



**Six-Month Report on Demolitions and Confiscations of EU funded structures in the West Bank including East Jerusalem**

**January-June 2018**

**Summary**

During the reporting period destruction and seizure of Palestinian property in the occupied West Bank including East Jerusalem continued.

From January to June 2018 over 197 Palestinian owned structures were impacted by demolition, seizure, sealing off, or eviction, a 22% decline compared to the similar period in 2017. Almost half of the incidents took place in East Jerusalem. As a result of the demolitions, 176 Palestinians including 70 children were displaced.

Of the structures (such as classrooms and residences) targeted over the six month reporting period, 26 structures were funded by the EU or EU Member States for a value of €60,963. This represents more than a 50% decline in the number of EU funded structures targeted compared to the same period of 2017 (57 structures).

Of particular concern are the developments in Khan al-Ahmar, a Bedouin community East of Jerusalem, facing an imminent risk of demolition and forced transfer. A demolition of Khan al-Ahmar risks setting a negative precedent for 45 other communities across the West Bank.

Moreover, 36 schools in Area C<sup>1</sup> and eight schools in East Jerusalem have pending demolition or "stop work" orders and face the risk of full or partial demolition due to lack of building permits. Nearly half of these schools have received EU or Member State funding.<sup>2</sup> Demolitions of the schools would severely impact on Palestinian children's right to education.

In general, development in Area C and East Jerusalem is tightly restricted by the Israeli authorities through means such as limiting or refusing permits for construction of buildings and structures.

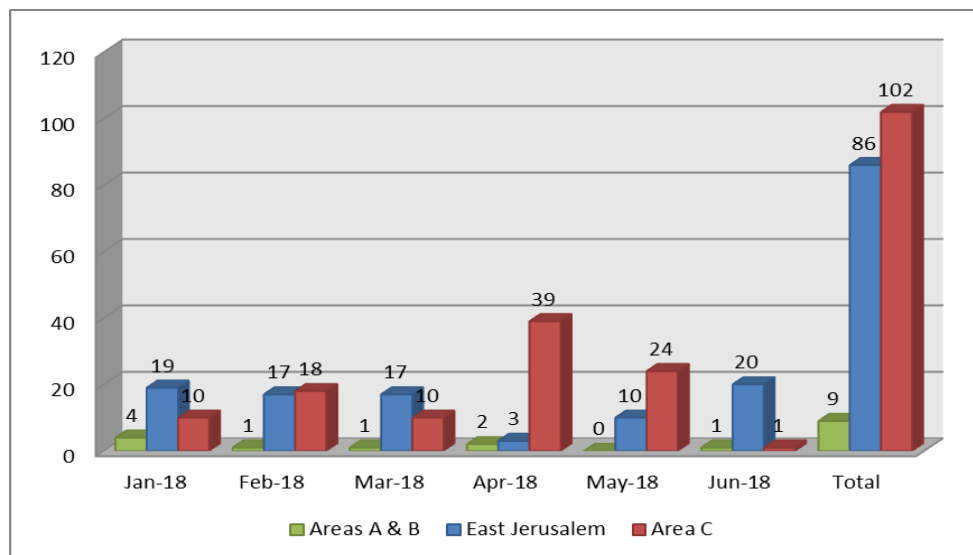
<sup>1</sup> Over 60% of the West Bank is considered Area C, where Israel retains near exclusive control, including over law enforcement, planning and construction.

<sup>2</sup> West Bank Demolition and Displacement Report, OCHA, February 2018.

## 1. GENERAL DEMOLITION FIGURES

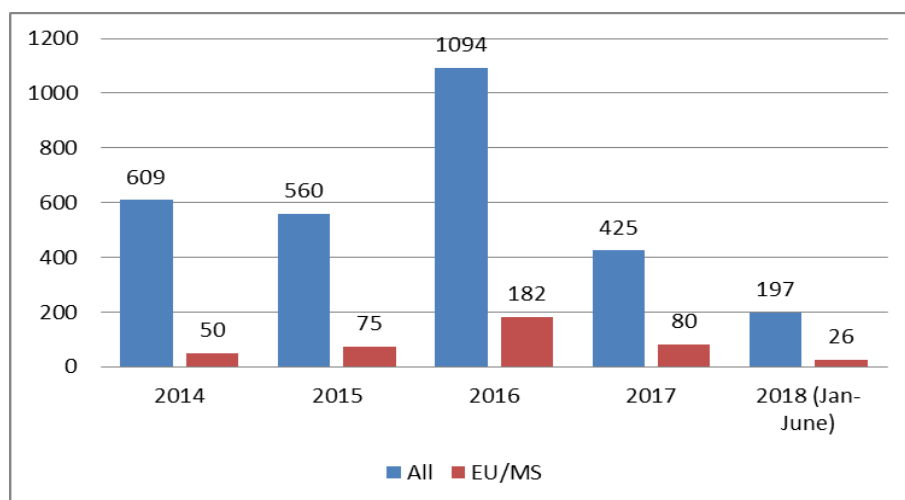
197 structures were targeted throughout the West Bank from January 2018 to June 2018. Of these structures 86 were located in East Jerusalem and 102 in Area C (see table 1). The demolitions in the reporting period resulted in the displacement of over 176 Palestinians and adversely impacting the livelihoods of nearly 5,000 people.

**Table 1: Monthly number of structures demolished or seized, January 2018-June 2018**



The monthly average in demolitions for 2018 is approximately 33 structures per month. This number is slightly lower than in 2017, but well below that of 2016 (91 structures/month), the highest year on record (see table 2).

**Table 2: Annual number of structures demolished or seized, 2014-18**



During the reporting period East Jerusalem witnessed a monthly demolition average of 14 structures, a slightly higher pace than in 2017 when, on average, 13 structures were demolished per month. Overall, close to 45% of all structures targeted in the first half of 2018 were located in East Jerusalem (see table 1).

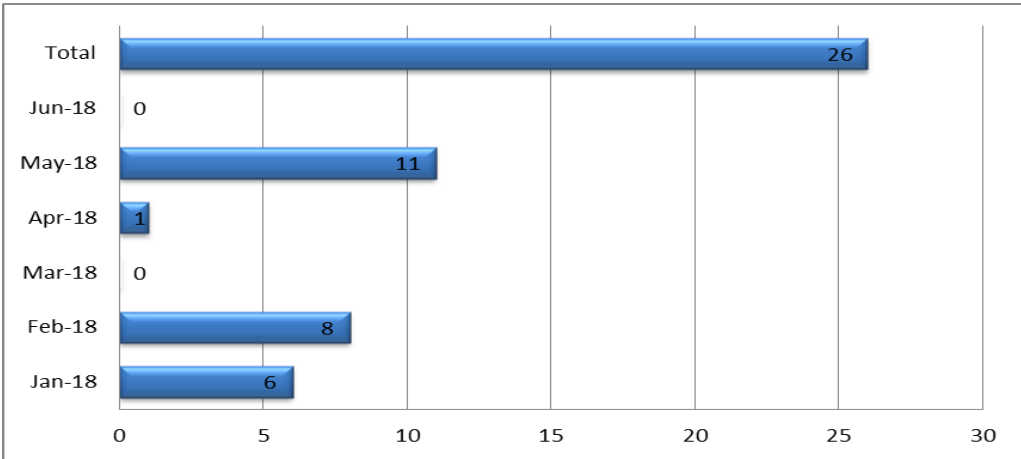
For reference, an estimated number of more than 13,000 Palestinian structures in Area C currently have outstanding demolition orders issued by the Israeli Civil Administration due to lack of required building permits. These pending demolition orders could be implemented at any moment.<sup>3</sup> Less than 1% of Area C and about 13% of East Jerusalem are covered by an approved planning scheme for Palestinians, which is a pre-condition for a permit to be issued, and most of these areas are already built up.<sup>4</sup> At least a third of all Palestinian homes in East Jerusalem lack an Israeli-issued building permit, potentially placing over 100,000 residents at risk of displacement.<sup>5</sup>

**2. DEMOLITION OF EU-FUNDED STRUCTURES AND STRUCTURES FUNDED BY EU MEMBER STATES**

A total of 26 structures funded by EU or its Member States were demolished or seized in the first half of 2018 (see table 3) with material losses valued at €60,963.<sup>6</sup> The number of demolitions in 2018 represents less than half the number of demolitions of EU funded structures in the same period of 2017 (57 structures). 11 of the EU and Member States funded structures were demolished/seized in one day on 2 May in communities in Massafer Yatta (in Area C) in the Hebron governorate.

For reference, between 2009 (when recording began) and 2018 over 450 EU and EU Member States funded structures worth over €1.3 million have been demolished or seized.<sup>7</sup>

**Table 3: Monthly number of EU and EU Member States (MS) structures demolished/seized**



**3. TRENDS OF PARTICULAR CONCERN**

- All structures in the communities of Khan al-Ahmar (East of Jerusalem) are under imminent threat of demolition and forced transfer<sup>8</sup>. A ruling of the Israeli Supreme Court on 24 May found no reason to stop the intentions of the Israeli authorities to demolish the Bedouin

<sup>3</sup>Between 1988 and April 2017 the ICA issued a total of 16,796 demolition orders against Palestinian-owned structures in Area C on the grounds that they lacked the required building permits<sup>3</sup>. The number of structures actually affected by these orders is higher, as some orders target several structures. Almost 21% (3,483 orders) have already been executed and another 1% cancelled, resulting in a total of 13,099 demolition orders currently outstanding. Of the outstanding demolition orders, 84 (0.5%) are labelled by the ICA as “ready for execution”, 9,934 (59 percent) are “in process”, and 3,081 (18%) are “on hold due to legal proceedings”. Source: Demolition orders against Palestinian Structures in area C - Israeli Civil Administration data, OCHA.

<sup>4</sup> OCHA (UN Office for the Coordination of Humanitarian Affairs).

<sup>5</sup> OCHA, Humanitarian Bulletin, December 2017.

<sup>6</sup>For reference, the financial loss in 2017 was €272,602. In 2016 the loss was €557,378 and in 2015 it was €206,000.

<sup>7</sup> For the European Civil Protection and Humanitarian Aid Operations (ECHO), the financial losses incurred due to demolitions accounts for an average of 1% of its 2014-2017 budgets for humanitarian aid for the West Bank.

<sup>8</sup> According to the OHCHR there is a risk of forcible transfer of the residents of Khan al-Ahmar, (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23397&LangID=E>)

village and school of Khan al-Ahmar. Parallel to these developments, 92 new housing units in the Kfar Adumim settlement only 1 km from Khan al-Ahmar have been approved by the Israeli authorities. Over recent years, the EU and Member States have supported the Khan al-Ahmar community at a total cost of more than €300.000.

- At least 44 schools in Area C have pending demolition or "stop work" orders, which place them at risk of being fully or partially demolished, due to lack of building permits which are near impossible to obtain. 21 of the schools at risk have been provided with some form of assistance from the EU and its Member States.<sup>9</sup> Demolition of schools is of particular concern since every child has the right to access to education and States have an obligation to protect, respect and fulfil this right, by ensuring that schools are inviolable safe spaces for children.
- In the first half of 2018, 31 EU/MS funded structures worth over €350,000 were served with demolition orders or stop-work orders. Since 2009, approximately 700 structures funded by ECHO (European Civil Protection and Humanitarian Aid Operations) worth, approximately €3 million, have been subjected to orders for demolition, stop-work or eviction, and are therefore under threat.
- In April 2018, a new military order (MO 1797) was signed allowing the Israeli Civil Administration (ICA) to issue demolition orders against any building that hasn't yet been completed, any building that was completed less than six months earlier or any building that has been inhabited for less than 30 days. The military order restricts the right to a hearing or the opportunity of appeal. However, following petitions filed with the Israeli High Court of Justice (HCJ) by humanitarian actors providing legal assistance, the Israeli authorities announced in June 2018 that they would freeze implementation pending a decision by the HCJ.<sup>10</sup>
- During the reporting period an amendment to the Administrative Courts Law was introduced in the Knesset. The proposed amendment (which became law in July 2018) transfers the jurisdiction for Palestinians' petitions within the field of planning and construction (such as demolition orders or stop work orders) against Israeli authorities in the West Bank from the High Court of Justice to the Administrative Affairs Court in Jerusalem. Humanitarian actors providing legal assistance assess that the bill will limit Palestinian access to justice.

#### **4. EU ACTION DURING THE REPORTING PERIOD**

During the reporting period the issue of demolitions continued to be raised by the EU with relevant Israeli interlocutors. In addition, the following actions took place.

- On 6 February 2018 a local EU statement on the demolition by Israeli authorities of parts of the school of the Bedouin community of Abu Nuwar was issued.

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<sup>9</sup> OCHA.

<sup>10</sup> <https://www.ochaopt.org/content/new-legislation-impedes-challenges-demolitions-and-seizures-west-bank>

- On 10 May 2018 a local EU statement on the demolitions by Israeli authorities of EU funded structures in Masafer Yatta (Area C) was issued.
- On 14 May a local EU statement on the stated intention of the Israeli authorities to demolish the Bedouin community of Khan al-Ahmar was issued.
- On 16 May 2018, EU Heads of Missions in Jerusalem and Ramallah visited the Bedouin community Khan al-Ahmar and issued a local statement.
- On 31 May 2018 a Statement by the Spokesperson on the latest settlement announcement by the Israeli authorities as well as the intended demolition of the Khan al-Ahmar community was issued.

Note: All information disclosed in this report is susceptible to change at any time depending on new available data