



Resisting Apartheid, Building a Shared Democracy

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

May 2020 Report

54 Demolished Structures - OPT	4 Demolished Structures - Israel	28 Displaced People	237 Other Affected People
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Location	Date	Structures Demolished/ Confiscated	Displaced people	Affected people	Reason for Demolition stated by Israel ¹
Tayasir, Tubas	4 May 2020	1 agricultural structure	0	8 adults, 2 children	Lack of an Israeli-issued building permit /Area C
Al Jiftlik-ash-Shuneh, Jericho	4 May 2020	1 agricultural structure	0	4 adults, 7 children	Lack of an Israeli-issued building permit /Area C
Beit Hanina, East Jerusalem	4 May 2020	1 agricultural structure	0	2 adults, 2 children	Lack of an Israeli-issued building permit/ East Jerusalem/ Self-Demolition
As Sawahira ash Sharqia, Jerusalem	6 May 2020	1 livelihood structure	0	2 adults, 4 children	Lack of an Israeli-issued building permit/ Area C
Isteih, Jericho	10 May 2020	1 residential structure	2 adults, 4 children	0	Lack of an Israeli-issued building permit/ Area C / Self-Demolition
Kobar, Ramallah	11 May 2020	1 residential structure, 1 water cistern	2 adults	2 adults	punitive Demolition

Hebron, Hebron	11 May 2020	1 under- construction agricultural structure	0	2 adults	Lack of an Israeli-issued building permit/ Area C
Fasayil, Jericho	13 May 2020	2 agricultural structures	0	6 adults, 11 children	Lack of an Israeli- issued building permit/ Area C
Khirbet ar Ras al Ahmar, Tubas	14 May 2020	1 residential structure, 2 structures for livestock	1 adult	3 adults, 6 children	Lack of an Israeli- issued building permit/ Area C
Dar Faza'a, Ramallah	14 May 2020	1 residential structure, 2 structures for livestock (one of which was self- demolished), 1 solar panel	1 adult	0	Lack of an Israeli- issued building permit/ Area C / Self-Demolition
Shu'fat, East Jerusalem	16 May 2020	1 under- construction residential structure (extension of a house)	0	4 adults, 4 children	Lack of an Israeli- issued building permit/ East Jerusalem/ Self- Demolition
Al 'Isawiya, Jerusalem	17 May 2020	1 agricultural structure	0	4 adults	Lack of an Israeli- issued building permit / Area C
Beit 'Einun, Hebron	18 May 2020	1 agricultural structure	0	4 adults, 5 children	Lack of an Israeli- issued building permit/Area C
Hebron, Hebron	18 May 2020	1 container used for agricultural purposes	0	9 adults, 11 children	Lack of an Israeli- issued building permit/ Area C
Al Walaja, Bethlehem	18 May 2020	3 residential structures, 2 structures used for livestock , 1 structure used for storage, 1 water cistern	3 adults, 3 children	10 adults, 3 children (3 households)	Lack of an Israeli- issued building permit/ East Jerusalem
Furush Beit Dajan, Nablus	20 May 2020	1 agricultural structure	0	5 adults	Lack of an Israeli- issued building permit/Area C

Zatara al kurshan, Bethlehem	25 May 2020	1 residential tent,1 tent used to shelter animals	3 adults, 5 children	0	Lack of an Israeli- issued building permit/ Area C / Israeli-declared Nature Reserve
Tell al Khashaba, Nablus	26 May 2020	1 agricultural structure	0	5 adults, 3 children	Lack of an Israeli- issued building permit/ Area C
At Taybe, Hebron	27 May 2020	3 agricultural structures, 3 mobile latrine units	0	13 adults, 18 children	Lack of an Israeli- issued building permit/ Area C
Ein el Beida, Tubas	27 May 2020	2 livelihood structures	0	5 adults, 4 children	Lack of an Israeli- issued building permit/ Area C
Bardala, Tubas	27 May 2020	6 livelihood structures	0	16 adults, 24 children	Lack of an Israeli- issued building permit/ Area C
Rantis, Ramallah	27 May 2020	1 agricultural structure,1 animal barn,1 livelihood structure	0	4 adults, 6 children	Lack of an Israeli- issued building permit/ Area C
Furush Beit Dajan, Nablus	27 May 2020	1 under- construction residential structure	0	1 adult	Lack of an Israeli- issued building permit/ Area C
Zawata, Nablus	27 May 2020	1 under- construction livelihood structure	0	4 adults, 4 children	Lack of an Israeli- issued building permit/ Area C
Sabastiya, Nablus	27 May 2020	1 under- construction livelihood structure	0	2 adults, 2 children	Lack of an Israeli- issued building permit/ Area C
Silwan, East Jerusalem	27 May 2020	1 residential structure (extension of a house)	2 adults	4 adults, 2 children	Lack of an Israeli- issued building permit/ East Jerusalem/ Self- Demolition
Jabal al Mukabbir, East Jerusalem	31 May 2020	1 residential structure	2 adults	0	Lack of an Israeli- issued building permit/ East

					Jerusalem/ Self-Demolition
Tira, Israel	31 May 2020	4 residential structures	Unknown	Unknown	Lack of an Israeli-issued building permit
TOTAL		58 structures (13 inhabited residential structures, 2 uninhabited residential structures, 5 WASH, 12 livelihood, 15 agricultural, 8 animal related structures, and 3 other structures)	28 people displaced (16 adults and 12 children)	237 people affected (119 adults, 118 children)	27 incidents on grounds of lacking an Israeli-issued building permit, (of which 6 structures were self-demolished) and 1 incident on grounds of a punitive demolition order
		58	28	237	28

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 (UN OCHA), B'tselem, Palestinian Information Centre)

Legal updates

Punitive Demolitions:

“For the first time since 2016, the HCJ has cancelled a punitive order for the demolition of a West Bank home; HaMoked’s petition successfully saved a woman and her three young children from becoming homeless

On May 25, 2020, the High Court of Justice (HCJ) accepted, in a majority opinion, HaMoked’s petition against a punitive order for the demolition of a home in Beit Kahil, Hebron District. The order had targeted the family home of a Palestinian man accused of involvement in the murder of a young Israeli man, Dvir Sorek, on August 7, 2019. The accused man’s wife and three young children (aged two, seven and eleven) live in the targeted apartment, which spans the entire second floor of a two story house; his parents and brother live in the building’s ground floor. None of the occupants of the house are suspected of any wrongdoing.

The majority justices, Baron and Vogelmann – against the dissenting opinion of Justice Mintz – accepted HaMoked’s argument that the order was disproportionate due to the excessive delay in its issuance. This, given that the military only notified the family of its intention to issue an order to demolish their home on January 10, 2020 – some 5 months after the attack and the accused man’s arrest in August 2019, and some 3 months after he was indicted in October 2019 (and also, as Justice Baron emphasized, given that some six weeks had passed since the **demolition of four other homes** in which other suspects in the attack had lived).

Justice Baron reiterated her position that the order must be cancelled simply by virtue of the complete innocence of the family members living in the targeted home. She then determined that: “Use of the home demolition measure is intended solely for the purpose of **deterrence**... and not as another means of punishing the assailant and certainly not to appease public opinion” (emphasis in the original); “the aspect of time is therefore of prime importance in achieving effective deterrence...”; “The passage of time results in the severing of the ‘mental link’ between the murder and the consequential [demolition] sanction... and in the absence of the effect of deterrence, the demolition order appears to be purely punitive, and as such is unreasonable and disproportionate”.

Justice Vogelmann reiterated his position that “Even when an authority exists, in light of the severe consequences involved in use of Regulation 119, there is a need for a meticulous review of the Military Commander’s exercise of discretion according to the standards of administrative law, including the requirements of reasonability and proportionality”; the delay [in this case] impacts the deterrence justification

underlying the exercise of the authority by virtue of Regulation 119... and in particular, it increases the expectation by the petitioners that the passage of time since the indictment... without a [demolition] order having been issued, indicates that it was decided to refrain from exercising the authority...”.

The judgment repeatedly cites the Abu Hashiyeh case – a **2015 precedential judgment** in a petition by HaMoked, in which a punitive demolition order was cancelled due to the excessive delay in exercising the authority under Regulation 119. In total, the HCJ has cancelled 8 punitive demolition orders since Israel resumed its punitive demolition policy in July 2014 – all of them on the grounds of disproportionality. During this period, 68 homes were demolished or sealed (either completely or partially) under Regulation 119, almost all with the approval of the HCJ.”

(the update was issued by HaMoked- Centre for the Defence of the Individual, on 27 May, 2020)