director-General's annual report on the situation of workers of the occupied Arab territories. Regrets were expressed that the special sittings held in 1990 and 1991 at the International Labour Conference to discuss this report had not led to more specific results in the form, for example, of conclusions drawn up by the Director-General.

The ILO was requested once again to increase its technical assistance to the employers and workers of the occupied Arab territories and their families under a global programme aimed at promoting productive, employment-generating activities in the occupied territories and, to this end, to seek the cooperation of the other international, intergovernmental and non-governmental organisations.

Reference was also made to the resolutions and other actions of the United Nations including:

- General Assembly resolutions 46/47A to G, adopted on 9 December 1991, concerning the "Report of the Special Committee to investigate Israeli practices affecting the human rights of the population of the occupied territories". Resolution A condemns a number of policies and practices noted by the Special Committee. Resolution B reaffirms that the IVth Geneva Convention of 12 August 1949 is applicable to the occupied territories and resolution C determines that the measures and actions taken by Israel in the occupied territories, including the establishment of settlements in these territories, are in violation of this Convention. Resolution D deplores the detentions and imprisonment. Resolution E calls for the deportation of Palestinians to cease. Resolution F condemns Israel's decision to impose its laws, jurisdiction and administration on the Golan. Resolution G condemns the policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions;

- General Assembly resolutions 46/82 on the situation in the Middle East, adopted on 16 December 1991. Resolution A declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian
territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organisation, to exercise its inalienable rights; it condemns Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; and calls upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories. Resolution B considers that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever.

Reference was also made to the following resolutions adopted by the Commission on Human Rights at its 47th Session (1991): resolution 1991/1 on the question of the violation of human rights in the occupied Arab territories, including Palestine; resolution 1991/2 on human rights in the occupied Syrian Arab territory; resolution 1991/3 on Israeli settlements in the occupied Arab territories and resolution 1991/6 on the situation in occupied Palestine.
COMMUNICATION RECEIVED FROM THE ISRAELI GOVERNMENT

DOCUMENT RECEIVED FROM THE MINISTRY OF LABOUR AND SOCIAL AFFAIRS OF ISRAEL

Preface

The Government of Israel has approved this year once again, as in the preceding successive years since 1978, the visit of three ILO officials for the purpose of assessing the situation of workers of Judea, Samaria and the Gaza District. The Government of Israel agreed to allow the visit upon the request of the Director-General of the ILO, despite grave reservations about various aspects of earlier reports and lack of justification for the annual singling out of Israel at the International Labour Conference.

In its repeated agreement to receive successive visits of ILO officials, the Government of Israel has shown that it has never had reason to shield its administration of these areas from the eyes of the outside world. On the contrary, it has striven since 1967 to advance the standards of labour and employment in Judea, Samaria and the Gaza District and had already made considerable progress in improving services in this field long before the first visit of representatives of the Director-General of the ILO 14 years ago. There has been a considerable advancement by any yardstick, but especially in comparison to the current situation of workers in neighbouring countries.

The Government of Israel has never used workers' rights and working conditions of the Arab residents of Judea, Samaria and the Gaza District as a political tool. Regrettably, in recent years there has been a growing tendency to sabotage the fabric of economic relations between these areas and Israel, to the detriment of local workers, by hostile elements, acting upon incitement of Palestinian terrorist organisations, and using obstruction and prevention of employment in Israel for advancing extremist and violent goals. Nevertheless, the Government of Israel has not been deterred from continuing to strive to improve the situation of workers in Judea, Samaria and the Gaza District.

1 The statistical tables referred to in the text were delivered to the ILO mission during its visit, and have not been reproduced here.
I. Comments on the 1991 report of the Director-General of the ILO on the situation of workers from Judea, Samaria and Gaza

The following are selected comments on the 1991 report.

1. Use of data to support conclusions on the economic and employment situation of the administered areas

In a number of instances the report did not provide relevant data to support its analyses or interpretations of developments in the field of economic and employment conditions, despite the wealth of information which was supplied to the ILO delegation. The following examples may be cited:

In paragraph 16, the report states that "the intifada ... (has had consequences) for the economic situation in the territories, that can only be described as disastrous". Rather than using an expression of emotive hyperbole, it would have been preferable in this case to provide the relevant data regarding the output of goods and services in the areas and employment of the residents of these areas. As it stands, this paragraph in the report leaves the reader with the impression that gross domestic product in the areas and employment among the population must have declined drastically since 1987 - conclusions not at all supported by the data.

In paragraph 5(ii), it was stated that "policies (should be) adopted to create jobs in the occupied territories, more especially the development of small enterprises, particularly in agriculture". The data show that, in fact, agricultural output in Judea and Samaria - which represents one-quarter of the total domestic product in that region - has expanded in recent years by 14 per cent per annum. In the Gaza District, agricultural output has grown by 9 per cent per annum. These developments should, at least, have been indicated together with the opinion of the report that such growth is nonetheless insufficient.

As a final example, paragraph 39 notes that "employment creation in the territories has, for many years, seriously lagged behind the growth of the labour force". The report does not indicate that in the years from 1986 to 1990, the growth in the labour force (16 per cent) was very similar to the growth in the number of employed persons in the administered areas.

We urge that in the future more care be taken in the report to support economic analyses with published data, thereby permitting each reader to judge the situation for himself.
2. Economic dependence on Israel

Economic dependence of the areas on Israel is an issue which has been raised several times in the reports of the Director-General of the ILO. (See, for example, paragraph 5(ii) in the 1991 report.) In our view, such dependence is due chiefly to the lack of capital in the territories. The future of economic development in the areas may well be in the expansion of industry and tourism, for which resources are lacking, and not, as the report suggests in the growth of small businesses. Even if additional resources become available, economic dependence is likely to continue.

3. Low participation of women in the labour force

The report cites in paragraph 33 the low female labour force participation rate in the areas. This phenomenon represents the cultural choice of the population in these areas, as it is the cultural choice in other Arab countries and does not represent a failure of Israel's policy.

4. New taxes and confiscation of property (paragraph 25)

Taxes now collected in Judea and Samaria are the same taxes that were collected before 1967, and these are collected according to laws that were in effect before 1967, with minor adjustments made (primarily the updating of tax rates) within the context of security legislation.

The only new tax introduced has been the excise added tax, which is parallel to the value added tax (VAT) which is collected in Israel. The excise added tax was introduced as part of the extension of laws that were in effect in the region before 1967. These regulations were first legislated in 1976 and approved by the Supreme Court in 1981 as fitting the principles of public international law and based, among other reasons, on the principle of one economic region. The Supreme Court contended that close economic ties had developed between the region and Israel, and that "the economy of the territories was tied to the economic hub of Israel", thus requiring the imposition of taxes parallel to the VAT in Israel.

Tax systems and methods of collection were continually examined in order to make them effective, as well as to ease the tax burden on the residents whenever possible. Foreclosure of property (not confiscation) takes place only in extreme cases when a very large debt is incurred and is not a routine phenomenon as noted in the report.
5. **The closing of educational institutions (paragraphs 5, 22, 29, 35)**

The closing of educational institutions is not "collective punishment", but only takes place when the institutions become centres of disturbances and hostile activity. Nevertheless, during the past year and even earlier, the general direction has been to open and not to close the schools, as mentioned in the report.

Elementary, junior and high schools were open as usual in the past school year, except for the period of the Gulf war, when a general curfew was imposed on the region.

The 16 colleges in Judea, Samaria and the Gaza District were gradually opened from the end of March 1990, to the end of July 1990, and today they are all open.

A gradual opening of the universities in the region took place in June 1990. Today, the branches of the Jerusalem University in Judea and Samaria (El-Bireh and Abu Dis) are open, the University of Bethlehem is open, and in April 1991, the opening of the Hebron University was approved.

6. **Employment regulation (paragraph 42)**

The Civil Administration has always encouraged organised employment because only in this way can exploitation of workers from the areas be prevented and their social rights be safeguarded (wage level and social benefits).

The circumstances of security today require supervision of the movements of the residents of the areas in Israel, and these circumstances have also been used to regularise their employment in Israel, a process that, as previously mentioned, contributes to their welfare.

7. **The use of water (paragraph 62)**

In response to the claims that were raised regarding the consumption of water in Judea and Samaria, the delegation's attention is called to the data given them by the Ministry of Labour and Social Affairs in the wake of the 1990 visit.

The information is presented again as follows:

Water consumption in Judea, Samaria and the Gaza District:

(a) **Gaza District**

(1) The local Arab population in the Gaza District consumed about 98 per cent of the water used for consumption in the area in 1988/89. The remaining
2 per cent was used by the Israeli settlements in the area.

(2) The water source of the Israeli settlements is drawn from the drilling of an independent water drainage system. This technologically planned drilling by the Israeli settlements "captures" water that would have otherwise flowed into the sea. This water would not have been used if it had not been for the drilling, and on no occasion was a water source used by the local population exploited.

(3) At the present time, water is not transferred from Israeli sources to the Gaza District, but the final stages are under way to begin a regional water project to supply water from sources in Israel to the Israeli sector in the Gaza District. Under completion of the project, all the water that was drawn from the local drilling for the Israeli settlement will be directed to the local Arab sector, and the drillings will henceforth be used for the benefit of the local Arab population.

(b) Judea and Samaria

(1) The local Arab population of Judea and Samaria consumed about 90 per cent of the total water used for household consumption in the region in 1988-89. The remaining 10 per cent was consumed by the Israeli sector.

(2) In 1988-89, 5.3 million cubic metres of water from sources in Israel were transferred to Judea and Samaria, about 75 per cent (4 million cubic metres) of it for the benefit of the local Arab sector, and the rest to the Israeli sector.

(3) The project for the transfer of the water to the Israeli settlements in Gaza, which was referred to above, is today near completion, and its operation is expected to begin soon.

(4) An examination of the water situation in Judea, Samaria and the Gaza District shows that there is no truth to the ILO's claim that water from the areas is transferred to settlements (new or old) in the Negev.
8. **Intervention into the activities of the labour unions (paragraph 77)**

For many years the members of the ILO delegations were given many examples of labour union activists engaging in hostile activity, and it was explained to them that the intervention was the result of hostile activity and not the labour union activity. (There are also unions that serve as fronts for hostile activity.)

It appears that the delegations choose to ignore the information presented them or fail to accept the scope of the phenomenon (as noted in the present report - paragraph 77).

Again, it seems appropriate to ask the representatives of the ILO what interest could we possibly have in preventing true union activity, which could only contribute to the welfare of the population by preventing the exploitation of workers by employers and bringing about a fair distribution of income, etc.?

9. **Activities to encourage economic development in the areas (paragraph 22)**

The Civil Administration is making great efforts to encourage regional economic development and create local places of employment.

Within the framework of these efforts the following steps have been taken:

(a) In order to encourage export to Jordan, the fees imposed on trucks that carry agricultural produce by way of the Jordanian bridges, were lowered by 50 per cent or more.

(b) The export of agricultural produce to Europe either through direct marketing or through AGREXCO has been encouraged.

(c) The setting up of hothouses to raise flowers has been encouraged through financial assistance for this purpose in the Gaza District.

(d) Limitations on the import of money to the areas through Ben-Curion International Airport or over the bridges have been removed. Every resident is entitled to bring in any amount of money without limitation.

(e) During the past year, the establishment of enterprises in Judea and Samaria with the goal of encouraging local industry was approved.
(f) Resources in the establishment and expansion of regional industry in the Gaza District were invested.

(g) Any entrepreneur (whether local or from abroad, including international organisations) has been encouraged to invest in the areas.

(h) A permit was given to conduct elections to the Chambers of Commerce in Judea and Samaria for the first time in 20 years.

(i) An order has just been approved within the framework of the Encouragement of Capital Investment Law to give special benefits to investors in the areas, to include:

1. Exemption from income taxes from profits for a three-year period.

2. Exemption from property tax on a building or addition to a building which would be used for a new enterprise.

II. Economic conditions and employment

Due to events in Judea, Samaria and the Gaza District since the end of 1987, the collection of statistical data in these areas has become more difficult and the information which is available is more limited and problematic than in previous years. This section will provide a brief summary of economic developments and labour force activity of the residents of Judea, Samaria and Gaza during the 20 years from 1967 to 1987. Information is provided on recent measures taken to encourage economic activity and development in the areas.

Economic activity and employment, 1967-87

Economic development and employment data for 1991

Partial statistics on employment, wages and production in the agricultural branch, consumer prices, exports and imports for 1991 have been compiled, even though national accounts for 1991 are not as yet (March 1992) available.

The partial data show that after a sharp reduction in economic activity in the first quarter of 1991 (very little data

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1 In this section of the communication the Government supplies the same information it supplied in 1991 (see report of the Director-General, Appendices (Vol. 2), International Labour Conference, 78th Session, Geneva, 1991, pp. 92-97.)
are available for the period of the Gulf war but statistics on work in Israel indicate a reduction in work-hours of more than 60 per cent, and low activity in the second quarter (employment in Judea and Samaria was 9 per cent lower, employment in the Gaza District similar to employment the year before), in the third quarter of the year activity in both areas reached a level higher than that in the previous year.

Development in employment described here compares the third quarter of 1990 and the third quarter of 1991. For exports, imports and prices, annual data were available and therefore the annual development is described.

**Judea and Samaria**

The rate of participation in the labour force in Judea and Samaria in the third quarter of 1991 was 40 per cent - similar to the rate for the last five years. The number of employed persons amounted to 196,000 - about equal to the number employed the year before, although the rate of unemployment increased to 9 per cent compared to about 3 per cent the year before. On the other hand, there was an increase in full-time work; 89 per cent of the employed worked full-time which represents the highest level of full-time employment since 1988, and only 5 per cent lower than in the years before 1988.

The number of employed persons within Judea and Samaria (two-thirds of employed persons) after seasonal adjustment was 2 per cent higher than in the corresponding months in 1990, whereas the number of employed persons in Israel was still 9 per cent lower.

Total labour input (work-hours of employed persons) in the third quarter of 1991 was 3 per cent higher than total labour input the year before. Work hours of employed persons in Israel were 7 per cent lower, but work-hours within Judea and Samaria increased by 8 per cent.

Labour input in agriculture (31 per cent of labour input within Judea and Samaria) grew by 7 per cent compared to the third quarter of 1990. It must be taken into account that 1991 was a year with very poor olive crops (3,000 tons as compared to 144,000 the year before), so that output in other agricultural branches must have grown.

Labour input in the manufacturing industry (16 per cent of total) grew by 18 per cent and returned to the level of 1987.

Work hours in the construction branch (11 per cent of total work-hours within Judea and Samaria) remained stable but was still 8 per cent lower than in 1987.
Labour input in commerce (14 per cent of the total) was 3 per cent lower than in the corresponding quarter in 1990, but 11 per cent higher than in 1987.

Average daily wages at constant prices within Judea and Samaria in the third quarter of 1991 were 2 per cent lower than a year before, whereas daily wages of employees from Judea and Samaria working in Israel rose by 10 per cent.

Annual exports from Judea and Samaria to Jordan amounted to $30.1 million in 1991 and was 23 per cent higher than in 1990, but still less than half of the exports in 1987. Exports to overseas countries reached to $5.3 million - 36 per cent more than in 1990.

Imports from Jordan and overseas countries in 1991 amounted to $97.3 million as compared to $88 million in 1990.

Consumer prices in Judea and Samaria rose 11-12 per cent in 1991 and compared to 1990 - 4 per cent less than consumer prices in Israel. Food prices rose about 7 per cent.

Gaza District

The rate of participation in the labour force in the Gaza District in the third quarter of 1991 was 34 per cent - similar to the rate during the last two years. The number of employed persons amounted to 109,000 - about 3 per cent more than the year before. The rate of unemployment remained at 3 per cent, as in the year before. Eighty-eight per cent of the employed worked full-time - 23 per cent more than in 1990, but still 3 per cent lower than 1987.

The number of employed persons within the Gaza District (61 per cent of total employed) grew by 10 per cent whereas the number of employed in Israel decreased by 5 per cent.

Total labour input in the third quarter of 1991 increased by 16 per cent. Within the Gaza District hours grew by 23 per cent and in Israel by 8 per cent.

Labour input in agriculture within the Gaza District increased by 38 per cent as compared to the corresponding quarter in 1990. Preliminary estimates of annual agricultural output in 1991 show increases in output of all crops except citrus.

In the manufacturing industry, work-hours increased 34 per cent compared to the third quarter of 1990 but were still 24 per cent lower than in 1987.
Labour input in the construction branch remained stable and was 41 per cent higher than in 1987.

Work hours in commerce grew by 3 per cent and reached a level similar to that of 1987. Work hours in the public and community services rose 39 per cent in the third quarter compared to the third quarter of 1990, but was still lower than in 1987.

Daily wages at constant prices within the Gaza District increased by 2 per cent in the third quarter compared to wages the year before. Daily wages of Gaza District employees working in Israel grew by 4 per cent in the same period.

Annual exports from the Gaza District to Jordan in 1991 amounted to $8.3 million and was 8 per cent higher than in 1990. Exports to overseas countries came to $4.2 million - 11 per cent less than in 1990. The decrease in exports may reflect the decrease in citrus output in 1991.

Imports to the Gaza District from overseas countries in 1991 amounted to 46.1 million dollars - 15 per cent more than in 1990.

Consumer prices in the Gaza District increased by 7 per cent in 1991 as compared to 1990. The moderate increase in prices reflects a decrease in prices of vegetables and fruit and a comparatively small increase (of 3 per cent) in other food prices.

Recent measures to encourage economic development

Mention should be made here of recent steps taken to encourage economic activity and development in Judea, Samaria and the Gaza District:

Income tax reform

Until the income tax reform in 1991, initiated by the Civil Administration, income tax in the areas was levied using the same system that existed in 1967 with minor changes (such as inflationary adjustments of the tax brackets). This system was made up of 11 tax brackets starting at 5.5 per cent and up to 55 per cent. The goal of the income tax reform was to simplify the system, on the one hand, and lower the tax on the other.

The main aspects of the tax reform are:

(1) cancellation of the 55 per cent bracket, so that the highest marginal tax rate stands at 48 per cent;

(2) fixing a minimum salary;
(3) the number of tax brackets was lowered from 11 to five;

(4) realignment of the tax brackets.

The tax reform was carried out in two stages. On 1 September 1991, the existing tax brackets and personal deductions were updated by 14 per cent, while the overall reform took effect on 1 January 1992.

The Law for the encouragement of capital investments

In order to encourage the establishment of new factories and the development of new employment opportunities in the areas the above-mentioned Law was enacted.

The main aspects of the Law are:

(1) exemption from income tax and property tax for the first three years that profit is registered by the factory, but no more than six years after its approval;

(2) new factories and the expansion of existing factories carried out after 1 January 1991 can be eligible for the same benefits.

Regularised employment

All Israeli employers employing workers from the areas are required to employ regularised workers only, a step positively referred to in the 1991 ILO report, that ensures fair wages and the social benefits of the workers. Today, approximately 75 per cent of the workers from the areas employed in Israel are regularised workers as opposed to about a third in the past.

Banking and importation of monies

(1) Banking - The Civil Administration is encouraging the establishment of commercial banks and the expansion of the existing financial services in the areas. The opening of two additional branches of the Cairo-Amman Bank (in Bethlehem and Tulkarem) was recently approved. General approval has been given for the establishment of a new commercial bank by a group of local Arab investors.

(2) Importation of monies - All of the limitations on the importation of monies to the areas, whether through the Jordan bridges or Ben-Gurion Airport, bank transfers, etc., have been lifted.
Encouragement of exports

The export of agricultural and industrial products from the areas continue to be encouraged. Toward this goal we reduced the fees for crossing the Jordan bridges for trucks transporting agricultural produce by more than 50 per cent.

New factories

In addition to the Law for the encouragement of capital investments mentioned above, the procedures for the licensing of factories in the areas have been simplified. In 1991, 67 new factories were approved in Judea-Samaria, of which 32 are already operating. In Gaza approximately 165 new factories have opened. The Civil Administration has initiated the development of industrial parks at the following sites:

(1) South of Gaza City
(2) Dir El-Balah
(3) Erez Industrial Park
(4) Nablus
(5) Hebron.

III. Employment in Israel

Three major goals guide the policy of the Government of Israel with regard to the employment of workers in Judea, Samaria and the Gaza District. The first is full employment of all jobseekers - with employment opportunities in Israel being regarded as supplementary to those in Judea, Samaria and Gaza. Second is freedom of choice and of movement in obtaining work; and third, equality of wages, social benefits and working conditions for those working in Israel.

In 1990, approximately 106,000 workers from Judea, Samaria and the Gaza District were employed in Israel. Residents of these areas began looking for work in Israel soon after they came under Israeli administration in 1967, and by 1968 about 5,000 were employed in Israel. The number reached almost 70,000 in 1974, and has increased only gradually since then. Today, over 80 per cent of these workers are commuters who return home daily. Thus, employment in Israel, unlike work migration elsewhere, does not entail the uprooting of workers from their homes and cultural environment. Finally, it bears emphasising once again that employment in Israel, though beneficial to the Israeli economy, constitutes only 6 per cent of Israel's total employed labour force (and trade with the areas accounts for an even smaller percentage of Israeli domestic product).
The opening of job opportunities in Israel has contributed to a high level of employment and low unemployment among the residents of Judea, Samaria and the Gaza District. The low unemployment figures, as noted earlier, are based on continuing labour force surveys conducted by the Central Bureau of Statistics that include all workers who are residents of Judea, Samaria and Gaza, including irregular labourers.

Those working in Israel account for about a third of the total labour force of Judea, Samaria and Gaza, which now numbers 308,000 workers, and these in turn are somewhat more than one-third of the working-age population. The low participation rate is largely due to the following factors: the outflow of workers to take jobs in neighbouring countries (albeit at a slower rate than in the 1960s); the continued non-participation by the majority of Arab women, as is traditional in many countries in this part of the world; and the increase in the number of persons of working age whose attendance at educational establishments directly affects labour force participation ratios. Table 10 indicates the branches of the economy in which workers from Judea, Samaria and Gaza are employed. The availability of work in the Israeli labour market to these workers, as well as the economic development of these areas themselves, has created a more highly skilled labour force. There has been a significant increase in the number of workers in skilled industrial and construction jobs and a significant decrease in the number of unskilled agricultural workers. In 1970, 24 per cent of those employed in Israel were employed in agriculture. By 1990, this had dropped to 12 per cent. The percentage of those employed in industry and construction rose from 66 per cent to 70 per cent during the same period.

While the number of workers employed in Israel rose from 20,000 in 1970 to 95,000 in 1986 and 109,000 in 1987, the number of employed persons during the same period, in the administered territories themselves, remained virtually unchanged despite the marked outflow from agricultural employment, as noted earlier. In this context, it should be noted that the major outflow of workers from agriculture and the consequent decrease of employment of area residents within the areas took place between 1970 and 1975. Since 1975-76, the outflow from agriculture has very appreciably slowed, whereas the total employment of area residents within the administered areas themselves has increased. The safety and health of workers in Israel are provided for as part of their social benefits. A worker injured on the job is insured by the National Insurance Institute and within this framework he is entitled to the advanced medical care available in Israel. Furthermore, every worker has comprehensive medical insurance coverage through which he can receive special health services in clinics in Judea, Samaria and Gaza in the area of his home. These clinics provide examinations, medicines and hospitalisation for the workers and their families. It is
financed in part by a small additional deduction from the workers' pay cheques. The Government provides the remainder of the budget needed for this purpose. In order to keep track of all wages and social benefit payments in a very fluid labour market, the Payments Division of the Employment Service has developed an advanced computerised system that makes it possible to locate the file of any worker quickly and examine his complete work history, including the wages he has earned and payments made into the social benefit funds for him. In case of a misunderstanding, mistake or dispute, the employment office in the worker's home district can locate the relevant facts on a microfiche read-out and solve the problem almost immediately.

This system covers the worker wherever he is employed in Israel. When a worker changes jobs and begins working in an area served by a different branch of the Payments Division, his records are transferred and kept up to date. In this way, social benefit contributions from his new job can accrue to those paid in his former jobs.

To ensure that the worker understands what rights he is entitled to and what deductions are being made from his cheque, he receives along with his pay cheque every month a detailed pay slip indicating the amounts paid that month for social benefits and taxes. The pay slip includes a small stamp certifying that he has paid into the medical insurance fund and is entitled to medical care at the clinics in Judea, Samaria and Gaza. Each item on the pay slip is in both Arabic and Hebrew.

In December 1990, the number of workers from Judea, Samaria and the Gaza District registered with the Payments Unit was 38,500. In December 1991, their number reached 74,000 workers. This means a rise of about 100 per cent in the number of certified workers. Thus, the proportion between the organised and unorganised workers is increasing. Today, some 70 per cent are organised and 30 per cent are unorganised.

A work permit is given the first time for a period of two months after which every worker who receives his wages for the first time through the Payments Unit receives an ongoing work permit which is valid for one year. The extension is carried out by means of stamps which are attached to the salary slip. With an ongoing work permit, a worker can be employed in any place in Israel. He is not limited to a special workplace. On his licence is entered the name and address of the employer.

In 1991, renovations were carried out in all the buildings of the labour exchanges. Reception counters and outside awnings have been added in order to improve the procedures for receiving the public, whose numbers have increased considerably.
In 1991, a service was initiated to provide workers and residents of Judea, Samaria and the Gaza District with free legal counselling from lawyers specially hired for this purpose, who provide service during the usual reception hours (see Enclosure).

IV. Irregular employment

V. Standard of living

In its communication the Government supplies the same information that it supplied in 1991. It adds the following:

The very rapid increase in gross domestic capital formation of 13.5 per cent per annum during 1970-87 is reflected in a marked acceleration in residential construction as well as in investment in machinery and equipment. An expression of the increased outlay on educational development can be found in the fact that whereas, in 1970, 49 per cent of the working-age population had zero years of schooling, by 1990 the proportion of those without schooling had declined to 21.5 per cent. Similarly, 46 per cent of the working-age population in 1988 had nine years or more of schooling as against only 19 per cent in 1970. A major contribution has been the establishment of universities in the areas, all of which were founded after 1967 under Israeli administration. These improvements - the expansion of employment, the growth in private consumption, the rise in educational attainments - are all indicators of the progress achieved to date in meeting the basic needs of the population.

VI. Social services

The quality of life in Judea, Samaria and Gaza has also been improved through social and community development. The Government of Israel, through its Ministry of Labour and Social Affairs, has introduced a comprehensive social services system including a wide range of new social services over the past 23 years, including the provision of a minimum income to those in need of public assistance, and has encouraged the expansion of rural development projects, neighbourhood development projects, and the activities of public charitable organisations.

1 In this section of the communication the Government supplies the same information it provided in the 1991 report of the Director-General, pp. 110-112. It adds that "irregular employment now represents only 30 per cent of all area workers in Israel and it is hoped to reduce this percentage even further".

2 See the 1991 report of the Director-General, pp. 100-102.
The Government has from 1967 actively sought and encouraged the active cooperation and participation of international voluntary organisations and United Nations agencies in projects designed to enhance economic and social development in Judea, Samaria and Gaza. The United States Agency for International Development is currently funding projects carried out by American voluntary agencies in Judea, Samaria and the Gaza District in the fields of community development, economic development, health, education, expansion of cooperatives, improvement of marketing potentials and the development of local infrastructure such as electricity and water supplies, access roads and sewage systems.

During the period 1975-91 some $200 million had been spent by international voluntary agencies on projects approved by the Ministry of Labour and Social Affairs and the Civil Administrations in Judea, Samaria and the Gaza District. In addition, the Civil Administration invested more than an additional $300 million over the same period in projects similar to those carried out by the international voluntary agencies. This, of course, does not take into account additional development budgets expended by the Civil Administration in fields in which the international voluntary agencies are not active.

The UNDP has approved funding for projects totalling $16.6 million including manpower development in the field of medical services, development of educational and vocational training services, and assistance in the development of social and community services.

UNICEF allocated $1.7 million during the 1986-89 for the establishment of Child Development Centres in Judea, Samaria and Gaza, designed to identify and treat disabilities in children 0-6 years, as well as to undertake prevention, public education, professional instruction and outreach programmes in this field. Four child development centres, three in Judea and Samaria and one in Gaza, have already been established. In addition, almost 50 villages in the Hebron District have been covered by a programme for the training of community health workers in the area of primary health care. Additional programmes carried out under the UNICEF funding include upgrading and in-service training of "dayas" (traditional birth attendants), kindergarten teacher-training and upgrading of the physical conditions of the kindergarten.

It should be noted that the Government of Israel has during the years 1967-91 contributed directly to the education, health, social services and rehabilitation of refugees with a budget of $210 million over and above the allocation of UNRWA for providing aid to the refugee population.
More than 27 foreign and international agencies contribute to a wide range of economically and socially oriented projects together with the Government. These projects have the additional goal of encouraging residents to take the initiative in identifying their community's needs, in playing an active role in developing projects to answer these needs, and in providing financial participation for their implementation. The element of encouraging self-help and community solidarity is stressed as an important objective in itself, over and above the obvious economic benefits derived from such projects.

Local public charitable organisations were in existence in Judea and Samaria before 1967, but their activities have been encouraged and expanded through the initiative of the Government. They are active in such areas as the operation of nutrition and child development centres, mother and child-care centres, kindergartens, day centres for the retarded and services for the handicapped. The Ministry of Labour and Social Affairs coordinates the activities of these organisations and offers professional guidance, while channelling their activities into new areas of need and encouraging the establishment of new organisations. Some 265 such organisations are now active in Judea, Samaria and Gaza, 191 of them established since 1967.

Neighbourhood development projects result from a government initiative to establish new residential neighbourhoods to accommodate families who have been enabled to leave refugee camps in the Gaza District. The Ministry of Labour and Social Affairs is involved in community work in these and other neighbourhoods in the Gaza District, and carries out projects together with newly organised neighbourhood committees, such as the establishment of community centres and the provision of other necessary services for the community. About 13,500 families numbering more than 103,000 persons have already been relocated in modern housing projects initiated by the Government and have been able to move out of the refugee camps maintained by UNRWA.

Many new social services have been introduced by the Government to deal with problems that had no solutions prior to 1967. For instance, the Ministry of Labour and Social Affairs has established 29 classes in Youth Vocational Rehabilitation Centres (Miftanim) for 644 boys and girls who have dropped out of the general school system and who are considered to be in danger of becoming delinquents. Likewise, the treatment of the retarded, the aged, epileptic and disabled persons has acquired new dimensions during the past 19 years. The first residential homes for the retarded were established, one in Gaza and one in Judea and Samaria, a residential facility for epileptic children opened in Beit Jalla, and modern vocational rehabilitation centres were opened in 1980, one in Judea and Samaria and one in Gaza. The network of kindergartens in Judea, Samaria and Gaza has been reinforced by the provision of new furniture, teaching aids, play

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equipment and teacher training, the latter through courses funded by UNICEF and the UNDP together with the Government. Educational, recreational summer camps were initiated by the Ministry of Labour and Social Affairs in 1969 to offer holidays by the sea to disadvantaged children from Judea, Samaria and Gaza. Some had never seen the sea before or had a vacation of this kind. Since then, every year some 2,000 children are able to enjoy a vacation which they could not otherwise afford. The Government, together with the municipality of Ashkelon, has established a campsite by the seaside with permanent structures and facilities for just this purpose. A well-established network of professional social services has been developed through the initiative of the Ministry of Labour and Social Affairs since 1967. Social assistance through social welfare offices has been effective in providing incomes maintenance for needy families and treatment and rehabilitative services for other disadvantaged individuals and families. The effectiveness and professional dedication of the social services personnel has proved itself particularly during the disturbances of the past four years as well as during the Gulf crisis.

VII. The employment service

VIII. Social insurance

IX. Vocational training

Since 1968, 80,770 workers from Judea, Samaria and the Gaza District have learned trades in graduated vocational training courses and upgrading programmes sponsored by the Government of Israel. Moreover, the demand for such training and for additional subjects has been growing steadily throughout this period.

Before 1967, only three government-sponsored institutions for vocational training existed, two in Judea and Samaria and one in Gaza, but these had a limited effect on the labour force. One of the institutions in Judea and Samaria accepted only refugees. The school in Gaza offered only a lengthy four-year programme that had not yet graduated its first class by 1967. One UNWRA centre for vocational education served each area, but these were also very limited in the number of students they could serve.

1 In its communication the Government supplies the same information it provided in 1991 (see 1991 report of the Director-General).

2 Ibid., pp. 107-110.
The Ministry of Labour and Social Affairs has established and operates 24 vocational training centres, 18 in Judea and Samaria and six in the Gaza District. A centre in Rafah was closed with the return of a part of the city to Egypt, and its activities transferred to another location in a newly built centre in Rafah. The role of the centres has changed over the years, from retraining adults to providing teenagers with the skills they will need to find work. The emphasis is now on teaching industrial and manufacturing skills. Courses in the construction trades continue, but make up only about 10 per cent of the curriculum since about 70 per cent of workers in this branch from Judea, Samaria and Gaza are already skilled workers. Courses offered vary from centre to centre according to local needs. The centre in Beit Jalla, for instance, offers a course in olive-wood carving, a traditional local craft, in addition to standard skills such as carpentry, dressmaking, hairdressing, typing and bookkeeping.

During 1990, some 1,837 trainees graduated from such courses. These vary in their duration and in the type of instruction provided. Most combine practical training with classroom studies, and all comply with the same standards met by vocational education institutions in Israel. Centres are also open to requests from students. In some courses, for instance, pupils asked that a Hebrew lesson be included as a regular part of their studies and the centres have complied with the request. New courses in additional fields of vocational training are being added in accordance with the needs of workers for new or additional skills.

In their practical work, students produce items which are marketed to private or public buyers, or used in the centres themselves. Additions to the curriculum are driving courses for adults, offered in the evenings, for drivers of private or public vehicles and for those who wish to work as driving instructors or managers of driving schools. Evening courses for adults are also offered in auto-mechanics and garage management. A course in Hebrew for office workers employed by the Government has been offered for the past several years.

In recent years, vocational upgrading and extension study programmes for transportation-related occupations were expanded. In the Gaza District a centre for training safety representatives in manufacturing plants has been established.

In August 1991, the head of the Civil Administration approved a programme to increase vocational training by investing an added NIS1.5 million. This programme allowed for an addition of 500 trainees, as well as the introduction of new fields of study, such as aluminium work, computers, car mechanics and electricity, building trades and hairdressing. Pocket money for the trainees was doubled in preferred trades.
In Kalkiliya, construction is under way for an additional vocational training centre. In Beit Jalla, a plan to construct a new wing to its vocational training centre was submitted. In Sulfit, its vocational training centre renewed operation after being burnt down by intifada activists.

The Civil Administration introduced improvements in the law as follows:

(a) compensation for sick days;

(b) raising the minimum age for working boys; and

(c) payment of compensation to victims of work accidents.

Within the framework of the campaign against work accidents, special courses are held for workers and business owners in order to strengthen their awareness of work safety. During 1991, 179 workers in the region participated in courses and symposia, including the participation of labour unions.

Cooperation with the UNDP has led to a proposal for the establishment of four new courses in Gaza, one in radio and television repair, one in home appliance repair, and two in women's hairstyling. These new courses have begun to operate during recent years. Special programmes for younger students have also been established. Until recently, youths aged 14 and 15 who did not want to study, or whose families were in need of the income they could provide, were deprived of anything beyond an elementary education. Under a new programme, 260 youths in this age group in Judea and Samaria are granted one day a week to attend classes in theoretical and vocational studies at a vocational training centre. Another new programme started in 1981, providing young people in Judea and Samaria with courses in which they learned vocational skills during their vacation from school.

In addition, efforts have been made in Gaza to productively employ blind and handicapped adults. As part of a Labour and Social Affairs Ministry-sponsored programme, a day club for blind and disabled men offers them a chance to learn a craft and work at it in the centre. Work such as bookbinding or weaving wicker items, for example, provides these people with an independent income and a sense of dignity. Two vocational rehabilitation centres, one in Gaza and one in Bethlehem, provide a new opportunity for handicapped or chronically unemployed individuals to acquire work habits, skills, resocialisation, and eventual placement in the open work market.

The vocational training centres have been instrumental in providing women with greater opportunities to work. As mentioned above, the participation rate of women in the labour force of...
Judea, Samaria and Gaza is traditionally low. Social and religious pressures have prevented many women who wanted or needed to work from finding jobs. The vocational training centres, by accepting women into their courses, have been helping to pave the way for their entry into the labour force. In spite of the importance of providing women with equal training opportunities, the Government works towards these goals with local sensitivities in mind. Many courses created specifically for women train them in skills they can use to earn money at home rather than go out to work, such as dressmaking, knitting and weaving. There are also courses in office work, however, and women are free to study in any of the other courses offered by the centres if they wish to do so.

Indeed a recent report on the employment and working conditions of Palestinian women underlines just these points. According to this report while there is a quite evident increase in the job opportunities now open to women in Judea, Samaria and Gaza, this increase has not been accompanied by adverse effects on local social mores or expectations. It is through the vocational training centres that coeducation has been introduced for the first time into some parts of Judea, Samaria and Gaza. In 1980, the vocational training centre in Hebron opened the first class in which men and women studied together in this city. The experiment was successful and was continued. Students who prefer not to study in mixed classes, however, are not required to do so.

The vocational training centres are well-known and places in them are in demand. The institutions are publicised through advertisements in local newspapers and on radio and television. In addition, letters are sent to each graduating high school student and visits by the centres' staffs are made to high schools every year in order to publicise the programme. Students accepted into the course receive their education free of charge and are provided with work clothes and pocket money for the duration of their studies. The graduation certificates are printed in Arabic, with either a Hebrew or English translation, as the student requests. The vocational training programmes are constantly being evaluated and ways are always being sought to better provide for the needs of the students. Seminars are held regularly for the teachers in the centres in order to help them maintain and improve the standard of instruction.

One more rather general but quite revealing point should be noted in regard to the vocational training programmes offered in Judea, Samaria and Gaza. An ILO regional study states that the field of education and training is at the heart of policies aiming at employment promotion and human resources development. The study then goes on to recommend a marked expansion of the education and training systems in Arab countries. This is basically what has occurred in Judea, Samaria and Gaza under
Israeli administration. For it is in these areas that the promotion of vocational training has been geared to local conditions; a concentration on industrial and transport occupations rather than on construction work, and the provision of women with equal opportunities and the handicapped with chances for vocational rehabilitation.

Past ILO missions have at times criticised the vocational training network for failing to provide courses directly related to development needs in the territories themselves and have attributed the outflow of trainees to neighbouring areas to deficiencies in the curriculum itself. Note should be taken in this respect that the courses offered in the administered territories are similar to those offered by UNWRA and reflect the needs and wishes of the areas population, as is shown in the relative decline in the building trades as demand for industrial skills has grown. Moreover, skills are transferable and the skills taught in one area are directly applicable in other geographic areas (workers with certificates of graduation from vocational training centres in these areas are highly regarded in Arab States), and providing workers in the areas with vocational training has widened their employment opportunities and increased their earning power. Thus it is the offer of higher wages both in Israel and in the oil-producing Gulf States which tempts skilled workers to seek work outside the area. Consequently, it must be understood that the attribution of the outflow of trainees to deficiencies in training or to Israeli policy aimed at providing semi-skilled workers for Israel's labour market is completely unjustified. This conclusion is in fact reinforced by the ILO's study entitled Employment and manpower problems and policy issues in Arab countries: Proposals for the future (Geneva, ILO, 1984) which discusses similar flows affecting other countries in the region.

X. Cooperatives

The cooperative movement in Judea and Samaria is very active, with new associations being formed every year. There are now 749 registered cooperative societies in Judea, Samaria and Gaza with a total membership of over 100,000.

Cooperatives may serve a variety of purposes. Farmers in a village may desire to establish a communal olive press, to buy expensive equipment as a collective, or to market their produce together. A village may decide to provide itself with electricity or young couples may join together to build an apartment building. In each case, the group is able to help its members by providing services that the individuals could not provide for themselves.

The present membership of 125,000 people must be compared to the 14,000 members that were affiliated with the cooperatives
before 1967. At that time there were about 400 cooperatives operating in Judea and Samaria. Many of these ceased to be active after 1967, but efforts were made by the Israeli administration to persuade them to renew their activities. The cooperatives which began to function again tended to be those which provided essential services to their members—production cooperatives and health insurance schemes, for instance. Since the services were vital, the members of these cooperatives worked and sacrificed to pull them through the difficult period after the war. This effort paid off, and these cooperatives are thriving today.

Eight hundred and forty-three cooperative societies are now registered in the region, out of which 381 were registered before 1967. It should be noted that in order to assist the area's residents economically and socially, the Civil Administration in the past six months approved the registration of 94 new cooperative societies, 80 of which are housing associations.

Those societies' founders hope to receive financial assistance from the European Community to finance their enterprises in the areas of housing and agriculture.

In the last year, our Ministry has provided training for members of the collective societies in the area of management and in deepening their knowledge of the cooperative movement. The cooperative societies are distributed as follows:

1. Agriculture 366
2. Schools 235
3. Housing 116
4. Electricity 29
5. Cooperative stores 20
6. Industry and trades 15
7. Transportation 9
8. Water 9
9. Miscellaneous 44

Total 843

The Ministry of Labour and Social Affairs actively encourages the cooperative movement. Thirteen Ministry employees, all residents of Judea, Samaria and Gaza, work in processing applications for new cooperatives and advising established ones. According to the existing local law, any group with at least seven members may apply for cooperative status. Each member pays an agreed-upon fee to buy a share in the cooperative, with all members holding an equal interest in the enterprise. As the project progresses members may invest more money. Even in cases like a housing project, where the original
goal is achieved with the completion of the apartment building, the cooperative continues to operate - running perhaps, a neighbourhood kindergarten or a neighbourhood store, as well as looking after the upkeep of the building. Groups applying for registration are handled according to local laws. In addition, applicants may receive guidance on how to proceed with their project. Cooperatives elect their own officers and the members jointly decide how the group is to be run.

The Ministry of Labour and Social Affairs has re-established an Institute for Labour and Cooperative Studies in Hebron with members of cooperatives in Judea and Samaria participating in courses offered by the Institute.

XI. Trade unions

XII. Labour legislation

XIII. Information, occupational safety and hygiene

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1 The Government in its communication supplies the same information it supplied in 1991 (see 1991 report of the Director-General, pp. 116-128). It adds that there are at present 38 trade unions in these areas: 32 in Judea and Samaria and six in Gaza. In 1991, a new union of driving instructors from schools in the Hebron area was registered.

2 ibid., pp. 126-128).

3 ibid., pp. 128-129.
Enclosure

Translation of a circular distributed to workers in Judea, Samaria and the Gaza District

Workers who live in Judea, Samaria and the Gaza District, and who are employed in Israel!

In order to safeguard the social benefits to which you are entitled because of your work in Israel:

Make sure to work with a valid work permit.

See to it that your employer pays your wages in full (for every day worked) through the Payments Unit of the Employment Service.

Among the social benefits to which you are entitled because of your work in Israel:

- payment for working days missed on account of illness;
- yearly vacation pay;
- severance pay and compensations;
- old-age allowance;
- disability pension; and
- dependency allowance (due to a worker's death, G-d forbid).

The payments given for each one of the above benefits are in direct proportion to the number of days you worked which were reported by your employer to the Payments Unit.

A payment for each working day paid to you directly and not through the Payments Unit will detract from the payments coming to you in social benefits.

If you want to complain to the Payments Unit about not receiving your wages or about partial payment from your employer, you can do the following:

1. Turn to your local labour exchange for consultation and necessary assistance without cost.
2. Turn to the legal counselling provided by the Histadrut Labour Federation to residents of Judea, Samaria and the Gaza District who are employed in Israel.

Legal advice is given without cost.

The reception hours are as follows:

Attorney Muhamad Hatib:

Sunday - 08.30-12.30 Histadrut Central Building, Tel Aviv.
Monday - 15.00-19.00 Workers' Council, Hadera.
Tuesday - 16.00-19.00 Workers' Council, Petach Tikva.
Wednesday - 08.30-13.00 Workers' Council, Taibe.
Friday - 09.00-13.00 Workers' Council, East Jerusalem.

Attorney Abdullah Tehah:

Sunday - 08.30-12.30 Histadrut Central Building, Tel Aviv.
Monday - 12.00-16.00 Workers' Council, Tel Aviv.
Friday - 07.30-12.30 Erez Junction.
Saturday - 08.00-12.00 Erez Junction.

Worker, look after your family. Agreement to accept wages directly from an employer will result in a meaningful loss in the level of payments of your social benefits in the future.

Remember, every claim to receive your social benefits should be submitted through your local labour exchange without cost.

David Barki,
Employment Staff Officer,
Judea and Samaria.