



Six-Month Report on Demolitions and Seizures in the West Bank, including East Jerusalem Reporting Period: 1 January – 30 June 2020¹

Summary

The demolition and seizure of Palestinian property by Israeli authorities in the occupied West Bank, including East Jerusalem, continued during the reporting period – 1 January to 30 June 2020. According to UN OCHA, 318 Palestinian owned structures were demolished or seized, and 374 people (including 200 children) were displaced. These numbers mark an increase in the number of structures demolished of around 4.6 % and a decrease in the number of displaced of around 20 % respectively, compared with the equivalent period in 2019. As a monthly average, the number of structures targeted in the first half of 2020 is the same as during 2019. Around 39 % of these structures were residential structures (123), while 47 % were related to agriculture and livelihood structures (148). In addition, the demolitions and seizures in the reporting period adversely affected 1,589 Palestinians (including 796 children).

Of the structures targeted in the six-month reporting period, 38 structures were funded by the EU or EU Member States as humanitarian aid, their destruction hitting the most vulnerable populations. 50% of the targeted structures were residential in nature. 30% were agricultural and livelihood-related. The total losses were estimated at EUR 124,725, which represents a nearly 40 % increase in financial injury compared to the 36 EU-funded structures demolished during the equivalent period in 2019 that were valued at EUR 89,219.

The reporting period witnessed a continuation of Israel’s longstanding policy of demolition in Area C as well as in East Jerusalem despite previous commitments from Israeli authorities not to target Palestinian inhabited residential structures in the context of the COVID-19 pandemic. The period of Ramadan, traditionally a time of reduced prevalence of demolitions, witnessed 42 demolitions in 2020, greater than during the Ramadan periods of 2015-2019 combined. The reporting period also saw demolition/seizure of Palestinian structures located within or next to an area slated for the expansion of the Ma’ale Adumim settlement (the E1 plan). The continuous targeting of Palestinian properties amidst the ongoing pandemic, especially inhabited homes, water and sanitation structures – many of them due to the implementation of Israeli Military Order 1797, which allows for the expedited removal of unlicensed structures deemed as “new” – is of concern, as it undermines the capacity of already vulnerable communities to prevent further infections.

1. INTRODUCTION

The restrictive planning and zoning regimes applied by Israeli authorities in parts of the West Bank, including East Jerusalem, impede the development of adequate housing, infrastructure and livelihoods for Palestinians, in violation of Israel’s obligations as the occupying power under International Law (in particular the 4th Geneva Convention). Today, less than 1% of Area C, and about 13% of East Jerusalem, is zoned for Palestinian construction, which is a pre-condition for a permit to be issued by Israeli authorities, and most of these areas are already built up. Meanwhile, some 35%

¹ UN OCHA (United Nations Office for the Coordination of Humanitarian Affairs) Demolition Database last accessed 1 October 2020. All information disclosed in this report is susceptible to change at any time depending on new available data.

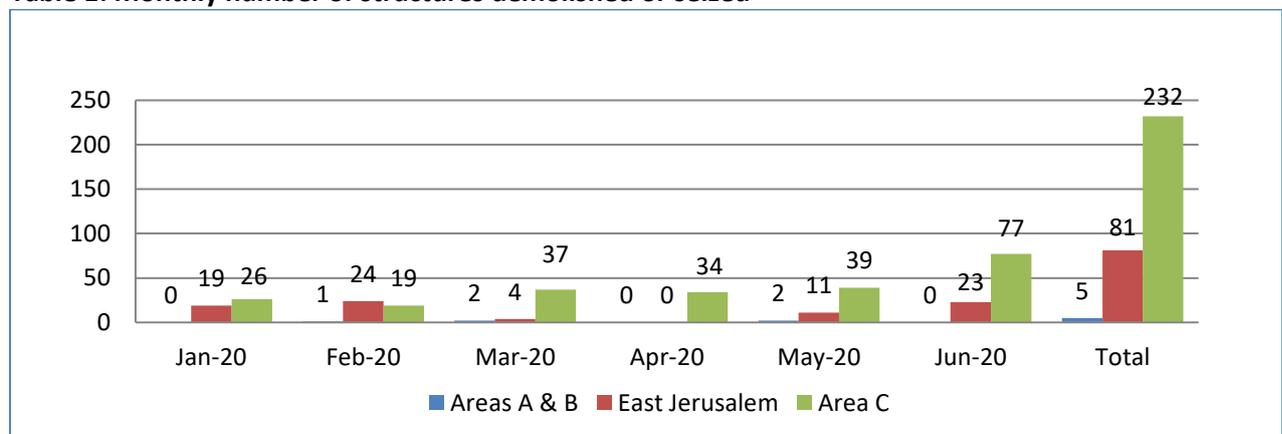
of East Jerusalem has been zoned for Israeli settlements and 70% of Area C is included within the boundaries of the regional councils of Israeli settlements and thereby off-limits for Palestinian development.² The Israeli non-governmental organisation Peace Now has reported that since 1967, 99.76% of state land allocated by Israel for any use in the West Bank, was allocated to Israeli settlements. Meanwhile, Palestinians were allocated about 0.24% (about 1625 dunams), only 20% (326 dunams) of which were allocated "without strings for the benefit of Palestinians, and at least 121 of those dunams are currently in Area B under Palestinian control".³

The Middle East Quartet has found that Palestinians in the occupied West Bank are almost never granted building permits from Israeli authorities.⁴ Palestinians who build without such permits face the risk of home demolition and other penalties, including costly fines. It is estimated that more than 10,000 demolition orders – issued due to lack of required permits – against Palestinian structures in Area C are currently pending. Many of these demolition orders could be implemented at any moment. At least one third of all Palestinian homes in East Jerusalem lack an Israeli-issued building permit, potentially placing over 100,000 residents (a large part of the Palestinian population) at risk of displacement. The practice of enforcement measures such as demolitions and seizures of humanitarian assets are contrary to Israel's obligations under international law, including provisions of international humanitarian law, in particular the Fourth Geneva Convention.

2. GENERAL DEMOLITION FIGURES

318⁵ structures were demolished or seized throughout the West Bank from 1 January to 30 June 2020. Of these, 81 were located in East Jerusalem and 232 in Area C. Table 1 displays the data by individual months.

Table 1: Monthly number of structures demolished or seized



Source: UN OCHA

² Source: UN OCHA.

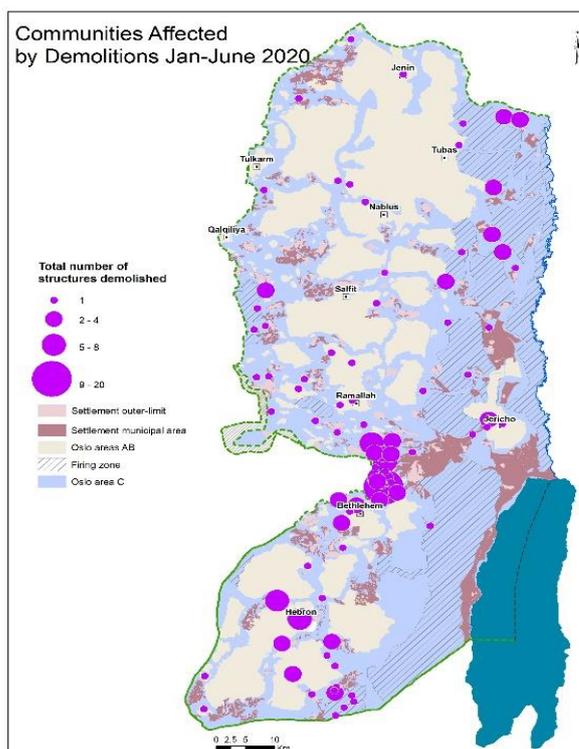
³ According to the same source, the Israeli Civil Administration in the West Bank approved only 21 of 1,485 applications from Palestinians for construction permits in Area C, the portion of the West Bank under full Israeli control, between 2016 and 2018. During the same period, 2,147 demolition orders were issued in Area C for violations by Palestinians of planning and construction regulations, Civil Administration data show. Ninety of the orders were carried out. The Civil Administration said that 56 building permits were granted to Palestinians between 2019 and 2018. However, 35 of those were granted as part of a state plan to relocate Jahalin Bedouins from the area of Ma'ale Adumim settlement, and were not implemented.

⁴ Report of the Middle East Quartet of 1 July 2016. ICA data, analysed by the Israeli NGO Bimkom, shows that from 2000 to 2018 about 3-4% of building permit requests submitted by Palestinians in the West Bank receive approval. By comparison, Bimkom found that 97% of such requests were approved in 1972.

⁵ This number does not include partially demolished structures.

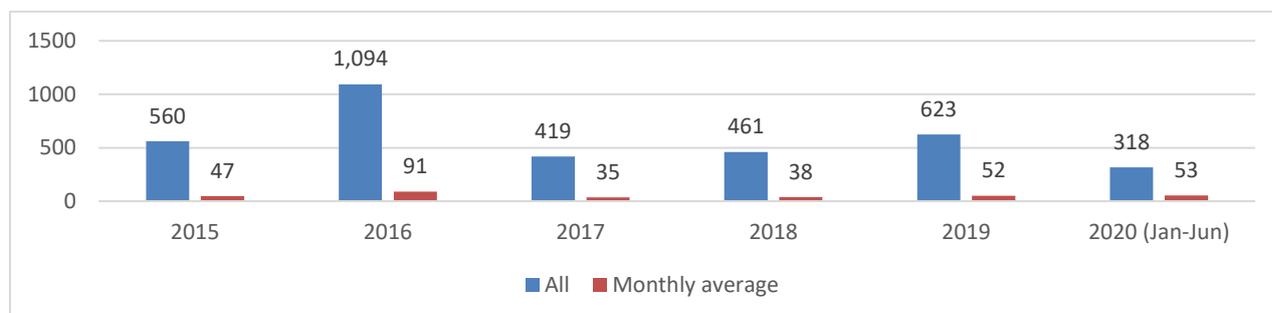
The month of June 2020 saw the highest individual monthly number (100) of demolished homes and other structures. This increase was driven by demolitions in Area C (77 structures) but also in East Jerusalem (23). In Areas A & B, which according to the Oslo Accords fall under the civilian control of the Palestinian Authority, 5 structures were demolished during the reporting period. The 81 structures demolished in East Jerusalem during the reporting period accounted for about 25% of all demolished structures. Area C accounted for 73% of all demolished structures.

The map to the right shows the location of the demolitions and seizures during the reporting period.⁶ Demolitions and seizures took place in all Palestinian Authority governorates, with concentrations in the areas in and around East Jerusalem, Ramallah and Bethlehem, but also in communities like Khirbet ar Ras al Ahmar in the North East, Khirbet Jubara in the North West, Az Zawiya and Deir Ballut in the West, and Khallet Atalla Maghayir al Abeed in the South.



On a monthly average, 53 structures were demolished or seized during the first six months of 2020, which is slightly higher than the average in 2019 (52 structures per month). This number is also higher than in 2018 (38 structures per month), and in 2017 (35 structures per month), but well below that of 2016 (91 structures per month), see table 2.

Table 2: Annual number of structures demolished or seized, and monthly averages



Source: UN OCHA

The demolitions and seizures in the reporting period resulted in displacement of 374 Palestinians (including 200 children), and adversely affected an additional 1,589 Palestinians (including 796 children), see table 3.

⁶ Map provided by OCHA.

Table 3: Monthly number of people displaced⁷ and affected⁸ by demolitions or seizures

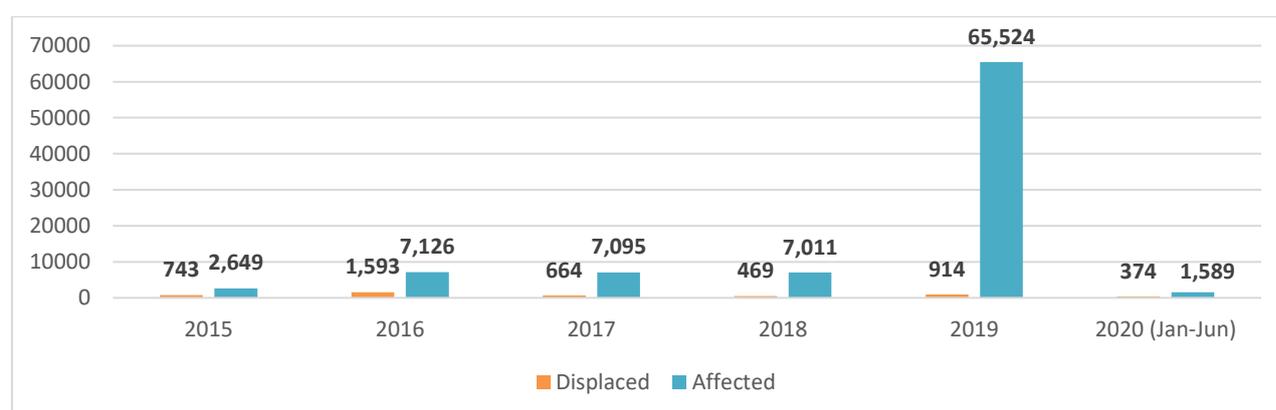
2020	All Displaced	Displaced Children	All Affected	Affected Children
January	91	58	205	119
February	79	33	244	142
March	31	13	260	116
April	8	6	203	105
May	28	12	241	118
June	137	78	436	196
Total (July-Dec)	374	200	1,589	796

Source: UN OCHA

The month of April 2020 witnessed a decline in the number of targeted structures, which can be attributed to the Israeli authorities' decision in March to suspend demolitions of inhabited residential structures during the COVID-19 emergency. However, there was a concerning spike in demolitions in June, where Israeli authorities demolished or seized 100 Palestinian-owned structures.

The number of people displaced or affected by demolitions or seizures was significantly lower the first six months of 2020 in comparison with previous years, especially 2019, where the number of affected people was exceptionally high, see table 4. However, the respective number of affected Palestinians was highest in June, when Israeli authorities demolished or seized 100 Palestinian-owned structures, a sharp increase compared with previous months and the highest such figure since January 2017.

The Hebron Governorate, which has been the epicentre of the pandemic in the West Bank, was the second most affected by demolitions during the reporting period (only exceeded by Jerusalem), accounting for 22.6 % (72) of all demolitions during the reporting period. Many of the structures were located in Massafer Yatta, an area declared a closed 'firing zone' for Israeli military training, where some 1,200 Palestinians are at risk of forcible transfer. The largest incident in this area took place on 3 June 2020 in the community of Mirkez, where 14 residential and livelihood structures, including four funded by the EU, were targeted, displacing 36 people, including 23 children. In Maghayer al Abeed, in the same 'firing zone', Israeli authorities seized an EU-funded tent that was provided as a community quarantine site and recently used by a family with COVID-19⁹.

Table 4: Annual number of people displaced or affected by demolitions or seizures

Source: UN OCHA

⁷ Includes all people who had a structure used as their habitual place of residence demolished.

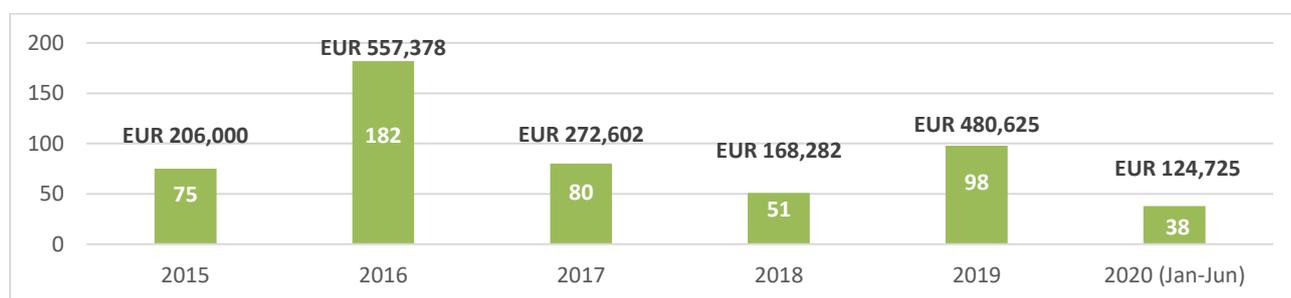
⁸ Includes all people who had any of their property, other than their residence, demolished. Displaced and affected are here mutually exclusive categories, i.e. people counted under the former are not included in the latter.

⁹ It should be noted that the Israeli Civil Administration disputed the claim that the tent had been used for this purpose.

3. TARGETED STRUCTURES FUNDED BY THE EU OR EU MEMBER STATES

38 structures constituting humanitarian assets, including residential and livelihood structures, funded by EU or its Member States were demolished or seized in the first half of 2020. This number indicates similar levels as previous years, with the exception of 2016, see table 5. The 38 structures targeted represent an estimated material loss of EUR 124,725. For reference, from 2015 until the end of the current reporting period, approximately 524 structures funded by EU and/or EU Member States were demolished or seized by Israeli authorities, representing an accumulated value of EUR 1,809,612.¹⁰ Approximately 1,000 structures funded by EU and/or EU Member States (with accumulative value of around EUR 5 million) are currently at risk of demolition.

Table 5: Annual number of targeted structures funded by EU or EUMS, including information about incurred financial losses



Source: UN OCHA

4. DEVELOPMENTS OF CONCERN IN THE REPORTING PERIOD

The following developments are of concern as they negatively impact the lives of Palestinians and contribute to the consolidation of Israel's presence and control of the occupied West Bank, including East Jerusalem.

4.1. East Jerusalem

The planning and zoning regime of the Israeli Jerusalem Municipality prevents Palestinian urban development by placing restrictions and barriers on building activities. It also overlooks the needs stemming from natural population growth, thereby creating a severe basic infrastructure and housing shortage for Palestinian residents as well as development constraints, such as a lack of schools, kindergartens, youth facilities, public places, educational frameworks, hospitals and health, social and development centres. 21,000 housing units were advanced in detailed outline plans in Jerusalem in 2019, but less than 8 % were in Palestinian neighbourhoods although Palestinians make up 38% of the capital's population.¹¹ Difficulties experienced in obtaining building permits, have created a situation where many Palestinians build without obtaining the necessary permits from the Municipality. As a result, it is today estimated that somewhere between one third to half of the housing units built in Palestinian neighbourhoods since 1967 lack permits, placing them at risk of potential demolition.

The total number of structures demolished in East Jerusalem during the first six months of 2020 reached 81, which was lower than in the same period in 2019 (122). The COVID-19 emergency appeared to cause a brief slowdown during April and there was a decrease in the number of people

¹⁰ For the European Civil Protection and Humanitarian Aid Operations (ECHO), the financial losses incurred due to demolitions/seizures accounts for an average of 1% of its West Bank budget since it started recording such incidents in 2009.

¹¹ Source: the Israeli NGO Ir Amim.

affected in East Jerusalem during the first half of 2020 (351) compared to the same period in 2019 (1000). 53 residential units (30 inhabited) in East Jerusalem have been demolished since the beginning of 2020, compared with 104 throughout all of 2019 (61 inhabited).

A trend continuing in 2020 is the increase in structures being self-demolished by their owners, following the receipt of demolition orders, to avoid demolition fees and reduce damage to adjacent structures and personal belongings. In January and February alone, 43 structures were demolished in East Jerusalem out of which 22 were demolished by their owners following the issuance of demolition orders. During the first six months of 2020, a total of 44 structures were self-demolished, compared to a total of 37 structures in the equivalent period in 2019 and 12 structures during the same period in 2018. Similar to the past three years, Jabal al Mukabbir continues to be the most affected community in East Jerusalem, with 23 demolitions recorded throughout the reporting period, including two EU-funded structures.

4.2. E1 area

On 25 February 2020, ahead of the Israeli elections, Prime Minister Benjamin Netanyahu announced the advancement of construction plans for the E1 area, following which plans No. 420/4/7 and 420/4/10 for the construction of 3,412 housing units were published for deposit, in an area east of East Jerusalem, in the heart of the West Bank. If enacted, these plans would forcibly transfer around 3,700 Palestinians living in an area comprising of 2,100 dunams of land. The plans aim to create geographic contiguity between the Ma'ale Adumim Settlement and Jerusalem's municipal boundaries, which in turn would isolate East Jerusalem from the remainder of the West Bank, while creating a wedge between the Ramallah and Bethlehem Governorates and a land corridor from Jerusalem to the Jordan Valley effectively endangering territorial contiguity for an eventual Palestinian State.

4.3 Area C

Area C was the area most significantly affected by demolitions during the reporting period (232), while the number of construction permits granted to Palestinians remained highly limited. In July 2019, the Israeli security cabinet announced the promotion of 700 housing units for Palestinians in Area C. However, by the end of June 2020, only one building permit, allowing for the construction of six Palestinian housing units, has been issued, according to official information obtained by the Israeli organization 'Peace Now'. By contrast, between July 2019 and March 2020, the Israeli authorities issued a total of 1,094 building permits in Israeli settlements in Area C, according to the Israeli Central Bureau of Statistics.

In Area C, around 300,000 Palestinians are also directly affected by Israeli restrictions and control of WASH-related infrastructure, such as water and sanitation networks, with around 95,000 people receiving less than 50 litres of water per capita per day, compared to the WHO recommendation of 100 litres per day, while over 83,000 people receive bad quality drinking water, or have to resort to purchasing expensive and unregulated water.¹² In the reporting period, Israeli authorities demolished and seized infrastructure related to vital water distribution systems in Area C, which affected already vulnerable Palestinian communities suffering from water shortages and an ongoing pandemic. During the reporting period, a total of 23 WASH structures were demolished, which affected 178 people.

4.4. Military order 1797

Military order 1797 came into effect in July 2019. It expands the authority of the ICA to remove, within 96 hours following the delivery of a demolition order, any structure that was not completed or was completed within six months from the issuance of the demolition order. In the case of residential structures, the order gives authority to remove any structure that is still uninhabited or whose

¹² UN OCHA Humanitarian Needs Overview 2020.

occupancy began within no more than 30 days.¹³ The order supplements other recently issued military orders allowing Israeli authorities to seize “mobile structures” without notice. Because of implementation of military order 1797, 30 structures were demolished during the reporting period. This is an increase compared to the first six months of the order’s implementation (i.e. July to December 2019), where the number of structures demolished due to the order amounted to 19. The average period between the delivery of a ‘removal notice’ under this order and its execution was eight days in January and February 2020, compared to 22 days in 2019, according to COGAT.

4.5. Punitive demolitions

Israeli authorities continued to demolish homes belonging to Palestinians, and their families, who they consider responsible of various attacks against Israelis. It should be noted that a number of such punitive demolitions have taken place before the conclusion of a judicial process in Israeli military courts, and therefore before the rendering of a guilty verdict. Israeli authorities typically cite “deterrence” needs for punitive demolitions, while punitive demolitions are illegal under international law¹⁴. Five structures were demolished on these grounds during the reporting period, including four inhabited homes, one water cistern and a cement-fencing wall.

4.6. Developments related to Israeli military exercises

The Israeli army continued to conduct military training exercises in areas designated by it as firing zones in the Jordan Valley of the West Bank. In the first six months of 2020, a total of 50 structures were demolished or seized in areas declared closed ‘firing zones’ for military training across the West Bank.

5. EU PUBLIC STATEMENTS DURING THE REPORTING PERIOD

During the reporting period the issue of demolitions and seizures continued to be raised by the EU with relevant interlocutors through various diplomatic channels. In addition, the following actions took place.

- On 28 May, the EU Heads of Mission in Jerusalem and Ramallah issued a local statement in which they welcomed Palestinian-Israeli cooperation to combat the COVID-19 pandemic, but expressed concern that demolitions have continued since the outbreak of the pandemic in early March and during the Holy Month of Ramadan. This period saw a three-fold increase in the number of demolished structures compared to last year. The EU urged Israeli authorities to halt demolitions of Palestinian structures.
- On 11 June, the Office of the European Union Representative (West Bank and Gaza Strip, UNRWA) and the European Civil Protection and Humanitarian Aid Operations (ECHO) issued a

¹³ UN General Assembly document A/74/357 of 20 September 2019.

¹⁴ The prohibition of collective punishments is stated in the Hague Regulations and the Fourth Geneva Conventions (Hague Regulations, Article 50; Third Geneva Convention, Article 87; Fourth Geneva Convention, Article 33). The prohibition is recognized in Additional Protocol I, Article 75(2)(d) as a fundamental guarantee for all civilians and persons *hors de combat*. Article 33 of the Fourth Geneva Convention specifies that ‘no protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.’ According to ICRC Commentary, collective punishments are “penalties of any kind inflicted on persons or entire groups of persons” for acts that they did not commit. Moreover, the concept of collective punishment must be understood in the broadest sense: it covers not only legal sentences but also sanctions and harassment of any sort, including administrative sanctions, by police action or otherwise. The ban on collective punishment does not refer exclusively to penalties decided by criminal courts, but rather, it pertains to negative actions of any kind inflicted on persons or entire groups of persons, including destruction of property. There is no legal basis in international law for house demolitions for punitive reasons. International Humanitarian Law, which applies in occupied territory, prohibits the destruction of private property, individually or collectively owned, unless “such destruction is rendered absolutely necessary by military operations.”

Press Release on the occasion of an EU Heads of Mission (HoMs) visit led by the West Bank Protection Consortium to Ramallah, Nablus, and the Jordan Valley in order to observe the impact of demolitions, settler violence and the continued occupation.