



## forced displacement of palestine refugees: demolitions

### 2013 Overview:

- 2,920 Palestinians were affected by demolitions, including 870 Palestine refugees<sup>1</sup>;
- 1,103 Palestinians were displaced due to demolitions, 375 of whom were Palestine refugees;
- Eight-fold increase in Palestine refugees displaced in East Jerusalem in 2013 (97) vs. 2012 (12);
- Year-on-year increase in the numbers of refugees displaced since 2010;
- 73% of Palestinians displaced are living in Area C, with 74% of refugee being displaced in the same area<sup>2</sup>;
- 52% of Palestine refugees displaced were children (195)

### Overview of humanitarian impact

The demolition of Palestinian residential and livelihood structures is the most direct trigger of forced displacement in the West Bank, including East Jerusalem. Such demolitions have a grave humanitarian impact on the lives and livelihoods of those affected. Demolitions often impact the most vulnerable Palestinians, already less able to cope with such social and economic shocks.

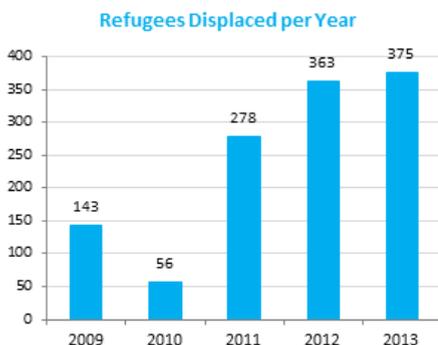
Forced displacement has devastating short and long term socio-economic consequences, resulting in increased poverty, a reduced standard of living and an increased dependence on humanitarian assistance. It also produces a devastating psychological impact on those affected, exacerbated by the fact of displacement being a repeated occurrence for generations of Palestine refugees beginning in 1948.

While structures are demolished under the pretext that they have been constructed without an Israeli-issued building permit, due to a highly restrictive zoning and planning regime imposed on Palestinians in Area C and East Jerusalem, it is nearly impossible for Palestinians to obtain building permits from the Israeli authorities in these locations.

Over 60 per cent of the West Bank is classified as Area C, under Israeli security and administrative control. Palestinian construction is prohibited by Israel in 70 per cent of Area C and heavily restricted in a further 29 per cent. Only 13 per cent of East Jerusalem is zoned by Israel for construction by Palestinians, most of which is already built up. Thirty-five per cent of East Jerusalem has been allocated for settlement use.

### Demolitions overview

In 2013 at least 2,920 Palestinians were affected by demolitions in the West Bank, including East Jerusalem, of whom 870 were refugees. A total of 1,103 Palestinians were displaced over the course of the year, with refugees accounting for 34 per cent of those displaced. Moreover, 558 or 50 per cent of those displaced in 2013 were children.



**1,103**  
Palestinians displaced by  
demolitions in the West  
Bank in 2013

**375**  
Refugees displaced by  
demolitions in the West  
Bank in 2013

<sup>1</sup> Those affected by demolitions include those directly displaced as a result of the demolition of residential structures. Furthermore, those affected include those impacted by demolition of non-residential structures such as livelihood structures, animal shelters, uninhabited residential structures, water related structures and other types of construction or infrastructure.

<sup>2</sup> Over 60 percent of the West Bank is classified as Area C, under full Israeli security and administrative control.

Residential structures account for 37 per cent of Palestinian owned structures demolished in Area C and 53 per cent of structures demolished in East Jerusalem. The demolition of these livelihood structures causes significant damage to the economic situation and sustainability of families and communities affected. Refugees account for 495 (27%) of those otherwise affected by demolitions in 2013.

### Area C: increase in large scale demolitions

In 2013, a total of 805 Palestinians were displaced in Area C of the West Bank. Of this number 278 were refugees, which account for seventy-four per cent of all refugees displaced in 2013. There were several large scale demolitions, targeting four entire communities, including two predominantly refugee communities recorded during the year. All such cases occurred in Bedouin and herder communities, three of which are located in the politically sensitive Jerusalem periphery and Jordan Valley areas. Such large scale community-wide demolitions in 2013 represent an increased trend in entire or large sections of communities being targeted for demolition. These demolitions severely impact the coping strategies available to victims of demolitions since other community members who might otherwise provide support following a demolition have also been impacted.

Palestinians in Area C, including refugees, continue to face the threat of demolition. According to Israeli planning NGO, Bimkom, between 1988 and April 2013 Israeli authorities issued 12,570 demolition orders to Palestinian owned structures in Area C, of which approximately 2,470 have already been demolished.<sup>3</sup>

### Demolitions in the Jordan Valley

In 2013, 590 Palestinians were displaced in the Jordan Valley, over twice the number displaced in the same area in 2012 (279). Of those displaced in the Jordan Valley, approximately 110 were refugees accounting for around 40 per cent of all refugees displaced in Area C. Of all Palestinians displaced in Area C in 2013, 73 per cent occurred in the Jordan Valley. These demolitions primarily impacted vulnerable Bedouin and herder communities.

Humanitarian aid organisations have also been facing increasing obstacles in delivering much needed emergency assistance to victims of demolitions in the Jordan Valley, particularly temporary shelters for those displaced, due to the obstruction of their delivery, their confiscation or demolition by the Israeli authorities. Due to such actions by the Israeli Authorities, the International Committee of the Red Cross suspended its distribution of tents to those displaced by demolitions in the Jordan Valley in February 2014.

<sup>3</sup> Bimkom, 'Demolition orders in Area C of the West Bank 1988-2013', February 2014

### Large scale demolition: Az Zayyem Bedouin community

At approximately 9:00am on 11 September 2013, three bulldozers and a large number of Israeli officials, including members of the Israel Defense Forces and Israeli Civil Administration, entered the Az Zayyem Bedouin refugee community located in the eastern Jerusalem periphery.

The Israeli authorities proceeded to demolish 18 homes and 10 livelihood structures. Following the destruction of these structures, the bulldozers drove over all construction materials several times crushing them. As a result, 47 refugees were left homeless, including 32 children.



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The psychological distress experienced by this community was compounded by the fact that this large scale demolition took place on the eve of two wedding celebrations where hundreds of guests were to attend from near and far. Despite pleas by the heads of household to delay the demolition until after the celebration, the authorities carried out the demolition, leaving only a small wedding tent and two small residential structures intact.

Prior to the demolition, the Az Zayyem Bedouin were widely known as a strong herding community, running a successful camel milk farm and working several hundred head of livestock, employing intensive farming techniques and engaging actively in the mainstream Palestinian agro-economy.

The demolition of the community's structures has severely impacted the community's economic sustainability. The loss of homes and personal possessions damaged in the demolition, the loss of livelihood structures and high legal fees for a private lawyer have had a severe economic impact on the community leaving them in substantial debt with no possibility of rebuilding their business on the land where they live due to the threat of further demolition.



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## East Jerusalem

There was a significant rise in the numbers of Palestinians displaced in East Jerusalem in 2013 with 298 displaced, four times the number displaced in 2012 (74). Similarly, there has also been a substantial increase in the numbers of Palestine refugees displaced in East Jerusalem in 2013 with 97 Palestine refugees displaced versus twelve in 2012. In 2013, at least 19 structures were self-demolished (16 in East Jerusalem), reportedly to avoid incurring fines from the Jerusalem Municipality. Five of these self-demolitions related to refugees in East Jerusalem.

## Israel's obligations under international law

Demolitions are a common trigger of forced displacement which, in such circumstances, may amount to a forcible transfer and forced eviction under international humanitarian law and human rights law.

In the context of occupation, individual or mass forcible transfers of protected persons are prohibited, regardless of their motive.<sup>4</sup> As the occupying power, Israel is obliged to respect private property and prohibited from destroying it, "except where such destruction is rendered absolutely necessary by military operations".<sup>5</sup> UNRWA is unaware of any administrative demolitions having been undertaken in 2013 within the context of, or necessitated by, such military operations.<sup>6</sup>

While Israel, as the occupying power, has the duty to ensure public order and safety within the occupied territory, this duty must be performed "while respecting, unless absolutely prevented, the laws in force in the [occupied] country".<sup>7</sup>

Forced evictions are prima facie incompatible with the requirements of international human rights law, in particular the right to adequate housing and the freedom from arbitrary or unlawful interference with privacy, family and home.<sup>8</sup> They can only be justified in the most exceptional circumstances, must pursue a legitimate purpose and be implemented in accordance with international law, including the prohibition of non-discrimination. Forced evictions would be inconsistent with international law to the extent that they are for an illegal purpose, such as facilitation of settlement construction or expansion. Evictions that are discriminatory in nature will constitute a violation of international law.

## UNRWA assistance

Demolitions and the threat of demolitions endanger/threaten the security and sustainability of refugee lives and livelihoods of those affected. In response, UNRWA seeks to build resilience for communities and families to maintain their lives and livelihoods in their communities and homes.

In 2013 UNRWA provided emergency cash assistance to 86 refugee families, comprising 495 individuals, displaced by demolitions. UNRWA also referred refugee victims of demolitions for psycho-social support, shelter and legal assistance. While such assistance is vital to support the victims of demolitions, it is not a long term solution for communities and families affected by, or at risk of, forced displacement as a result of demolitions.

<sup>4</sup> Geneva Convention Relative to the Protection of Civilian Persons in Time of War (12 August 1949), Art. 49.

<sup>5</sup> Geneva Convention Relative to the Protection of Civilian Persons in Time of War (12 August 1949), Art. 53; Convention Respecting the Laws and Customs of War on Land and its Annex (18 October 1947), art. 46.

<sup>6</sup> Military necessity has been defined as 'those measures which are indispensable for securing the end of the war and are lawful according to the modern laws and usages of war.' Art. 43, Annex to the 1907 Hague Convention International Covenant on Economic, Social and Cultural Rights, art. 11; International Covenant on Civil and Political Rights, art. 17.

## Family rendered homeless by demolition in East Jerusalem

On 29 April 2013, Israeli authorities arrived at the home of the Ghaith family in the East Jerusalem neighbourhood of At Tur. Two refugee households comprising 12 people, including six children, had been living in this house since 2004.

The family reported that they were immediately evacuated from their home. The Israeli authorities then proceeded to demolish the house under the pretext that it had been constructed without a building permit.

Whilst some items were removed by the Israeli authorities, the family reported that many personal belongings, furniture and other household items were left under the rubble. All 12 family members were made homeless by the demolition. Following the demolition of their home, the family reconstructed their toilet. However, the Israeli authorities returned to the area less than a month later and demolished it.



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UNRWA is a United Nations agency established by the General Assembly in 1949 and is mandated to provide assistance and protection to a population of some 5 million registered Palestine refugees. Its mission is to help Palestine refugees in Jordan, Lebanon, Syria, West Bank and the Gaza Strip to achieve their full potential in human development, pending a just solution to their plight. UNRWA's services encompass education, health care, relief and social services, camp infrastructure and improvement, microfinance and emergency assistance. UNRWA is funded almost entirely by voluntary contributions.