



The Infrastructure of Apartheid: How Israel Builds to Segregate and Fragment Palestinian Communities in the West Bank

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Geneva International Centre for Justice

February 2026

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Executive Summary

In 2022, the UN Special Rapporteur declared Israel was practicing apartheid in the occupied Palestinian territory. An advisory opinion issued by the International Court of Justice in 2024 finds that Israel's comprehensive restrictions on Palestinians constitute systemic discrimination based on race, religion, and ethnic origin.

Israel's segregated road networks, separation barrier, and settlement expansion isolate Palestinian communities while facilitating Israeli settler movement and territorial control. Palestinian movement in the West Bank is restricted by hundreds of obstacles, including checkpoints and roadblocks, with most major roads restricted or inaccessible to Palestinians. This regime limits Palestinians' access to healthcare, education, and agricultural land, forcing continuous territorial fragmentation. Israel's policies are designed to remain indefinitely and create irreversible effects amounting to annexation, despite being framed as temporary security measures. The dual legal system whereby Palestinians face military law while Israeli settlers enjoy civil law protections further reinforces this apartheid structure.

The August 2025 approval of the E1 settlement plan exemplifies infrastructure as a strategic tool for Israel's territorial annexation. By constructing 3,400 homes and extending Route 4370, Israel will physically divide the West Bank's north and south, severing East Jerusalem from the rest of the territory and eliminating the viability of a contiguous Palestinian state. This infrastructure project represents a deliberate land grab that violates international law.

This report examines how Israeli infrastructure serves as a tool to fragment Palestinian communities, facilitate settlement expansion, and entrench an apartheid regime in the occupied Palestinian territories.

Geneva International Centre for Justice condemns Israel's systematic segregation. We call upon the international community to halt the E1 project and hold Israel accountable for its violations of human rights and international humanitarian law. Apartheid constitutes a crime against humanity that demands immediate international action.

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Background

In March 2022, Michael Lynk, former UN Special Rapporteur on the Palestinian Territories, declared that Israel was practicing apartheid in the occupied Palestinian territory.¹

The Rome Statute determines that apartheid “is committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime”. Further, the International Convention on the Suppression and Punishment of the Crime of Apartheid establishes that the term shall apply to a variety of acts committed with the purpose of systematically oppressing a racial group of persons, including: the “deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part”; “any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including...the right to leave and to return to their country” and “the right to freedom of movement and residence”; and “any measures including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups...”.

The advisory opinion issued by the International Court of Justice in 2024 made it clear that “the regime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constitutes systemic discrimination based on, *inter alia*, race, religion or ethnic origin” is unlawful.²

The Court proceeded to declare that:

*This separation is first and foremost physical: Israel’s settlement policy furthers the fragmentation of the West Bank and East Jerusalem, and the encirclement of Palestinian communities into enclaves. As a result of discriminatory policies and practices such as the imposition of a residence permit system and the use of distinct road networks, which the Court has discussed above, Palestinian communities remain physically isolated from each other and separated from the communities of settlers.*³

The work *A Civilian Occupation: The Politics of Israeli Architecture*⁴, explores Israeli architecture and planning as inherently political. The imposition of Jewish-Israeli civilian presence is presented as a tool to fragment and displace Palestinian communities: sometimes, architecture even “architecture replaces human presence”. The text points out that, in the

¹ OHCHR, 2022

² ICJ, 2024

³ ICJ, 2024

⁴ Segal et al.

West Bank, construction is largely driven by the state, rather than the market. The strategic placement of settlements achieves territorial control even with limited land. The analysis questions the architect's responsibility in creating the apartheid regime. The text states: "if an architect draws a particular angle, line, or arc, or makes any other design decision that is...aimed at disturbance, suppression, aggression, or racism, and when these stand...in breach of human rights, a crime has been committed". It asks if such human rights violations should fall under International Law.

It is also important to note that Israel operates a dual legal system in the Occupied Palestinian territories. While Palestinians are subject to Israeli military law, Israelis are subject to the Israeli civil and criminal legal system.⁵ The Association for Civil Rights in Israel explains that "Israeli citizens living in the Occupied Territories remain under the jurisdiction of Israeli law and the Israeli court system, with all the benefits that this confers". Additionally, "a substantial portion of Israeli law is also applied within the Occupied Territories to 'Jews according to the Law of Return' who are not Israeli citizens". Conversely, "Palestinians in the West Bank are subject to much stricter military law...Unlike Israeli citizens, Palestinians are tried in military tribunals for every crime, from traffic violations to the theft of a carton of milk from the grocery store".⁶ This dual system strengthens Israel's control over Palestinian space and bodies: Palestinian presence and movement are under military orders, while Israeli settlers are subject to civil law.

Infrastructure is, therefore, a primary tool through which the Israeli state actively fragments the Palestinian community, expands its apartheid regime, and threatens the establishment of an integral Palestinian state.

Israel's Security Rationale

Israel has long justified its policies towards the Palestinian territory on the grounds of security. On Israel's Ministry of Foreign Affairs website, we can find a page dedicated to its "Security Fence"⁷. Here, Israel explains the fence as a defence mechanism against Palestinian terrorism, declaring that "the route of the fence has been determined solely based on security needs and topographical considerations". On the page's words, this "fence", not "wall", will not "cut off" Palestinians "from their fields, places of commerce and urban centers"⁸. The fence is also described as a "temporary security measure"⁹.

Already in its 2003 Advisory Opinion on the "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory"¹⁰, the International Court of Justice determined that the wall's construction "and its associated régime" tended "to alter the demographic composition of the Occupied Palestinian Territory, thereby contravening the Fourth Geneva Convention and the relevant Security Council resolutions". Upon considering "qualifying clauses or provisions for derogation... which might be invoked *inter alia* where military

⁵ United Nations

⁶ Abukhdeir

⁷ Israeli Ministry of Foreign Affairs

⁸ Israeli Ministry of Foreign Affairs

⁹ Israeli Ministry of Foreign Affairs

¹⁰ ICJ, 2004

exigencies or the needs of national security or public order so required”, the court declared that those did not apply to the case. It stated that the wall was “necessary” to achieve Israel’s “security objectives”, and that its construction was therefore a breach of humanitarian and human rights law”. Further, the court “concluded that Israel could not rely on a right of self-defence or on a state of necessity in order to preclude the wrongfulness of the construction of the wall, and that such construction and its associated régime were accordingly contrary to international law”.¹¹

In December 2022, the UN General Assembly adopted Resolution 77/247, asking the International Court of Justice (ICJ) to issue an advisory opinion on the “Legal consequences of Israel’s policies and practices in the occupied Palestinian territory, including East Jerusalem”¹². In this advisory opinion, the practices considered by the Court included the restriction of movement and the “construction of settlements is accompanied by specially designed civilian infrastructure in the West Bank and East Jerusalem, which integrates the settlements into the territory of Israel”.¹³

Israel’s written statement to the Court illustrates its security rationale: Israel invokes the need to protect its citizens from acts of Palestinian “hatred” and “terrorism” as a justification for its practices¹⁴. The Court considered that Israel’s practices, including the restriction of freedom of movement, “are not temporary in character and therefore cannot be considered as permissible evacuations” of the Fourth Geneva Convention.¹⁵ Lastly, having concluded that the annexation of Palestinian territories is illegal, the Court explained:

*Having examined Israel’s policies and practices, both in relation to East Jerusalem and to the West Bank, with a view to determining whether they amount to annexation, the Court comes to the conclusion that Israel’s policies and practices, including the maintenance and expansion of- 14 - settlements, the construction of associated infrastructure, and the wall...entrench Israel’s control of the Occupied Palestinian Territory... . These policies and practices are designed to remain in place indefinitely and to create irreversible effects on the ground. Consequently, the Court considers that these policies and practices amount to annexation of large parts of the Occupied Palestinian Territory.*¹⁶

The following sections will explore how Israel’s infrastructure contributes to its settlement projects and the fragmentation of Palestinian territory.

¹¹ ICJ, 2004

¹² United Nations, Gen. Assembly, Res. 77/247

¹³ ICJ, 2024

¹⁴ Israel

¹⁵ ICJ, 2024

¹⁶ ICJ, 2024

*during the annual olive harvest, for short times each day. This has forced land owners to stop cultivation or to shift from labour-intensive to rain-fed and lower-value crops.*²⁰

The Restriction of Movement in the West Bank

In 2024, 86 “new movement obstacles” had been put in place (OCHA). Israel had also tightened restrictions on 100 other obstacles. Further, at least 40% of these obstacles halt “direct access between Palestinian towns and villages and eight major roads that run through the West Bank, where there is an average of nearly one closure per kilometre”²¹. This regime results in increased travel times for Palestinians in the West Bank.²² The obstruction to freedom of movement has also restricted access to education for more than 1000 students in several villages who are “unable to afford the longer commute or missing classes due to frequent transportation and checkpoint delays”.²³

Furthermore, this regime causes severe restrictions on Palestinian’s access to healthcare. Checkpoint closure is among the factors restricting access to health facilities: data released by the World Health Organization (WHO) in 2024 reveals that “extensive infrastructure and housing damage, particularly in the northern West Bank, have compounded the situation by obstructing access for ambulances and first-aid responders”.²⁴ The emergency is aggravated by Israel’s persistent attacks on Palestinian healthcare facilities. Between October 2023 and April 2024, there were 447 attacks on healthcare in the West Bank, 52 of which targeted healthcare facilities and 286 targeted medical transport.²⁵ Between January and August 2025, 203 attacks on healthcare facilities were reported in the West Bank.²⁶

Whereas Israel has the international legal obligation to “facilitate the free movement of Palestinians in the (Occupied Palestinian Territories), including East Jerusalem”, the permit regime heavily restricts Palestinian access to the city: “thirteen checkpoints along the Barrier continue to separate East Jerusalem from the rest of the West Bank, only three of which can be used by Palestinians who hold West Bank IDs and Israeli-issued permits, which are difficult to obtain”.²⁷

OCHA’s statement is clear:

*Under international law, the Israeli authorities have the obligation to facilitate the free movement of Palestinians within the Occupied Palestinian Territory. Exceptions to this obligation are recognized only for imperative reasons of security and only in response to specific security threats. The sections of the Barrier running inside the West Bank, together with the associated gate and permit regime, are unlawful under international law.*²⁸

²⁰ OCHA, 2023

²¹ OCHA, 2024

²² OCHA, 2025

²³ OCHA, 2025

²⁴ OCHA, 2024

²⁵ World Health Organization, 2024

²⁶ World Health Organization, 2026

²⁷ OCHA, 2024

²⁸ OCHA, 2024

Israel has also been expanding surveillance technology to restrict Palestinians' movement further. In 2023, Israel started using facial recognition in Gaza to search for hostages taken by Hamas in the October 7th attack. The program expanded under the premise of targeting individuals potentially connected to Hamas. With the expansion of the Israeli military offensive, "Israeli soldiers entering Gaza were given cameras equipped with the technology", and "checkpoints along major roads that Palestinians were using to flee areas of heavy fighting" were equipped with cameras for facial recognition.²⁹

However, biometric surveillance in Gaza is but a continuation of a trend that had been growing in East Jerusalem and the West Bank. A facial recognition system called "Blue Wolf" was first reported in 2021.³⁰ The Blue Wolf "is an app which Israeli forces can access via smartphones and tablets, and which can instantly pull up the information stored in the Wolf Pack database". The Wolf Pack contains "all available information on Palestinians from the OPT, including where they live, who their family members are, and whether they are wanted for questioning by Israeli authorities". In 2023, Israel started developing Red Wolf, a system used in military checkpoints in the West Bank to scan Palestinians' faces and collect them in surveillance databases.³¹ Amnesty International explained the deployment of surveillance technology as a "deliberate attempt by Israeli authorities to create a hostile and coercive environment for Palestinians, with the aim of minimizing their presence in strategic areas".³²

The E1 Settlement Plan

As per UN Security Council Resolution 2334 (2016), Israeli settlements in the occupied Palestinian Territory constitute a "flagrant violation of international law".³³ However, Israel has consistently failed to halt its settlement activities. It has, in fact, increased settlement expansion in the West in recent years, especially since 2023.³⁴

E1 is the Israeli-given name for an area of the occupied Palestinian West Bank next to East Jerusalem and inside the boundaries of the Israeli illegal settlement Ma'ale Adumim. In August 2025, despite strong international opposition, the Israeli Defence Ministry approved the construction of 3400 homes in a new settlement project in E1.³⁵ The plan sparked heightened concerns as it would divide the West Bank. The Palestinian Authority's Foreign Ministry declared that the project "undermines the chances of implementing the two-state solution, establishing a Palestinian state on the ground, and fragments its geographic and demographic unity". By "physically splitting" the north and south of the West Bank³⁶, the plan would effectively erase the territorial integrity of a Palestinian State. The Israeli Finance

²⁹ Frenkel

³⁰ Dvoskin

³¹ Amnesty International

³² Amnesty International

³³ (United Nations, Security Council, Res. 2334)

³⁴ Breteau

³⁵ Gritten

³⁶ Nashed

Minister stated the intent to “bury the idea of a Palestinian state”.³⁷ The same month, the UN Palestinian Rights Committee Bureau issued a statement that fiercely condemned this idea:

*By severing East Jerusalem from the rest of the West Bank, this illegal settlement plan endangers the viability and existence of the Palestinian State and further entrenches Israel’s illegal occupation, paving the way for further forced displacement and dispossession of the Palestinian population. This blatant land grab constitutes a grave breach of international law and is a direct challenge to decades of international consensus. It comes at a moment when East Jerusalem is already under siege, with families deprived of their homes, livelihoods, and rights and the Palestinian presence in the City endangered.*³⁸

The restriction of movement is key to this strategy for the fragmentation of Palestinian territory. And Israel’s infrastructure plans can help us understand how. With the project approved for extension in March 2025³⁹, Israel plans to begin construction of the Route 4730 extension as early as next month.⁴⁰ This extension will seal Palestinian movement between the centre of the West Bank and East Jerusalem, de facto preventing Palestinian movement in either area: the road will bypass the E1 settlement area, which it will close off around Ma’ale Adumim, diverting Palestinian movement both from East Jerusalem and from Israeli settlements.⁴¹ Israel will de facto annex the E1 area.

The extension of Route 4370 will halt any Palestinian movement between the north and the south of the West Bank. Route 1, the only route connecting the two, has long been used for Palestinian travel between Bethlehem and Ramallah. This road, however, ran through the area now designated E1. Evicting the Palestinian movement from E1, therefore, cuts the only means of connection between north and south of an already fragmented West Bank.⁴² At the same time, the movement of Israelis to and from East Jerusalem through the E1 settlement area will no longer be subject to checkpoint restrictions. Once the Palestinian movement inside E1 is diverted, the checkpoint that is currently used to reach Jerusalem will be removed, and Israelis will be able to travel freely between the settlement and the city.⁴³

Geneva International Centre for Justice condemns the systematic segregation of the Palestinian people and its ongoing projects of settlement expansion inside the occupied Palestinian territories. Israel’s use of infrastructure to segregate and fragment Palestinian communities, while illegally annexing Palestinian territory, is deliberate and accounts for numerous violations of Human Rights and International Law. We call for the international community to act upon and condemn all breaches of international law perpetrated by the state of Israel against the Palestinian people, as per the Fourth Geneva Convention and relevant

³⁷Graham-Harrison

³⁸UN Palestinian Rights Committee Bureau. “UN Palestinian Rights Committee Bureau Denounces the E1 Settlement Plan and Demands Immediate Halt of All Illegal Settlement Activity” (Press Statement)

³⁹ Le Monde with AP and AFP

⁴⁰ Graham-Harrison

⁴¹ Buxbaum

⁴² Buxbaum

⁴³ Graham-Harrison

UN resolutions. The international community must immediately halt the implementation of the E1 settlement project. This major obstacle to the achievement of a two-state solution is a direct attack on both the Palestinians' right to self-determination and statehood and to regional stability. Apartheid is a crime against humanity. The international community must not let any practice constituting the crime go unnoticed and must act to hold Israel accountable for the consistent and systemic violation of Palestinians' rights.

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