



ICAHD UK

The Israeli Committee Against House Demolitions
 تويبالا مده دض قيلي ئارسا لا ءكرحلا
 הוועד הישראלי נגד הריסת בתים

Resisting Apartheid, Building a Shared Democracy

Demolitions & Displacement in the occupied West Bank (including occupied East Jerusalem) and within the state of Israel

October 2020 Report

43 Demolished Structures - OPT	1 Demolition - Israel	41 Displaced People	1,515 Other Affected People
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Location	Date	Structures Demolished/ Confiscated	Displaced people	Affected people	Reason for Demolition stated by Israel ¹
Al 'Isawiya, Jerusalem	1 Oct 2020	2 agricultural structures	0	7 people (2 households)	Lack of an Israeli-issued building permit / Area C
Ar Rakeez, Hebron	18 Oct 2020	1 inhabited residential structure, 1 livelihood structure	3 adults, 3 children	0	Lack of an Israeli-issued building permit/ Area C / Israeli-declared Military Firing Zone
Khirbet al Fakheit, Hebron	18 Oct 2020	1 inhabited residential structure, 1 animal-related structure, 1 storage structure	2 adults	0	Lack of an Israeli-issued building permit/ Area C / Israeli-declared Military Firing Zone
Al Farisiya-Khallet Khader, Tubas	19 Oct 2020	1 inhabited residential structure, 1 structure used as a toilet, 1 water cistern	2 adults, 2 children	0	Lack of an Israeli-issued building permit/ Area C / Israeli-declared Military Firing Zone
Qalqiliya, Qalqiliya	20 Oct 2020	1 under-construction livelihood structure	0	9 adults, 3 children (2 households)	Lack of an Israeli-issued building permit/ Area C

Al Jiftlik-Abu al 'Ajaj, Jericho	21 Oct 2020	1 inhabited residential structure, 2 mobile latrines	2 adults	0	Lack of an Israeli-issued building permit/ Area C
Ya'bad, Jenin	21 Oct 2020	1 inhabited residential house	3 adults, 7 children	0	Punitive Demolition
Nahhalin, Bethlehem	21 Oct 2020	2 animal-related structures, 1 residential structure, 1 agricultural structure	0	13 adults, 23 children (3 households)	Lack of an Israeli-issued building permit/ Area C
Al Khadr, Bethlehem	21 Oct 2020	1 inhabited residential structure	4 adults, 6 children	0	Lack of an Israeli-issued building permit/ Area C
Beit Iksa Bedouins, Jerusalem	21 Oct 2020	2 inhabited residential structures, 1 animal-related structure	3 adults, 2 children	0	Lack of an Israeli-issued building permit/ Area C
Al-Aragib, Naqab Desert, South Israel	22 Oct 2020	Entire village demolished	Unknown	Unknown	Lack of an Israeli-issued building permit/ Unrecognised Bedouin village (179 th time)
Shu'fat, East Jerusalem	24 Oct 2020	1 animal-related structure	0	3 Adults, 2 children	Lack of an Israeli-issued building permit/East Jerusalem / Self-Demolition
Beit Hanina, East Jerusalem	26 Oct 2020	1 uninhabited residential structure	0	5 adults, 3 children (2 households)	Lack of an Israeli-issued building permit/ East Jerusalem / Self-Demolition
At Tayba, Jenin	26 Oct 2020	1 uninhabited under-construction residential structure	0	1 adult	Lack of an Israeli-issued building permit/ Area C
Salfit, Salfit	26 Oct 2020	400-m stone wall (for agricultural use)	0	8 adults	Lack of an Israeli-issued building permit/ Area C

Anata, Jerusalem	27 Oct 2020	1 under-construction residential structure	0	2 adults, 3 children	Lack of an Israeli-issued building permit/ East Jerusalem
Birin, Hebron	27 Oct 2020	1 residential structure, 1 water cistern	0	2 adults, 3 children	Lack of an Israeli-issued building permit/ Area C
As Simiya, Hebron	27 Oct 2020	1 animal-related structure, 1 livelihood structure, 1 latrine	0	4 adults, 3 children	Lack of an Israeli-issued building permit/ Area C
Sur Bahir, East Jerusalem	28 Oct 2020	1 livelihood structure	0	7 adults, 2 children	Lack of an Israeli-issued building permit/ East Jerusalem
Wadi Abu Hindi, Jerusalem	28 Oct 2020	1 inhabited residential structure	2 adults	0	Lack of an Israeli-issued building permit / Area C
At Taybe, Hebron	28 Oct 2020	2 inhabited residential structures, 1 animal-related structure, 1 latrine, 1 cesspit	0	3 adults, 4 children	Lack of an Israeli-issued building permit / Area C
Al Muntar, Jerusalem	28 Oct 2020	2 uninhabited residential structures	0	3 adults, 2 children (2 households)	Lack of an Israeli-issued building permit/ Area C
Isfey al Fauka, Massafer Yatta, Hebron	28 Oct 2020	1.5 km pipeline (the water network to the Massafer Yatta communities)	0	770 adults, 630 children (200 households)	Lack of an Israeli-issued building permit/ Area C / Israeli Military declared Firing Zone
TOTAL		43 structures: 12 inhabited residential structures, 6 uninhabited residential structure, 9 WASH structures,	41 people displaced (21 adults, 20 children)	1,515 people affected (837 adults, 678 children)	22 incidents on grounds of lacking an Israeli-issued building permit (of which, in 2 incidents the structures were Self-Demolished) and 1 punitive demolition

		4 livelihood structures, 4 agricultural structures, 7 animal related structures, and 1 other structure (not including the entire village of al Aragib)			
		43	41	1,515	23

Notes:

¹. There are four categories of demolitions:

1. Punitive demolitions: Houses demolished as punishment for the actions of people associated with the houses.
2. Administrative demolitions: Houses demolished for lack of a building permit. This happens in Area C and in East Jerusalem, under exclusive Israeli authority, though prior to the existence of Areas A, B & C it occurred in other areas as well. It is important to point out that in almost all cases, Palestinians have no choice but to build "illegally" as permits are rarely granted
3. Land-clearing operations/Military demolitions: Houses demolished by the IDF in the course of military operations for the purposes of clearing off a piece of land (for whatever reason), achieve a military goal or to kill wanted persons as part of Israel's policy of extrajudicial executions..
4. Undefined demolitions: These include mainly demolitions resulting from land-clearing operations and removal of Palestinian populations.

* WASH stands for structures relating to water, sanitation and hygiene.

† In many cases, notably in East Jerusalem, Israeli authorities condition Palestinians to either demolish their properties themselves or have the authorities do so. In an attempt to avoid having to pay the high fee of the Israeli authorities' demolition operation and additional high fines, many Palestinians are forced to self-demolish. .

Above data is from the United Nations Office for the Coordination of Humanitarian Affairs, B'tselem, Negev Coexistence Forum for Civil Equality

Legal Updates

“Following Adalah’s legal action against East J’lem demolitions: Israel announced last week it would freeze demolitions nationwide:”

Adalah – The Legal Center for Arab Minority Rights in Israel sent an urgent letter late yesterday, 5 October 2020, to the commander of the Israeli military’s Civil Administration demanding he immediately halt the demolition of Palestinian homes in the West Bank as residents contend with another spike in the COVID-19 pandemic.

Adalah Attorney Suhad Bishara noted in the urgent letter that Israeli demolitions during this period left 305 people homeless.

In addition to homes, Israeli demolitions also targeted Palestinian properties including water, hygiene and sanitation assets, and structures used for agriculture, undermining the access of many to livelihoods and services. Moreover, 50 of the structures had been given to Palestinians as humanitarian aid, and their destruction hit the most vulnerable of all, undermining essential emergency operations.

The COVID-19 pandemic and the additional restrictions placed on Palestinian residents of the West Bank also makes it significantly more difficult – both practically and economically – for those whose homes have been demolished to secure legal defense.

In response to legal action taken by Adalah, Israeli authorities clarified on 1 October 2020 that the state is freezing home demolitions across the country, as was the case during the first wave of the COVID-19 crisis.

The Israeli Justice Ministry responded on 1 October 2020: "After re-examining things – and given the restrictions recently imposed by the government following the further spread of COVID-19 –it has been decided at this stage, to adjust the enforcement policy of planning and construction offenses to align with the state of emergency, similar to the policy decided upon in March 2020." The AG’s office further added that the new policy would be examined later, in accordance with the government’s evolving COVID-19 emergency policies.

Israeli authorities also noted that "due to the state of emergency, the National Unit for the Enforcement of Planning and Construction Law will reduce its friction with the population" but they also made clear that enforcement in relation to new construction-related offenses would continue."

(Report issued by Adalah – The Legal Center for Arab Minority Rights, on 5 October 2020)

“Court orders the eviction of another 4 families in Sheikh Jarrah”

In a recent ruling, the Jerusalem Magistrate's Court ordered the evacuation of four families from their homes in the Karem Ja'uni in Sheikh Jarrah in East Jerusalem within 30 days in favor of settlers. About a month ago, the Jerusalem Magistrate's Court ordered the evacuation of three more families from Sheikh Jarrah in similar circumstances.

Since the beginning of the year, the courts ordered the evacuation of 22 Palestinian families of 131 people from Sheikh Jarrah and Batan al-Hawa in favor of settlers. Dozens more families are in various stages of eviction proceedings filed against them by settlers.

The eviction lawsuits against the families of Skafi (4 individuals), Ja'uni (2 individuals) Abu Hasna and Alkurd (1 person each) were filed by a company called "Nahalat Shimon", owned by a foreign company registered in Delaware (USA), which represents settlers seeking to build a large settlement in Sheikh Jarrah. The settlers purchased the land from two Jewish associations, the Sephardi Community Committee and the Knesset Israel Committee, which claimed to have purchased the land at the end of the 19th century.

The Palestinian refugees families in Sheikh Jarrah, had owned houses and lands in Israel before 1948, but as a result of the war became refugees. According to the Absentee Property Law (1950), they are not entitled to receive or return to their property. In the 1950s, those families attempted to rehabilitate themselves in exchange for giving up their status as a refugee family. Today, on the basis of the discriminatory law enacted by the Knesset, those families are about to become refugees again, without any justice, where all that has changed is the geopolitical situation and the law enacted by Israel. "

(For the full report from Peace Now issued on 30 October, 2020, go to:

<https://peacenow.org.il/en/court-orders-the-eviction-of-another-3-families-in-sheikh-jarrah>)

Return to routine: High Court allows punitive demolition of a house where a woman and her five daughters live; Judge Mazuz in a minority opinion believes that in these circumstances the sanction can not stand

On October 25, 2020, the High Court unanimously authorized the demolition of a house in the village of Rujib, where a family of six lives, including four minors.

Judge Solberg rejected one by one the allegations raised by HaMoked in his petition, which was filed on behalf of the wife and daughters as well as on behalf of the suspect's father, who owns the land on which the house is built. In rejecting HaMoked's principled claim that the decision to demolish the house constitutes a violation of international law prohibiting collective punishment, Judge Solberg ruled, among other things: "We are objects of life, and we will not die for the sanctification of the Geneva Convention."

Judge Solberg also rejected HaMoked's claim that in this case, it is a disproportionate step in view of the complete innocence of the house's tenants, stating that "things must be examined as a whole" and that "there is no obligation to show in any matter they even encouraged him. " Referring to the claim that this is a serious violation that is contrary to the

principle of the best interests of the child, he wrote in dismissal: "Naturally, since we are dealing with residences, minors will often find themselves among those who live in them;

On the other hand, Justice Mazuz objected to the decision of the majority judges, reiterating his position that the issue of house demolitions raises a number of questions of principle concerning international humanitarian law, "above all the prohibition of collective punishment." He noted that while Regulation 119 is still in force under court law, "in terms of discretion and criteria for exercising jurisdiction, it seems difficult to speak of clear or consistent law," and that "The reasonableness and proportionality of the exercise of the authority for the exercise of the authority under Regulation 119 ... ". Justice Mazuz also questioned Justice Solberg's position regarding the effectiveness of deterrence, and even stressed in this context that "even if the sanction under Regulation 119 is indeed used to deter force harms, I do not believe that this justifies harming innocent people." Therefore, Mazuz was of the opinion that in this case "the injury to the home constitutes first and foremost an injury to his wife and daughters" the innocence of the offender "who is expected to serve long prison terms, if convicted"; And that "in these circumstances, I believe as aforesaid that a sanction self-directed to harm the innocent, cannot stand."

(Report issued by HaMoked on 26 October 2020)