



## CALL FOR PAPERS & INTERNATIONAL CONFERENCE

*The Threshold from Occupation to Annexation:*

*Assessing the Legality of Israel's 50-year Occupation of  
Palestinian territory occupied since 1967*

### INTRODUCTION

The 10<sup>th</sup> of June 2017 will mark 50 years of Israeli occupation of Palestinian territory occupied since 1967 (being the Gaza Strip and West Bank, including East Jerusalem). The organizers (Al-Haq, PCHR, FIDH and the Institute of Law at Birzeit University)<sup>1</sup> invite **papers** for an **international conference** marking 50 years of the Israeli occupation which began in 1967, to be hosted in Palestine, on the law governing belligerent occupation and other relevant legal frameworks.

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<sup>1</sup> Others may join the call in the future.

## CONTEXT

Since the 1967 occupation of Palestinian territory, Israel's practices and policies have been two-fold: annexation (both *de jure* and *de facto*), of as much Palestinian territory as possible, and the demographic change in Palestinian territory so that the Palestinian population is either limited or non-existent – in a similar fashion to that of 1948. Israel has utilized various means and methods to achieve these objectives over the past 50 years including, but not limited to, land acquisition, property destruction, manipulation of planning and zoning laws, direct and indirect forcible transfer, the Wall, etc... However, the objectives have remained the same.

These two objectives correlate with the themes for which papers are being sought in this call, which are **territory** and **force**. In order to show how Israel has moved so far along the spectrum from occupation to annexation, these two themes should be supported with *opinion juris* that utilizes conventional and customary rules of international law to serve as the elements for consideration in the illegality of Israel's occupation by jurists and states alike.

The conference aims to critically examine the framework of international law as it applies to the Palestinian context. While international law does not prohibit armed conflict, it does provide a framework to regulate it. The prohibition on the acquisition of territory by force (i.e. annexation), for example, attempts to limit the incentive for engaging in conflict while the law of occupation regulates the administration of occupied territory, when such territory falls under the effective control of one of the parties to a conflict. However, critical questions remain unresolved in international law regarding the point at which an occupation ceases to be a factual consequence of armed conflict and becomes an attempt to annex territory, a violation of a peremptory norm of international law. It is this lacuna, which this conference aims to fill. In doing so, a comprehensive analysis of the international law governing occupation, including prolonged occupation and the key unlawful characteristics of the occupation of Palestine (annexation, colonization, etc.) is required.

The international **conference** will be held in Palestine on **27 September 2017 (venue to be determined)**. The significance of this date marks the 50 years since the establishment of the first Israeli settlement of Gush Etzion and the revelation of Israel's true intentions regarding the territory it occupied after the Six-Day War of 1967. The authors of the papers selected for publication will be invited to present their papers at the conference (in person or virtually). Papers selected for publication will be compiled into a follow-up book to Al-Haq's seminal work originally published in *International Law and the Administration of Occupied Territories* (Clarendon Press Oxford, 1992).

This new volume will serve as a driving force for future research and advocacy aimed at bringing Israel's occupation over Palestinian territory occupied since 1967 to an end. The timeliness of this initiative is multiplied considering the fact that the ICRC has recently begun updating the commentaries to the 1949 Geneva Conventions. This book will serve as a valuable reference in support of this process. Such material will also provide as a means to support the use of international legal fora including, but not limited to, a potential request from the International Court of Justice regarding the illegality of the occupation and its features as well as support the progression of Palestine's preliminary examination, and possible investigation, before the International Criminal Court.

## SUBMISSIONS

Interested persons are invited to submit an abstract of their research idea (no longer than one page) and a short CV by 15 April 2017. Notifications on submission selections will be sent by 1 May 2017.

Papers selected for presentation should be submitted by 1 September 2017. The requirements for the papers will be communicated to potential authors whose abstracts are approved by the selection committee.

Please send abstracts and CVs to [occupationtoannexation@gmail.com](mailto:occupationtoannexation@gmail.com), as well as any other inquiries regarding this call.

### ***Papers will be welcomed on, but not limited to, the following topics:***

- The incapacity of international humanitarian law to legislate for and respond to prolonged occupation, and the need for a comprehensive theory of 'illegal' or 'unlawful' occupation;
- The temporal scope of occupations (*i.e.* when does an occupation end?);
- Violations of core rules governing the law of occupation (non-sovereignty, temporary nature, no irreversible changes);
- An in-depth appraisal of the intersectionality of the laws governing belligerent occupation and the very rules of international law that IHL was meant to preserve (*i.e.* self-determination and the prohibitions on colonization, annexation, racial discrimination, etc...);
- Critiques of public international law for facilitating colonialism historically (including both British imperialism and foreign settlement in Palestine) and allowing conquest of territory by force, including in the first two decades of the United Nations era;
- The role of decolonization struggles in developing norms against colonialism and the limits and possibilities of those norms 50 years after the main wave of decolonization;
- Rigorous analysis of how features or characteristics of the occupation are weighed against the prohibition of colonialism/acquisition of territory, and with what consequences;
- Critical examination of issues relevant to the Palestinian context, not thoroughly examined, such as the law of the sea;
- Analysis of the conservationist core of occupation law and the limits of territorial and institutional transformation in occupied territory;
- The *jus post bellum* and the effect of peace treaties and negotiations on prolonged belligerent occupation;
- The relationship between *jus ad bellum* and *jus in bello*, particularly in situations of prolonged occupation;
- Manipulating the economy of occupied territory, corporate complicity and pillage;
- Papers examining third-state responsibility as well as avenues for accountability.