

The Judaization of Palestine: 2011 Displacement Trends



הוועד הישראלי נגד הריסת בתים

The Israeli Committee
Against House Demolitions

الحركة الاسرائيلية ضد هدم البيوت





2011 - RECORD YEAR OF DISPLACEMENT

ICAHD is an Israeli peace and human rights organization dedicated to ending the Occupation and achieving a just peace between Israelis and Palestinians. In particular, ICAHD resists Israel's policy of demolishing Palestinian homes in the Occupied Territory – more than 26,000 since 1967.

This publication provides a political analysis of the root causes and consequences of Israel's house demolition policy, focusing on the demolition of Palestinian homes and other structures in the Occupied West Bank. All recorded incidents have been verified and documented by partners in the Displacement Working Group (an inter-agency group under the auspices of the Office of the UN High Commissioner for Human Rights Protection Cluster, and chaired by the UN Office for the Coordination of Humanitarian Affairs. the DWG includes over one hundred members, such as UN agencies, international and local

Israeli and Palestinian NGOs, and donors. ICAHD has been an active member of the group ever since it was established in 2008).

House demolitions and forced evictions are among Israel's most heinous practices in the Occupied Palestinian Territory (OPT). In 2011, a record year of displacement, a total of 622 Palestinian structures were demolished by Israeli authorities, of which 36% (or 222) were family homes; the remainder were livelihood-related (including water storage and agricultural structures), resulting in 1,094 people displaced, almost double the number for 2010.



The Jordan Valley sustained the largest number of demolitions (32% of total structures demolished, 40% of residential structures demolished, 37% of people displaced), with 199 structures demolished and 401 people displaced.

For a viable Palestinian state to be established, the Jordan Valley represents an essential land reserve, agricultural hinterland and strategic economic infrastructure. Not only that, the area provides the potential state's sole land entrance. However, since 1967, Israel has coveted the Jordan Valley both for its economic potential and its strategic importance in forestalling the creation of a viable Palestinian state. Israel justifies its presence in the area as necessary for security. For example, in his May 2011 address to the US Congress, Israeli PM Netanyahu asserted that "Israel will never cede the Jordan Valley. Israel would never agree to withdraw from the Jordan Valley under any peace

“Palestinians are utterly frustrated by the impact of Israeli policies on their lives. They can't move freely around their territory. They can't plan their communities. They are evicted from their homes. Their homes are regularly demolished. I don't believe that most people in Israel have any idea of the way planning policies are used to divide and harass communities and families. They would not themselves like to be subjected to such behavior.”

United Nations Under-Secretary-General for Humanitarian Affairs, **Baroness Valerie Amos**, May 2011.



agreement signed with the Palestinians. And it's vital – absolutely vital – that Israel maintain a long-term military presence along the Jordan River.” Running the length of the West Bank, the Jordan Valley covers 29% of the West Bank, with a total area of 1,600 km². Prior to the 1967 occupation, some 320,000 Palestinians lived there, but according to a recent survey by the Palestinian Central Bureau of Statistics, fewer than 65,000 remain today. At present, Israel controls approximately 90% of the Jordan Valley and has “Judaized” it: 119 km² (12%) are held by 37 illegal settlements, housing 9,500 settlers; 318 km² (20%) comprise 26 declared nature reserves (only 4 are open to the public); and 736 km² (46%) are closed military zones.

Thousands remain at risk of demolitions and displacement in Area C and East Jerusalem, most notably in areas of strategic prominence such as communities in the Jerusalem periphery and in

the Jordan Valley. ICAHD has long cautioned about the emergence of a “Greater Jerusalem,” linking the Judaization of East Jerusalem and the displacement of Bedouin in Greater Jerusalem (between East Jerusalem and Ma’aleh Adumim) with the development of Ma’aleh Adumim and Mevasert Adumim, all the way to the Jordan Valley. The significance of this development is not only the creation of a Greater Jerusalem that controls the center of the West Bank, but also the emergence of Israeli Occupation territorial contiguity that effectively eliminates the two-state solution.

Demolitions target vulnerable communities including Bedouin and herder communities, who have often been displaced several times since 1948. In 2011, 60% of the total structures demolished were in pastoral communities; these residents represent more than 80% of the total people displaced. The Palestinian-Bedouin



communities living in the hills to the east of Jerusalem are at an exceedingly growing risk of forced ethnic displacement. The communities have been informed by the Israeli authorities that they have no option but to leave the area (as part of a larger plan to relocate Bedouin communities living in Area C). The forced displacement of the Bedouin would also be detrimental to their semi-nomadic way of life.

Displacement has particularly overwhelming effect on women and children especially because of the disruption of primary education, resulting in post-traumatic stress disorder, depression, and anxiety. In 2011, 609 children under the age of 18 (60% of total people displaced) were displaced.

“The Committee is deeply concerned about home demolitions and forced evictions in the West Bank, in particular Area C, as well as in East Jerusalem, by Israeli authorities, military personnel and settlers. The Committee urges the State party to stop forthwith home demolitions. The Committee also recommends that the State party review and reform its housing policy and the issuance of construction permits, in order to prevent demolitions and forced evictions and ensure the legality of construction in those areas.”

DISPLACEMENT TRENDS

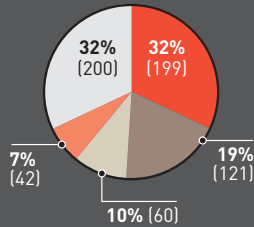
Jordan Valley

Hebron

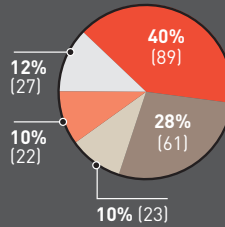
Jerusalem Periphery

East Jerusalem

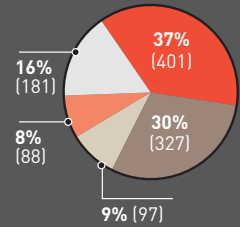
Other



Structures Demolished

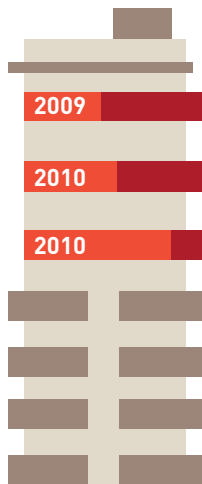


Residential Structures



People Displaced

Structures Demolished



2009 Total **275**
Residential **116**

2010 Total **439**
Residential **140**

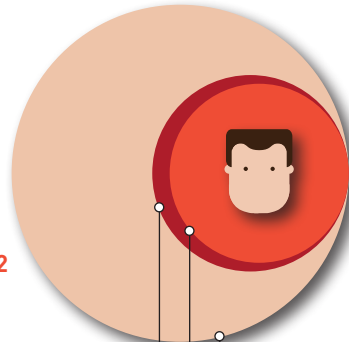
2011 Total **622**
Residential **222**

2009 643 People

2010 606 People

2011 1,094 People

People Displaced

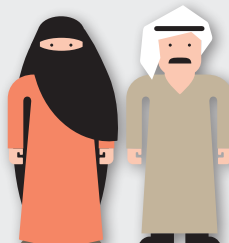
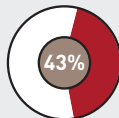
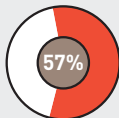


Pastoral Communities Displacement Bedouin / Herder

Total Structures Demolished

Bedouin **353**

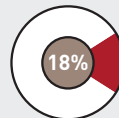
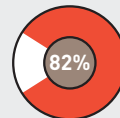
Other **269**



People Displaced

Bedouin **900**

Other **194**



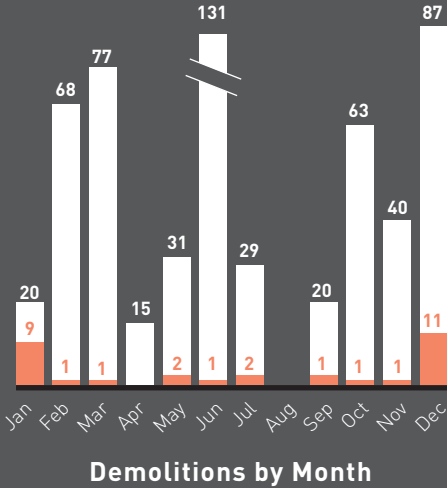
Jordan Valley

199 Structures Demolished

89 Residential Structures

401 People Displaced

West Bank
East Jerusalem



Other

200 Structures Demolished

27 Residential Structures

181 People Displaced

Jerusalem Periphery

60 Structures Demolished

23 Residential Structures

97 People Displaced

East Jerusalem

42 Structures Demolished

22 Residential Structures

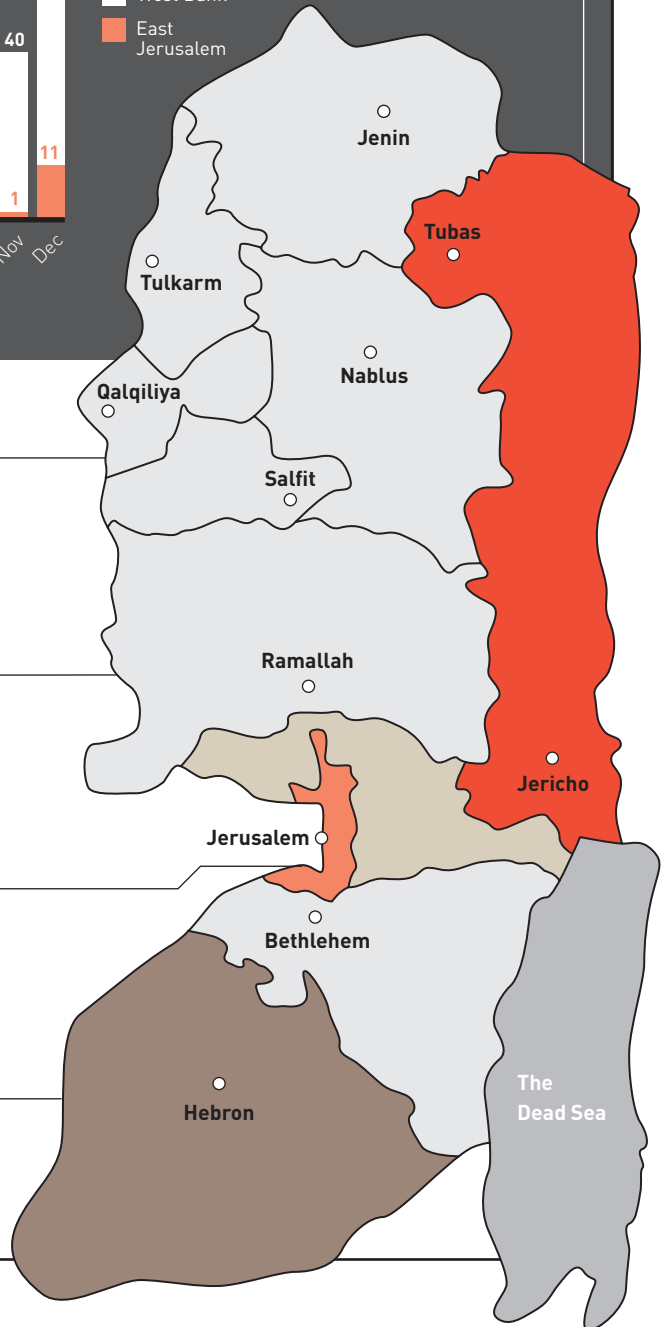
88 People Displaced

Hebron

121 Structures Demolished

61 Residential Structures

327 People Displaced



ETHNIC DISPLACEMENT AND JUDAIZATION



The demolition of Palestinian homes is politically motivated and strategically informed. The goal is to confine the 4 million residents of the West Bank, East Jerusalem, and Gaza to small enclaves, thus effectively foreclosing any viable Palestinian state and ensuring Israeli control, and to allow for the expropriation of land, the ethnic displacement of Palestinians, and the Judaization of the Occupied West Bank.

In the cantonization plan pursued by the current and previous Israeli governments, Israel would annex the settlement blocs containing 80% of the settlers in addition to “Greater Jerusalem” and the Jordan Valley. It would Judaize approximately 85% of the country, leaving the Palestinians with disconnected enclaves on only 15% of the land. Israel would control all the borders, all the sea- and airports, Palestinian airspace, the electro-magnetic sphere (communications), and West Bank seam zones. In this version of the two-state solution,

the Palestinians would be deprived of meaningful national self-determination. The Palestinian “state” would have only limited sovereignty and no viable economy. While it would be expected to absorb all the refugees who wish to return, it would have no economic potential for development and could offer no prospect for its future generations.

We are witnessing a process of Ethnic Displacement and Judaization, institutionalized policies designed to alter the ethnic, religious or racial composition of an affected population – Palestinian residing in Area C of the Occupied West Bank – that has led to a situation in which many members of that population leave the area to Areas A and B, which are under Palestinian Authority control, not necessarily by choice, but due to the lack of alternatives or, in other words, because they are forced to leave. Israel’s policies also create a situation not only of displacement but also of de facto forced deportation, which may rise to the level of a war



crime. In cases in which Palestinians have been physically deported from their communities and/or denied return, Israel has indeed committed the war crime of forced deportation. Additionally, Israel's policies and practices in the West Bank may comprise what are defined as "inhuman acts" in Article 7(1)(d) of the Rome Statute of the International Criminal Court as well as constitute a violation of the UN Convention on the Suppression and Punishment of the Crime of Apartheid of 1973.

ICAHD called for international mobilization to hold Israeli "duty bearers" accountable and to deter them from committing grave violations of international law. Following a meeting with ICAHD staff in November 2011, The Special Rapporteur on the Situation of Human Rights in the Occupied Palestinian Territory, Prof. Richard Falk, called urgent attention to the plight of the Palestinian Bedouin of the occupied West Bank:

"Under international law, the Court observes, these were therefore occupied territories in which Israel had the status of Occupying Power. Subsequent events in these territories have done nothing to alter this situation. The Court concludes that all these territories (including East Jerusalem) remain occupied territories and that Israel has continued to have the status of Occupying Power."

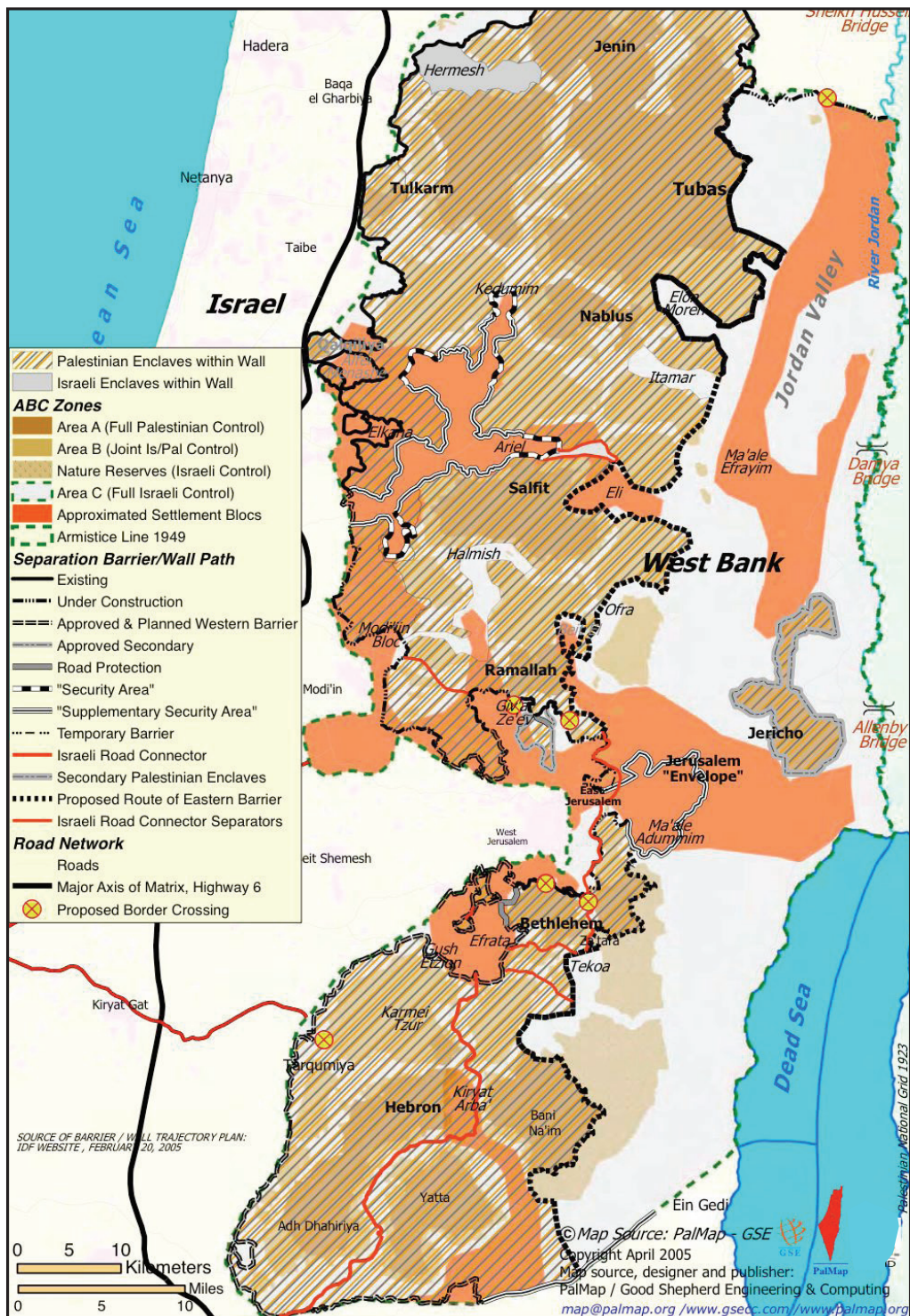
International Court of Justice Advisory Opinion,
July 2004



“The recent unprecedented pressure by Israeli authorities and settlers to expel Palestinian Bedouin communities from Area C is deplorable, illegal, and must cease. The proposed relocation of the Palestinian Bedouin, without the free and informed consent of the communities, amounts to forced transfer of protected persons under international humanitarian law.” Prof. Falk added, “The proposed transfer of Bedouin communities raises a number of concerns under human rights law, especially with respect to forced eviction and forced displacement.” Subsequent to a briefing and field visit led by ICAHD staff, European foreign ministers received a report compiled by the European consuls in Ramallah and East Jerusalem on the situation of the Palestinians in Area C of the West Bank. European Union Ambassador to Israel, Andrew Standley, submitted a formal protest to the Israeli Foreign Ministry over plans to displace Bedouin and to demolish Palestinian homes in the

E1 area near the West Bank settlement of Ma’aleh Adumim. The Ambassador also expressed profound concern over the deterioration in the Palestinian residents’ situation in the West Bank Area C, under Israeli control.

The European Union report on Area C and Palestinian State Building of July 2011 reads: “The Palestinian presence in Area C has continually been undermined through different administrative measures, planning regulations and other means adopted by Israel as occupying power. The increasing integration of Area C into Israel proper has left Palestinian communities in the same area ever more isolated. During the past year there have been a further deterioration of the overall situation in Area C. If current trends are not stopped and reversed, the establishment of a viable Palestinian state within the pre-1967 borders seems more remote than ever. The window for a two-state solution is rapidly closing with the continued expansion of Israeli settlements.”





LEGAL FRAMEWORK

In order to build homes in East Jerusalem and Area C (70% of the Occupied West Bank controlled by Israel), Palestinians must apply for a permit from those who control these areas – the Israeli authorities. The vast majority of demolition orders are issued because a home or structure has been built without an Israeli permit. Under Israeli zoning policy, Palestinians can build in just 13% of East Jerusalem and in just 1% of Area C. In both cases these areas are already heavily built up. More than 94% of all Palestinian permit applications have been rejected in recent years. This means that when a family expands or a community wants to build infrastructure to meet its basic needs, the choice faced is between building without a permit and not building at all. Many end up building to meet their immediate needs in the hope that they will be able to avoid demolition. Unfortunately, the number of people affected by demolition continues to steadily grow.

Israel's practices in the OPT violate the right to adequate housing enshrined in several bodies of international human rights law. Specifically, the human right to adequate housing is contained, inter alia, in the Universal Declaration of Human Rights of 1948 (Art. 25(1)); the International Covenant on Economic, Social and Cultural Rights of 1966 (Art. 11); the International Covenant on Civil and Political Rights of 1966 (Art. 17); the International Convention on the Elimination of All Forms of Racial Discrimination of 1969 (Art. 5(c)(iii)); the Convention on the Rights of the Child of 1990 (Arts. 16, 27); and General Comments 4 (1991) and 7 (1997) of the UN Committee on Economic, Social and Cultural Rights.

The right to adequate housing is an essential component of the right to a decent standard of living. When guaranteed, it provides a foundation for the realization of other rights, including the



rights to family, work, education and, ultimately, national self-determination. Israel is party to, and bound by, the International Covenant on Economic, Social and Cultural Rights (ICESCR) which explicitly guarantees the right to adequate housing (Article 11.1): “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.” The UN Committee on Economic, Social and Cultural Rights interpreted the content of human rights provisions in the Covenant (General Comment 4 – The right to adequate housing), so that the “right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity. Rather it should be seen as the right

to live somewhere in security, peace and dignity.”

That includes the security of tenure, availability of services, and cultural adequacy. The Committee has also determined in its General Comment 7 (The right to adequate housing – forced evictions) that forced evictions are *prima facie* incompatible with the requirements of the Covenant, and that appropriate procedural protection and due process, and adequate alternative housing, resettlement, or access to productive land must be guaranteed by a state party to the Covenant, as is Israel. Israel’s claim that the Covenant does not apply in the Occupied Palestinian Territory has been dismissed by all the UN human rights treaty bodies that oversee compliance with treaties.

The UN Committee on Economic, Social and Cultural Rights, a body of independent experts that monitors implementation of the Covenant, in its 2011 concluding observations (which constitute the decision of the Committee



regarding the status of the Covenant vis-à-vis a given State party) called on Israel to stop forthwith house demolitions, forced evictions, and residency revocation in the Occupied Palestinian Territory and East Jerusalem. After considering the state report by Israel on compliance with the International Covenant on Economic, Social and Cultural Rights, and the ICAHD parallel report, the Committee recommended that Israel review and reforms its policies to align with recommendations made by ICAHD and partner human rights and peace organizations. ICAHD, a UN Economic-Social Council Special Consultative Status organization, will submit a parallel report to the United Nations Committee on the Elimination of Racial Discrimination, to convene in February 2012, further highlighting the trends of ethnic displacement and Israeli racial discrimination policies and practices. As the Occupying Power, Israel is obligated to

safeguard the homes of the protected persons (Palestinians) under international humanitarian law (namely the Hague Regulations and the Fourth Geneva Convention). Israel is bound by the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, to which Israel is a signatory. Article 53 prohibits destruction of property that is not justified by military necessity. The Fourth Geneva Convention also prohibits the transfer of an occupying power's civilian population into the territory it is occupying and the transfer of an occupied civilian population out of its territory. Article 49 stipulates: "Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive." Israel's claim that the Fourth Geneva Convention does not apply to the Occupied Palestinian Territory has been rejected



by the international community, including the UN Security Council and the International Court of Justice (ICJ). Further, the Hague Convention of 1907 calls on state parties to respect, protect, and fulfill family honor and rights, the lives of persons, and private property, as well as religious convictions and practices.

According to the Israeli-Palestinian Interim Agreement of 1995, powers and responsibilities related to zoning and planning in Area C should have been transferred to Palestinian control within 18 months. However, that has not happened in the 17 years since its signing, and Israel continues to displace the Palestinian inhabitants of the West Bank, in contravention of international law and bilateral agreements.

The illegal Israeli practice of demolishing homes, basic infrastructure and sources of livelihoods continues to shatter Palestinian communities in East Jerusalem and Area C. Demolitions lead to

a significant deterioration in living conditions for entire communities. Large numbers of Palestinians face increased poverty and long-term instability as well as limited access to basic services, such as education, health care, water, and sanitation as a result of these practices.

SETTLER VIOLENCE



The escalation in displacement during 2011 comes after a spate of settler aggression as a result of attempts to seize land from Palestinian communities. Increasing by 40% in 2011, as compared to 2010, Palestinian casualties and property damage due to weekly settler violence includes the death of three Palestinians and 167 injuries to Palestinian men, women, and children. Israel's policy of facilitating the settling of its citizens inside occupied Palestinian territory, in defiance of international law, has brought about settler violence.

Israel's Judaization and displacement policy has resulted in the annexation of Palestinian land, water resources, and transportation routes and has created two segregated systems of rights and privileges favoring Israeli citizens at the expense of Palestinian residents of the Occupied West Bank. Settler violence creates constant pressure on Palestinian communities, exacerbated by

movement restrictions and house demolitions. The UN Office for Coordination of Humanitarian Affairs has identified 80 Palestinian communities, home to 250,000 people, at risk of settler violence.

Israel now controls over 40% of the West Bank through 149 settlements and 102 outposts, housing more than 500,000 Jewish Israelis, as well as through closed military zones and declared nature reserves. In addition, house demolitions, forced evictions, and land expropriation, exacerbated by settler violence and the economic effects of movement restrictions, have left Palestinian communities struggling to make a living. Palestinians live in constant fear of displacement and dispersion, while Israel secures its domination and control.



LAND ALLOCATED TO ISRAELI SETTLEMENTS

January 2012

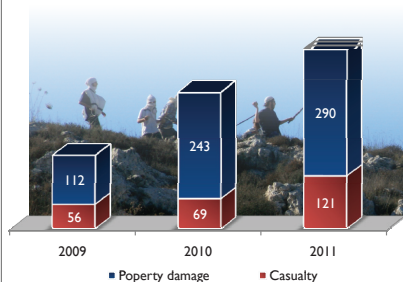
Israeli Settlements

- Fenced or Patrolled Areas and Cultivated Land
- Municipal Boundary
- Regional Council

Barrier

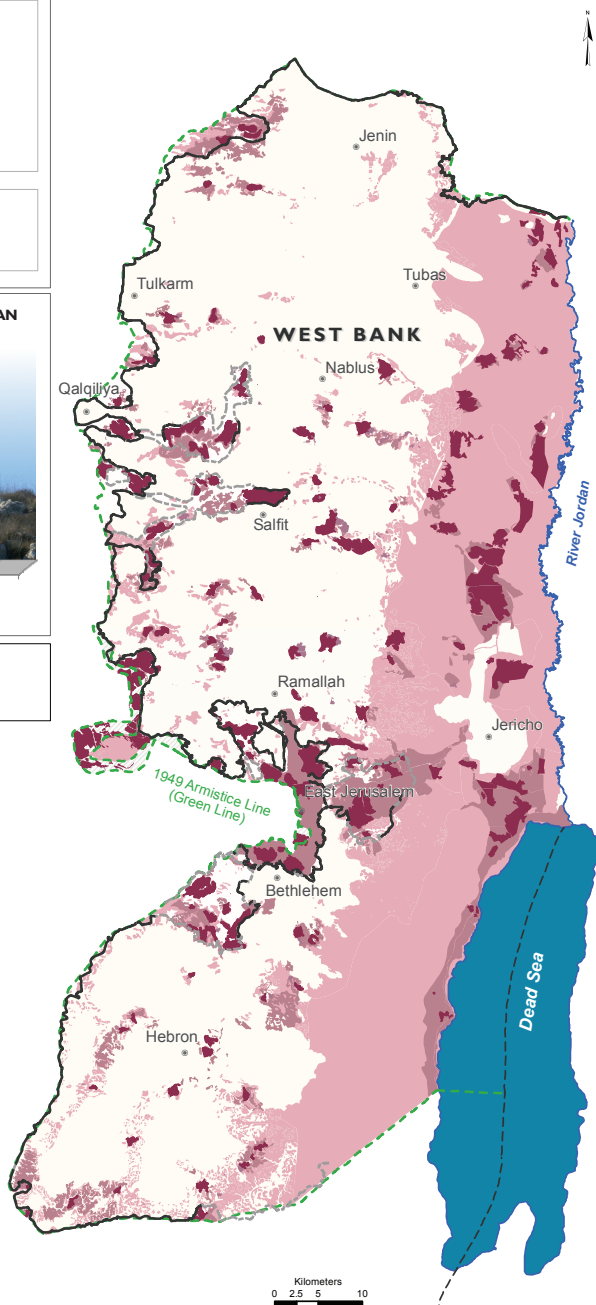
- Constructed / Under Construction
- Planned

SETTLER ATTACKS RESULTING IN PALESTINIAN CASUALTIES OR PROPERTY DAMAGE



United Nations Office for the Coordination of Humanitarian Affairs

Cartography: OCHA-oPt - January 2012. Base data: OCHA, PA
MoP. Settlement data: Peace Now, OCHA
update 08. For comments contact <ochaopt@un.org>
or Tel. +972 (02) 582-9962 <http://www.ochaopt.org>



RECOMMENDATIONS



ICAHD Calls For:

➤ The end to the Occupation and the immediate cessation of the demolition of Palestinian houses, schools, and infrastructure which causes displacement and dispossession.

➤ The transfer of powers related to planning and zoning in the West Bank, including Area C, to Palestinian jurisdiction in accordance with international law and bi-lateral agreements, to allow for a planning system to include community participation in all levels of the planning process.

➤ The Families that have been forcibly displaced to be allowed to return to their homes in safety and dignity and to be given compensation for any harm they have suffered.

➤ The suspension of the EU-Israel Association Agreement, and the US-Israel Free Trade Agreement until Israel complies with international law, and ends its illegal policy of house demolitions, forced evictions and colonization.

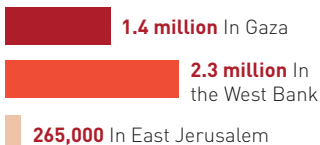
“The Tribunal finds that Israel subjects the Palestinian people to an institutionalized regime of domination amounting to apartheid as defined under international law.

Since 1948 the Israeli authorities have pursued concerted policies of colonization and appropriation of Palestinian land. Policies of forced population transfer remain widespread, particularly in the occupied Palestinian territory. Israel must cease its apartheid acts and its policies of persecution and offer appropriate assurances and guarantees of non-repetition. States and international organizations have a duty to cooperate to bring Israel's apartheid acts and policies of persecution to an end.”

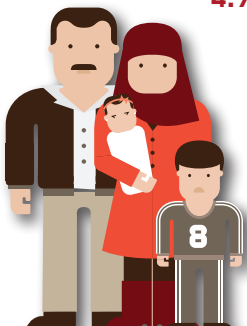
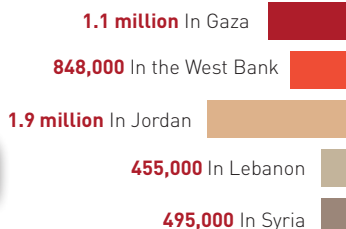
The Russell Tribunal on Palestine, **November 2011.**

MORE FACTS AND FIGURES

4 million Palestinian in the OPT



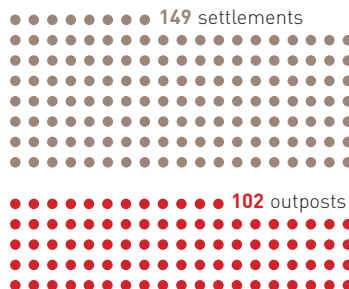
4.9 million Palestine refugees registered with UNRWA



Water

Water access per capita in the West Bank is **25%** of Israeli access and declining.

520,000 Israeli settlers in the OPT including East Jerusalem



GDP

West Bank and Gaza:
\$1,800 Per capita
Israel:
\$27,000 Per capita



Poverty rate OPT

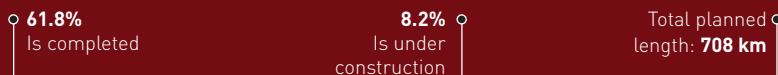
16 % In the West Bank
33 % In Gaza Strip

*settlements and related infrastructure, closed military zones, and declared nature reserves

38%
of the West Bank is off-limits to Palestinians*

West Bank Separation Wall

When completed will expropriate **9.4 %** of the West Bank.



The Israeli Committee Against House Demolitions (ICAHD) is a human rights and peace organization established in 1997 to end Israel's Occupation of the Palestinian Territory. ICAHD's main focus, its vehicle for resistance, is Israel's policy of demolishing Palestinian homes in the Occupied Palestinian Territory and within Israel proper.

All recorded incidents have been verified and documented by partners in the Displacement Working Group.

Editor Itay Epshtain

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