

# Demolition and Displacement in the Occupied Palestinian Territories

September Report

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*At least 29 structures were demolished by Israeli forces in the occupied Palestinian Territories (including East Jerusalem) in the month of September, displacing 51 people including 23 children- and affecting a further 79 people, including 54 children. In addition, two families from East Jerusalem self-demolished their homes. Inside Israel, in the Naqab desert, Israeli forces demolished the unrecognised Bedouin village Al-Arakib for the 133rd time, demolished another house in Hura, and another family self-demolished their home in Sa'wah. In central and Northern Israel two houses were demolished, displacing more than 15 people.*

All the demolitions and confiscations occurred on grounds of lacking an Israeli-issued building permit. Most of the demolished structures supported agricultural, herding and commercial livelihoods.

## Full list of Demolitions:

- On 3 September, 2018, Israeli forces demolished five houses in Al Walaja, Bethlehem, displacing 17 people from three households, and affecting a further 12 people from two households. While the village lies within the Jerusalem municipality it is separated from the rest of the city by the Separation Wall.
- On 3 September, 2018, Israeli forces demolished a Palestinian-owned house, displacing its 15 inhabitants for the second time, in the Manshiyet Zabda village in northern Israel. The Israeli authorities demolished the house a second time after residents of the area had rebuilt it following its first demolition. Israeli bulldozers uprooted olive trees surrounding the house and razed the house to the ground after destroying its contents.
- On 3 September, 2018, Israeli forces demolished one structure in Umm ad Daraj, Hebron, affecting ten people from one household.
- On 3 September, 2018, Israeli forces demolished one structure in Qawawis, Hebron, affecting 13 people from one household.
- On 4 September, 2018, Israeli forces confiscated one structure in Qawawis, Hebron, affecting 13 people from one household.
- On 4 September, 2018, Israeli forces demolished two structures in Fheidat, East Jerusalem, displacing a family of six.
- On 4 September, 2018, Israeli forces demolished and then confiscated one structure in Humsa-Basaliya, Nablus, affecting five people from one household.
- On 4 September, 2018, Israeli forces demolished one structure in South Anata

Bedouins (Wa'ar al Beik), East Jerusalem, affecting 14 people from two households.

- On 5 September, 2018, Israeli forces demolished a house in Beit Hanina, East Jerusalem, displacing a family of ten.
- On 5 September, 2018, Israeli forces demolished a house in Ras al'Amud, East Jerusalem, displacing a family of five.
- On 5 September, 2018, Israeli forces demolished five structures, including a house, in Deir al Qilt, Jericho, displacing a family of nine. the Bedouin community of Deir al Qilt is located in an area designated as a firing zone, the small community suffers from constant harassment by the Israeli forces, and faces numerous demolitions.
- On 6 September, Israeli forces demolished a house in Hurah, a governmental township near Be'er Sheva. South Israel.
- On 6 September, 2018, Israeli forces demolished the entire unrecognised Bedouin village of [al-'Arāgīb](#), Naqab desert, Southern Israel, for the 133rd
- On 7 September, 2018, Israeli forces demolished a Palestinian waste recycling plant in Awarta, south of Nablus city.
- On 10 September, 2018, a family from Al Walaja, Bethlehem, self-demolished their home after receiving a demolition order from the Israeli authorities ordering them to either demolish their homes or pay the high fee for the municipality to do so. Part of the house was already demolished the previous week by Israeli forces
- On 13 September, 2018, Israeli forces demolished and confiscated five structures in Khan al Ahmar-Abu al Helu, East Jerusalem. The structures were built as part of an action taken out by activists, who sought to establish a new neighbourhood called 'al Wadi al-Ahamr', in the village that is under threat of immediate demolition.
- On 14 September, 2018, a family from the unrecognised Bedouin village of Sa'wah, Naqab desert, Southern Israel, self-demolished their home, after receiving a demolition order from the Israeli authorities.
- On 16 September, 2018, Israeli forces demolished a house in al-Jawarish neighbourhood in the city of Ramla, Central Israel,
- On 20 September, 2018, Israeli forces demolished four structures in Rantis, Ramallah, including a house under construction, affecting eight people from one household.
- On 20 September, 2018, Israeli forces demolished a house in Beit Hanina, East Jerusalem, displacing a family of four, and affecting a further four people.
- On 21 September, 2018, a family from Beit Hanina, East Jerusalem, self-demolished their home after receiving a demolition order from the Israeli authorities. The house was built in 2006, and about two years ago the family received the demolition order. They managed to postpone the demolition several times until the court ordered them to self-demolish it until the beginning of September or pay for the municipality to do so. In addition to the demolition the court fines the family 50,000 NIS (\$13,000) for building their home with out an Israeli-issued permit. The family had their home demolished in 2004, now, the family of 14 is left homeless for the second time.
- On 26 September, 2018, Israeli forces demolished the main road leading to the village of Nabi Samuel. East Jerusalem. For many years, the village has been isolated by Israel's Separation Wall, with its 250 residents not being able to leave or enter it except through a military checkpoint. The village itself lacks basic

utilities and services.

## **Communities under threat of displacement:**

### *Four Homes Demolished in Walajeh Signal Threat for a Whole Part of the Village*

(report by IR AMIM)

“This morning (3 September, 2018) teams from the District Committee, accompanied by large numbers of border police, demolished four homes in the village of Walajeh. The houses were located in in Ein Juweza, the residential part of Walajeh annexed to Jerusalem. Roughly ½ of the 100 homes in Ein Juweza are under threat of demolition, with most of the demolition orders issued by the Israeli authorities over the past two years. Every few months new demolition orders are distributed there, such that the number of threatened homes is steadily increasing. Distribution of demolition orders and the demolitions themselves are conducted by the Jerusalem District Planning and Building Committee (under the authority of the Ministry of Finance).

Today’s demolitions were rapidly scheduled following the unsuccessful conclusion of legal proceedings aimed at cancelling the demolition orders.

One of the homes demolished was under construction while the other three were home to four families.

Some 150 local residents gathered inside and around one of the homes. This non-violent resistance delayed the demolition by some two hours, until border police fired tear gas and rubber-coated steel bullets at the residents, violently removing those inside the home. Two young Palestinians were subsequently taken to the hospital, one due to injury from a rubber-coated steel bullet and the other after a soldier hit him in the head with a rifle butt. One Israeli woman was lightly injured from stones thrown by Palestinians.

Over the past two years Israel has demolished 15 homes in the Jerusalem section of the village. Residents of Walajeh cannot receive building permits as the Jerusalem municipality has refused for over 50 years to prepare a master plan for the village. The master plan prepared by local residents at their own expense was also rejected by planning authorities. Since 2016 the pace of home demolitions in Walajeh has quickened, although the village itself is cut off from Jerusalem by the Separation Barrier.

Today’s demolitions clarify that Israeli authorities are determined to implement a policy that will result in erasure of the Jerusalem section of Walajeh, where a majority of its 100 homes were built after 1967 and thus lack building permits. Some 800 people are thus likely to be forcibly displaced.

Today’s events highlight the danger of ongoing Israeli policies: if opposition is not registered, Israel is likely to forcibly displace many hundreds of Palestinians. If Walajeh residents attempt to defend their homes, dangerous clashes could result.

While refusing to allow building in Walajeh, in the area around the village Israel is promoting construction of thousands of housing units for Israelis on lands – some of which were confiscated from Walajeh – in the settlements of Gilo and Har Gilo. To the north of the village, within the Green Line and on lands that belonged to Walajeh until 1948, a construction plan of over 4,000 housing units is being advanced. These construction plans, together with the national park declared on al-Walajeh land in 2013, are meant to create an Israeli continuum

between Jerusalem and the Gush Etzion settlements surrounding Bethlehem. This morning's demolitions in Walajah are an inherent part of the policy to transform this area into an Israeli space."

### *The ongoing case of Khan al Ahmar*

(Report by the Legal Task Force)

**The Palestinian Bedouin community of Khan al Ahmar- Abu al Helu**, is located in Area C of the Jerusalem governorate. The community, which is home to 35 families comprising 188 people, more than half of whom are children, are at risk of mass demolition and forcible transfer. The UN has previously [called](#) on the Israeli authorities to end its demolition and relocation plans for the community, which would run counter to its obligations under international law.

Update on the Al Khan al Ahmar ruling, 5 September, 2018

"Regarding the petition dealing with the relocation, the Court rejected the petition noting that the State does not intend to forcibly move the inhabitants to the designated relocation site. Rather, the State provides the site as an entitlement rather than as an obligation. However, the (Khan al Ahmar) area will be cordoned off during the duration of the demolition. Belongings and persons will be removed. Inhabitants may be allowed to return to the site, but will not be permitted to rebuild in that area.

Regarding the main petition dealing with the spatial plan for the current site and the question of land ownership, the Court states that the matter was addressed in the previous May ruling, which is final. The Court states clearly that there is no ground to submit a spatial plan after a ruling has been handed; and to revisit or suspend a decision based on a spatial plan. The Court goes on to contest the assertion that the land is privately owned and has been inappropriately requisitioned, noting that if that was the case this should have been presented in earlier litigation.

Regarding the alternative (relocation) sites proposed by the State, the Court states that the current available and sustainable option is in Jahalin West (Abu Dis), including the school that has been constructed there. The Court notes that the State has documented in writing what it will provide after the demolition to those inhabitants that will proceed to Jahalin West, including a 60sqm tent per family, while in tandem looking at the possibility of developing a second relocation site east of Jericho. The Court regrets that the petitioners have rejected that offer.

The Court concludes that there is no doubt that the Khan al Ahmar encampment was illegally constructed; and that there is no ground to intervene in or suspend the execution of demolition orders; and equally no ground to intervene in the decision of how/when the orders should be executed. By that, the Court rejects the Regavim petition, asking the Military Commander to execute forthwith.

The Court therefore upheld its May 2018 ruling.

The order nisi provided on the 5th of July will be rescinded in 7 days. It is up to the discretion of the Military Commander how/when he wants to proceed with the demolition after this period.

There are other additional points made by Justice Meltzer, including:

- In the Amona case (evacuation of an Israeli outpost), he suggested monetary compensation by the State to the Amona evacuees (Israeli settlers); and suggested that such an arrangement could apply here in providing reparations to those who have contributed to the construction of the school that will now be demolished, as the alternative school in Jahalin West may not be sufficient compensation. He therefore suggests that donors could be entitled for monetary compensation, subject to negotiations or a legal proceeding.
- He reiterates that Court decision does not dictate a specific timeframe for the execution of the demolition orders

Justice Baron noted:

- That the State clarified there is no intention to build in the Khan al Ahmar site following the demolition (as the State had argued that the village's proximity to the road created a security risk).
- And that should the State build (settlement units) there, the Khan al Ahmar villagers could bring this case back to the Court."

**On 23 September, the Israeli authorities officially warned the residents of Khan al Ahmar-Abu al Helu community that they must self-demolish their homes and other structures by 1 October, 2018 otherwise the authorities will do so.** The warning follows a final ruling by the Israeli High Court of Justice on 5 September allowing the demolitions to proceed. The warning also notifies residents that the authorities will provide assistance to those abiding by the order, including transportation to a relocation site. In the meantime, on 14 September, the authorities blocked the main dirt road leading to the community, triggering clashes with activists, and, on 21 September, denied access of a mobile health clinic to the community."

## **Legal updates on punitive home demolitions**

### **Israeli military decides against home demolition after HaMoked's intervention**

"Protecting the rights of innocent family members threatened with the demolition of their homes as punishment for the acts of others is among the most demanding of HaMoked's activities. Because Israel's High Court of Justice has backed this practice ostensibly to deter attacks by Palestinians against Israelis, it is very difficult to reverse a decision by the military to carry out this unlawful collective punishment. Fortunately, we do occasionally succeed in sparing family members this traumatic experience, as in the case described in the update below.

On April 2, 2018, [the military announced](#) its intention to demolish the home of the suspected assailant in a stabbing attack which took place on March 18, 2018 in the Old City of Jerusalem, resulting in the death of an Israeli citizen. The suspected assailant was killed in the attack. His parents, three siblings, wife and three minor children live in the home that was slated for demolition.

HaMoked submitted an objection against the demolition order, and on September 5, 2018, [the military announced](#) that, having reviewed the circumstances of the case, it decided not to demolish the house.

HaMoked stresses that demolishing the homes of people who commit attacks (or are suspected of doing so) constitutes collective punishment, contrary to international law and to the basic principle in every legal system (including Israeli law) according to which a person cannot be punished for acts he or she did not commit. Home demolitions do not replace criminal punishment; in most

cases, the people to whom the attacks are attributed are either imprisoned or killed. The people most harmed by punitive home demolitions are the residents of the demolished homes, who are not suspected of any wrongdoing

### *HAMOKED: Punitive home demolitions 2014 - present*

Updated summary on punitive home demolitions from July 2014 to 20 September 2018

In 2014 Israel resumed its practice of carrying out punitive home demolitions in the West Bank and East Jerusalem, after refraining from using this method almost entirely during the preceding decade.

Since July 2014, the military has demolished 54 homes either completely or partially. Over 300 people had lived in the demolished homes.

The declared goal of punitive home demolitions is to deter potential assailants, by harming the relatives of Palestinians who have committed attacks against Israelis or are suspected of doing so. But in practice, innocent people are harmed as a matter of official policy, the effectivity of which is highly questionable [even according to Israel itself](#). Home demolitions do not replace criminal punishment; in most cases, the people to whom the attacks are attributed are either imprisoned or killed. Those most harmed by punitive home demolitions are the residents of the demolished homes, who are not suspected of any wrongdoing. It is therefore evident that home demolitions constitute collective punishment, contrary to international law and to the basic principle in every legal system (including Israeli law) according to which a person cannot be punished for acts he or she did not commit.”

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