



# ICAHD

The Israeli Committee Against House Demolitions  
الحركة الإسرائيلية ضد هدم البيوت  
הוועד הישראלי נגד הריסת בתים

**Resisting Apartheid, Building a Shared Democracy**

## DEMOLITION AND DISPLACEMENT REPORT FOR AUGUST 2019

During the month of August 2019, at least 19 structures were demolished in the occupied Palestinian Territories (including East Jerusalem) by Israeli forces, displacing at least 19 people- including 6 children- and affecting a further 480 people (according to OCHA oPT).

Al-‘Aragib, an unrecognised Bedouin village in the Naqab desert has been demolished five times this month alone.

All the demolitions and confiscations were carried out 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 1 August, 2019, the entire unrecognised Bedouin village *al-‘Arāgīb* in the Naqab desert, South Israel, was demolished for the 148<sup>th</sup>
- On 5 August, 2019, the ICA (Israeli Civil Administration) along with Israeli forces demolished an agricultural structure in Wadi Rahhal, Bethlehem. The structure was demolished based on Military order 1797, that enables the demolition of structures in

Area C, 96 hours after a demolition order has been issued. A family of six, including three children was affected.

- On 5 August, 2019, the entire unrecognised Bedouin village *al-‘Arāgīb* in the Naqab desert, South Israel, was demolished for the 149<sup>th</sup>
- On 6 August, 2019, the entire unrecognised Bedouin village *al-‘Arāgīb* in the Naqab desert, South Israel, was demolished for the 150<sup>th</sup>
- On 7 August, 2019, the entire unrecognised Bedouin village *al-‘Arāgīb* in the Naqab desert, South Israel, was demolished for the 151<sup>st</sup> time.
- On 6 August, 2019, the Jerusalem municipality along with Israeli forces demolished a 15 meter stone wall that surrounded a residential house in Al‘Isawiya, East Jerusalem. The family received an Administrative demolition order two months prior to the demolition. A family of five, including three children was directly affected.
- On 6 August, 2019, a Palestinian family was forced to self-demolish their residential house, and part of the fence that surrounded the house in Al‘Isawiya, East Jerusalem. The demolition affected 11 family members from three households, including three children, two women with special needs and two women with severe health conditions.
- On 6 August, 2019, the Jerusalem municipality alongside Israeli forces demolished an uninhabited residential structure in Beit Hanina, East Jerusalem. The structure was partly used as a car garage and a storage space. A family of 12, including nine children was affected by the demolition.
- On 6 August, 2019, the Jerusalem municipality together with the Israeli Ministry of Interior demolished a structure used for storage, and an under-construction residential house in Jabal al Mukabbir, East Jerusalem. 11 people, including six children, from two households were affected by the demolition.
- On 6 August, 2019, the Jerusalem municipality together with Israeli forces demolished a concrete foundation of a residential building in Bir Onah, East Jerusalem. 11 people, including two children, from two households were affected by the demolition.
- On 6 August, 2019, the Jerusalem municipality together with Israeli forces demolished four donor-funded structures that were used to shelter livestock in Bir Onah, East Jerusalem. The structures were built two weeks ago, after Israeli authorities demolished the family’s structures in late June 2019. Two households comprising 11 people were affected by the demolition.
- On 18 August, 2019, ICA and the Israeli military demolished a 1000-cubic meter donor-funded water tank in Bardala, Tubas, Jordan Valley. The water supply served 12 farmers and their families, a total of 66 people, including 37 children. During the demolition the bulldozers damaged 12 meters of water pipes
- On 19 August, 2019, ICA and the Israeli military confiscated a commercial structure in Deir Razih, Hebron. 20 people, including 16 children from two households were affected.
- On 19 August, 2019, the Israeli military confiscated a donor-funded agricultural structure in Khirbet Jubara, Tulkarem. The structure was used as a storage room for agricultural equipment. A family of four, including two children was affected.
- On 21 August, 2019, ICA and the Israeli military demolished a private water reservoir (of about 1000-cubic meter) in Tubas, Jordan Valley. The water was used for irrigation, and also served as a source of drinking water for five nearby herding communities. It is estimated that 59 households comprising of 357 people, including 184 children are affected by the demolition.
- On 21 August, 2019, the Jerusalem municipality together with Israeli forces demolished a residential house in Beit Hanina, East Jerusalem. The house was built in 2004 and was divided into two housing units. The demolition took place while the family were

still waiting for a final decision about the demolition from the Israeli court. Although the family members tried to explain that there is an injunction order, only after the family's lawyer intervened did the workers stop after half of the house was already demolished. The family were asked to pay 50,000 NIS as a security deposit and are forbidden from entering the half demolished house. Ten people from three households were displaced.

- On 21 August, 2019, the entire unrecognised Bedouin village *al-‘Arāgīb* in the Naqab desert, South Israel, was demolished for the 152<sup>nd</sup>
- On 22 August, 2019, Israeli forces demolished a residential house in Zhayyih, an unrecognised Bedouin village in the Naqab desert, South Israel.
- On 23 August, 2019, a family was forced to self-demolish their house in Wadi Qaddum, Silwan, East Jerusalem. According to the family, they received a stop-work order shortly after building the house in 2014. The family appointed a lawyer to fight the demolition order in court. In January 2018 they were fined 38,000 NIS, and in May 2019 they received a final demolition order conditioning them to demolish their home or to have it demolished by the municipality and pay a fine of 70,000 NIS.
- On 26 August, 2019, Israeli forces along with the ICA demolished a residential house and a restaurant in Beit Jala, Bethlehem. The restaurant was previously demolished twice, in 2012 and 2013. A family of five have has been displaced, and 12 workers lost their source of livelihood.

## Legal Updates

**Peace Now: “Following a petition joined by the KKL-JNF subsidiary, Himanuta, demanding the demolition of a Palestinian family home near Bethlehem, the Civil Administration notified a family that its house would be demolished this Sunday.**

The Cassia family lives in a house on a hill west of Bethlehem between the villages of Battir and Beit Jala. Near the house they run a restaurant with a spectacular view of the agricultural land of the area called “Al-Makhrour.” Like tens of thousands of Palestinians throughout the West Bank, whose land is considered Area C under the 1995 Interim Agreement, they need to obtain a building permit from the Civil Administration. However, because of *Israeli policy of not giving almost any permits to the Palestinians*, their requests for a permit were repeatedly rejected, and a demolition order was issued against their home and restaurant.

The family filed petitions to the High Court in an attempt to prevent the demolition, and the proceedings dragged on for years. However, in June 2017, a significant turnaround occurred in the case. KKL-JNF (the Israeli Jewish National Fund), through its subsidiary Himanuta, sought to join as a party claiming that KKL-JNF is the owner of the land. Himanuta presented a 1969 ownership document and demanded in court that the house and restaurant be demolished immediately.

The family claims to own the land for decades, and that it never sold the land to anyone, and certainly not to Himanuta, which suddenly showed up, fifty years after the alleged purchase of the land, to claim that it was the owner. It should be noted that the Al-Makhrour area does not have land registration records (“Tabu”) and, as much as there are real estate transactions, they are done according to inaccurate listings which often result in errors in delineating property borders.

The proceedings escalated quickly following this entry by KKL-JNF through its subsidiary Himanuta. Himanuta hired attorney Avi Segal, a prominent lawyer for settlement organizations (Elad and Ateret Cohanim in East Jerusalem, the Regavim association that works to evacuate and demolish Palestinian homes in the Occupied Territories and within Israel, and other right-wing bodies), and argued passionately that the family home and the restaurant must be demolished.

The family's applications for a Civil Administration building permit were rejected on the pretext that the family did not own the land. On July 29, 2019, the High Court dismissed the family's petitions and ruled that the demolition orders could be implemented. Thus, the decision whether to carry out the demolition, and when, was returned to the Civil Administration, which implements demolitions according to the priorities set by the Israeli government.

The family has not given up yet: To be able to apply for a building permit, it filed a lawsuit in the district court in order to prove ownership. It is a lengthy and expensive procedure that is required because there is no land registry (tabu) in the area. The family asked the district court to issue an order to halt the demolition until ownership is determined, so that the family can have a chance to request for a building permit. Unfortunately for it, five days ago, on August 18, 2019, the district court rejected this request. Yesterday, the Civil Administration notified the family that its home and restaurant would be demolished this Sunday.

***KKL-JNF has become The Fund for the Expulsion of Palestinians. Through greed and cruelty of the JNF, it has thrown its weight its resources to the interests of the settlement agenda. Even if it were true that Himanuta was the owner of the land (which is under dispute), still, it could have come up with different solutions rather than demolition. It could have tried to negotiate with the family about renting or buying the land. The interest of evicting the Palestinian family that has been living in the area for decades, and destroying the restaurant from which it subsists, is not in the interest of the Jewish National Fund and does not reflect the desire of thousands of Jews in the world who donate their money to it.***

It should be noted that in recent years there has been a renewal in KKL-JNF's efforts through its subsidiary, Himanuta, to expel Palestinians from their homes in the Occupied Territories. For example, in the case of the Palestinian village of Arab a-Ramadin, Himanuta petitioned for the evacuation of an entire village on the basis of an ownership claim (of a tiny portion of the land). Their petition was denied for the time being.

Two years ago, *Himanuta hired a man for the job of buying land in the Occupied Territories.* Himanuta then claimed that it was only an administrative matter and that there was no intention of returning to land acquisition in the Occupied Territories. It later turned out that Himanuta had hired the services of a lands coordinator at the Regavim organization that worked to evict Palestinians and demolish their homes in Israel and the Occupied Territories. Indeed, it appears that Himanuta has in fact decided that it will use its powers to evict Palestinians from their homes in the West Bank.

In East Jerusalem in Silwan, *Himanuta sued for the eviction of the Palestinian Sumarin family,* which has been living in its home even before 1967, based on dubious claims and for the benefit of settlers looking to dominate the neighbourhood."

## Hamoked: Center for the Defence of the Individual

“Since 1967, Israel has been demolishing homes of Palestinians in the Occupied Palestinian Territories (OPT) as a punitive measure. The military relies on Regulation 119 of the Defence (Emergency) Regulations of the British Mandate, which grants broad discretionary powers to demolish homes. Concurrently, Israel continues to demolish homes on planning grounds, in East Jerusalem and in Area C of the West Bank, where Israeli authorities largely refuse to grant building permits. The Israeli military also demolishes homes in the course of military operations, in both the West Bank and the Gaza Strip, and has implemented a "razing" policy, destroying homes, fields and groves for "security" reasons.

Israeli authorities justify punitive home demolitions as a deterrent to future acts of violence. However, they constitute collective punishment, and are contrary to both international law and the basic precept of Israeli law that a person must not be punished for the acts of others. The punitive demolition of homes does not replace criminal punishment but supplements it, and its chief victims are the occupants of the demolished home rather than the alleged perpetrator, who is either serving a lengthy prison sentence or has been killed.

This month, four Palestinian families are threatened with demolition of their home. Their only “crime” is that they are related to those suspected of the recent killing of a young Israeli man. This policy is a blatant collective punishment, negating the fundamental moral principle that an individual cannot be punished for crimes committed by others.

Five years ago this month, Israel renewed its practice of punitive demolitions after a ten-year moratorium. This despite doubts raised by the military itself regarding the effectiveness of punitive demolitions as a deterrent – the official rationale for the policy – as well as their morality and legality.

The following timeline illustrates shifts of Israeli policy and jurisprudence concerning punitive demolitions. HaMoked deplores the fact that the High Court of Justice (HCJ) serves as a fig leaf for Israel's actions, and legitimises violations of the rights of OPT residents and the rules of international law.

<http://www.hamoked.org/timeline.aspx?pageID=timelinehousedemolitions>