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2020: Israel's annexation by other means

By the time Benjamin Netanyahu announced on the 13th of August that he was temporarily suspending plans to annex large areas of the West Bank, Israel had already demolished a record number of Palestinian houses, schools, agricultural buildings and water supplies, and was preparing to destroy even more. In September, the UN Office for the Coordination of Humanitarian Affairs (OCHA) announced that in 2020 Israel had so far demolished more than 500 'structures' in the occupied West Bank and Gaza Strip, including 134 structures in East Jerusalem. By the beginning of November, the number had risen to 689 structures, 'more than in any full year since 2016, rendering 869 Palestinians homeless.'



Since 1967 Israel has destroyed around 50,000 Palestinian homes and other structures, all with the aim of extending Israeli control over strategic areas of the West Bank and, especially, East Jerusalem. Demolition and illegal settlement are two arms of a single strategy. On February 21st this year, Defence Minister Naftali Bennett announced that the Israeli government would never give up one inch of land to Arabs: 'In order to achieve this goal, we must continue the settlement enterprise. ...' A few days later, the *Israeli Planning and Construction Committee* met to approve 1,900 new housing units in West Bank settlements.



Demolitions fall into a number of categories:

Punitive demolitions / collective punishment

Houses are demolished as punishment for the alleged actions of people associated with the houses. These demolitions often take place before the accused are convicted. Israel does not allow demolished homes to be rebuilt, and it has carried out repeated demolition work when such attempts are made. Human rights groups have repeatedly warned that Israel's policy of punitive demolitions contravenes international law and is a form of collective punishment.

On the 10th January the Israeli authorities announced their intention to demolish the family home of Mahmoud Atuna, a suspected member of Hamas and one of the five Palestinians accused of killing 19-year-old Israel soldier Dvir Sorek near the Israeli settlement of Migdal Oz, north of Hebron. The Beit Kahil home of cousins Nasir Asafra, 24, and Qassem Asafra, 30, two of the other four members charged with Sorek's murder, was demolished in 2019.

In November B'Tselem published data showing that there had so far been 6 'punitive house demolitions' in 2020, compared to 14 in 2019.

Administrative demolitions in Area 'C'

The majority of demolitions are 'justified' by the Israeli authorities on the grounds that Palestinians have built structures without planning permission. This is particularly common in 'Area C', the 61% of the West Bank still under direct control of the Israeli military, the so-called 'Civil Administration'. Between 2016 and 2018 the Civil Administration issued over 2,000 demolition orders, while at the same time approving only 21 of 1,485 Palestinian applications for construction permits. Since 2000, Palestinians have submitted 6,532 requests for building permits in Area C, of which only 245 – just 3.7 per cent – were approved.



The Civil Administration is a part of a larger entity known as the Coordinator of Government Activities in the Territories (COGAT), a unit in the Israeli Ministry of Defense. In April 2018 COGAT issued 'Military Order 1797' (MO 1797). This allows the Israeli authorities to demolish any unlicensed structure in Area C deemed to be 'new', within 96 hours of a removal notice being issued. Implementation of MO 1797 was temporarily suspended after a petition was filed with the Israeli High Court of Justice (HCJ), but this petition failed in July 2019, since which at least 95 structures, including 16 provided as humanitarian assistance, have been destroyed, or otherwise removed, on this basis. In most cases, the period between the issuance of a notice and the actual demolition has been significantly longer than the 96 hours stipulated in the Order; however, this has declined from an average of 21 days in 2019 to 15 days in 2020.

The Israeli Committee Against House Demolitions (ICAHD) publishes a monthly 'Demolition and Displacement report'. This is a sample of their report from February 2020:

On 16 February, 2020, the ICA along with Israeli forces demolished an agricultural structure in At Taybeh, Hebron. The structure was built in January 2018, and a stop-work order was issued the same month, although a demolition order was never served to the owner. Two families comprising of 17 people, including 13 children have been affected

On 17 February, 2020, personnel from Israel's national water company, Mekorot, arrived with Israeli Civil Administration officials, military jeeps and two bulldozers to Khirbet 'Alan, located in the Jordan Valley, southwest of the village of al-Jiftlik, and home to about 50 families. The forces disconnected pipes that supplied water for domestic and agricultural use in the community.

On 19 February, 2020, the ICA along with Israeli forces confiscated a residential caravan in Birin, Hebron, that was inhabited by two elderly women. The two women have been displaced as a result.

On 19 February, 2020, the ICA along with Israeli forces confiscated a caravan in Susiya, Hebron, that was used as a classroom, adjacent to the local school. 47 students and 16 staff members have been affected

Some of the buildings demolished are projects funded by third-party donors, including the EU.

In September the Israeli authorities issued a demolition order against the newly built primary school at Ras al-Tin, east of Ramallah. The school was built with support from the EU. The order to tear down the school

was made under the pretext of it having being built without a permit in the West Bank's Area C. The school, built with bricks and a tin roof, and with no doors or windows, had served 50 students aged from five to 13 years old. Before the school was built many of the students had to walk long distances every day.



Noura al-Azhari, the school principal, said that before the demolition order had been issued, Israeli soldiers and settlers had stormed the school on a daily basis, flying camera drones over the school and intimidating teachers and students. 'They have stormed the school every day and confiscated our IDs, while settlers threatened and intimidated us,' she said.

In November the Belgian Foreign Affairs Ministry issued a statement condemning Israel's destruction of Belgian-funded homes in the occupied West Bank, urging Tel Aviv to refrain from destroying Palestinian schools and demanding compensation.

'A number of homes in the village of Al-Rakeez, in the occupied West Bank district of Hebron, have been demolished by Israeli authorities in violation of international humanitarian laws. This essential infrastructure was built with Belgian funding, as part of humanitarian aid implemented by the West Bank Protection Consortium. Our country asks Israel for compensation or restitution for these destructions. ... Belgium calls on the Israeli occupation authorities not to execute the demolition orders for the schools in Ras Al-Tin, Jinba and Khirbet Al-Fakheit, and to safeguard all 52 schools in the West Bank at risk of demolition. As a member of the UN Security Council, Belgium has on several occasions expressed great concern about the alarming increase in the number of demolitions and seizures of structures and humanitarian projects in Area C in the West Bank.'

EU spokesperson, Peter Santo, added to the condemnation, 'The EU reiterates its call on Israel to halt all such demolitions, including of EU-funded structures, in particular in light of the humanitarian impact of the current coronavirus pandemic.'

On the whole, though, the EU's policy towards Israel is inconsistent and contradictory, going out of its way to maintain trade and diplomatic relations with Israel while helping to silence French and German critics of Israel. Israel's response to Belgium has been allowed to pass unchallenged by the EU: having dismissed Belgium's demand for compensation, Israel's Foreign Ministry went further, 'It is regrettable that European aid money finds its way to the financing of illegal activities.'

Demolitions in Israeli designated 'military firing zones'

According to the UN OCHA approximately 18% of the West Bank has been designated by Israel as a 'closed military zone for training' or as a 'firing zone', roughly equivalent to the area of the West Bank under full Palestinian authority (Area A = 17.7%). Approximately 5,000 Palestinians live in 38 small communities within these 'firing zones'. They are mostly Bedouin or herding communities, many of which existed prior to the closing of the area. Over 80% of the communities are located in the Jordan Valley and Dead Sea area or in the South Hebron Hills. Over 90% of these communities are water scarce, accessing less than 60 litres per capita per day (l/c/d), compared to the 100 l/c/d recommended by the World Health Organization; over half access less than 30 l/c/d.



This 'military' designation is particularly significant for the Jordan Valley area, given that it was scheduled to become part of the area annexed by Israel under Netanyahu's 'extension of sovereignty' scam, subsequently endorsed in the Trump 'Peace Plan'. The most notorious, recent example of these demolitions in the Jordan Valley took place on November 3rd at Khirbet Humsa when, according to the UN OCHA, 76 structures - including homes, animal shelters, toilets and solar panels - were destroyed, leaving some 73 people, including 41 children, homeless. ICAHD has provided a full inventory of the property destroyed:

18 inhabited residential structures, 39 animal-related structures, 3 storage structures, 9 structures used as kitchens, 10 mobile latrines, 23 water containers, 2 solar panels, feeding and watering troughs for livestock (30 tons of fodder for livestock confiscated).

In January Naftali Bennett designated seven areas within 'Area C', including some in the Jordan Valley, as 'nature reserves', another ruse for consolidating Israeli control.

Bennett said the Israeli-run reserves would be 'under the responsibility' of Israel's Nature and Parks Authority. He went on to invite all Israeli citizens to 'get up and walk the land, to tour Judea and Samaria, hike, discover new things and to continue the Zionist enterprise.' Bennett's statement identified the seven

new natural reserve locations as the Ariel Cave, Wadi Og, Wadi Malha, the Southern Jordan River, Bitronot Creek, Wadi Far'a (Nahal Tirza), and Rotem-Maskiot. While it remains unclear if the new nature reserves will ban Palestinian visits to the sites, the local landowners say they've already received orders from the military to stay off the land.



Demolitions and expropriations in East Jerusalem

The first demolition of Palestinian property in 2020 took place on the very first day of the year, January 1st, in the Silwan neighbourhood of occupied East Jerusalem, just south of the Al-Aqsa Mosque.

The structure was one building divided into two apartments (100m2 each), intended to accommodate two households of the same family. The first house was owned by Wafa al-Khalialeh with her husband and their seven children. The second house belonged to Mohanad al-Khalialeh and his wife and their two children. The building was almost finished and the families had already furnished the apartments and were planning to move in soon.

They had an Israeli court hearing at 10 am to look into the issue of demolishing the houses, but at 8:30 am they were surprised to hear the demolition vehicles had come to knock down their houses.'

Many families have had to demolish their own properties rather than pay the huge fees they can incur for demolition by the Israeli authorities. On the 6th January,

Two Palestinian households had to self-demolish their homes and a storage room in Jabal al Mukabbir, East Jerusalem. The houses were built in 2011 and 2012, and a demolition order was issued against them in 2016. The families were fined 35,000 NIS which they have been paying in monthly installments since 2018. They reported that they received several telephone calls from the Israeli police threatening them that if they didn't self-demolish their houses they would be fined an extra 80,000 NIS and would have to pay for the

demolition operation. Eventually, after losing their case in an Israeli court the families were forced to self-demolish their own homes. Two families comprising 15 people, including 11 children, have been displaced.



Displaced families not only face homelessness, but the possibility of losing their Jerusalem residency status. Under international law, East Jerusalem is considered an occupied territory and the de facto annexation of the city by the Israeli government is considered illegal. Throughout its occupation, Israel has enacted discriminatory laws and policies to diminish the presence of the Palestinian population in East Jerusalem. By granting Palestinians living in East Jerusalem only 'permanent residency status', entry into and residency in Jerusalem becomes a revocable privilege, instead of an inherent right. Palestinians of East Jerusalem do not have a right to automatic Israeli citizenship nor are they considered to be under the jurisdiction of the Palestinian Authority (PA). Since 1967 Israel has succeeded in revoking and subsequently uprooting around 15,000 Palestinians from East Jerusalem.

This precarious legal status leaves Palestinian families subject to expropriation by organisations such as the Jewish National Fund, Elad or Ateret Cohanim.

The Sumarin family have been locked in a 30-year legal battle to prove ownership of their home in Wadi Hilweh, in the Silwan neighbourhood. The Sumarin family say the home was built on land purchased in the 1950s by their uncle, Haj Moussa. Shortly after he passed away, the Israeli state declared the home to be 'absentee property' and put it under state control. The Jewish National Fund (JNF) then bought the property from the state in 1991. On 30 June, Israel's Jerusalem district court ruled that the Sumarin family must leave their property by 16th August, leaving them with nowhere to go. The Sumarin family have lodged an appeal which will be heard by Israel's Supreme Court in April 2021. If Israel's Supreme Court rules against them, the family must pay \$23,000 in fines to the lower court that ruled in favour of the Jewish National Fund and \$40,000 in eviction fees for forcible removal from their home.



[The Sumarin's eviction was the subject of a parliamentary [Early Day Motion \(EDM 529\)](#), tabled on the 2nd of June 2020 and supported by, among others, Drew Hendry, Ian Blackford and Jamie Stone.]

Settlement activities in the neighbourhood of Silwan also include archaeological excavations and the operation of the City of David National Park and Visitors Centre. The State of Israel has delegated the administration of these public sites to Elad.

On 14 September 2020, after five years of legal action, the Israeli Supreme Court issued a final decision to evict 82-years old Izzat Salah and his family from the home they rented in the Wadi Hilweh area of the Silwan neighbourhood in East Jerusalem. The decision to evict the Salah family was issued in favour of Elad, an Israeli settler organization, also known as the Ir David Foundation. According to the ruling, the house had to be vacated by 5 November 2020. Following the ruling, Mr. Salah's daughter-in-law, the widow of one of his sons, and her six children, left the home. Mr. Salah remained in the house until a few days before the eviction date, when he also left. The eviction resulted in him leaving the neighbourhood where he grew up, and losing his daily contact with family and friends. 'You can see how crowded Silwan is, because it's impossible for us to get building permits. And even if I found a place here, how could I afford the rent? Besides, with so much settler activity in Silwan, people are suspicious about renting out their homes.'

In January the Israeli authorities in occupied East Jerusalem delivered eviction orders to some 30 Palestinian homes. The houses, located on the path towards the Al-Aqsa Mosque compound, had cracks in the walls due to Israeli archaeological excavations under the Old City, a practice that has affected the solidity of a number of homes in Jerusalem.

Faiza Abu Asab, one of the residents of Bab al-Silsila, said that Israeli excavation made the houses 'unliveable', as some sections of walls had collapsed or bore large cracks. He said residents were concerned that their homes might be seized by Israelis, as part of a policy of 'Judaisation' - seeking to erase the Palestinian presence from Jerusalem.

Currently, at least 86 Palestinian families are facing forced eviction in Jerusalem's Batn Al-Hawa neighbourhood as Israel intensifies pressure on them to demolish their homes under the pretext that they lack the necessary building licenses. This threat is linked to an attempt by the settler organisation



Ateret Cohanim to seize 5,200 square metres of land in Batn Al-Hawa, claiming it has belonged to Yemeni Jews since 1881. Three families are facing imminent eviction after the District Court in Jerusalem turned down their petition against a ruling by the Magistrate's Court which called for them to hand their property to Ateret Cohanim.

Israeli settlers base their claims on a 1970 Israeli law ruling that land owned by Jews prior to the establishment of the state of Israel in 1948 should be restituted to its original owners and descendants. The legislation does not apply to Palestinians. In Batn al-Hawa, Ateret Cohanim says the land was allocated to a Jewish trust to benefit the Yemenite Jewish community in the 19th century - arguing that Palestinians who built their homes legally in the neighbourhood after 1948 should be evicted in order to return the land. 'In the same city, as a result of the same war, two populations lost properties but only one is entitled to repair the historical injustice and return to its property, while the second, which sometimes lives a few hundred metres from its properties, cannot return [to] them.'

There's little doubt that in 2021, whatever difference Donald Trump's displacement by Joe Biden makes, Israel will continue to pursue this policy of de facto annexation through corrupt and discriminatory legal means. 20 million shekels (\$5.8m) has been allocated by the Israeli government 'to survey and map out unauthorised Palestinian construction' in Area C, a development reported by Haaretz as the 'first time that funds have been specifically allocated for such a survey as part of the state budget.' Demolitions, violent attacks on Palestinian villages by Israeli settlers, burning of cars, the uprooting and destruction of olive trees, the flooding of fields with sewage are all intended to intimidate and drive out Palestinians whom Israelis increasingly view as intruders in their own land.

ICAHD publishes a monthly report that can be found at <https://icahd.org/category/monthly-demolition-report/>.

B'Tselem also publishes regular reports such as one on 'Planning Policy in the West Bank': https://www.btselem.org/topic/planning_and_building