

FAQ's – Home Demolitions

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What are the reasons given by the Israeli government for demolishing Palestinian homes?

Throughout the OPT Israel follows a policy of not granting Palestinians building permits. How is this done in a country that claims to be a democracy? Discrimination against Palestinians (and this is true for the Palestinian citizens of Israel as well) is embedded in the dry technicalities of planning, zoning, and administration. Almost the entire West Bank has been declared by Israel “agricultural land,” so that when Palestinians request permission to build on their own properties they are refused. Virtually all of East Jerusalem has been zoned as “open green space,” meaning a Palestinian can own land but cannot build upon it, the land being “reserved” for future urban development (read: Israeli settlements and roads). In Jerusalem, moreover, the official policy of the Israeli government is to maintain a 72%-28% majority of Jews over Arabs in the city (the actual ratio today is about 64%-36%). All urban policies related to housing and residence – permits for Palestinians to live in the city (they only have permanent residency that can be revoked, not Israeli citizenship), land expropriation and zoning restrictions, house demolitions, settlement expansion into Palestinian neighborhoods, the isolation of East Jerusalem from the rest of Palestinian society and its subsequent impoverishment, routes of highways through Palestinian communities or, conversely, neglect of Palestinian infrastructure – are tied to what in Israel is called the “Quiet Transfer,”: reducing, fragmenting and isolating as much as possible the Palestinian presence in order to “judaize” Jerusalem (an official term actually used by the Israeli government in planning) The policy of house demolitions has two goals: first, to make life so miserable for the Palestinians that they leave the country. It is estimated that up to 300,000 Palestinians have left the West Bank and East Jerusalem in the past ten years, most of them middle-class, young, educated, and economically active. This is what we refer to as “selective transfer,” and it is intended to weaken Palestinian society and make it more malleable to Israeli rule. Second, to drive Palestinians off their land in Area C and into Areas A and B. This has largely succeeded. Area C is 62% of the West Bank, yet today contains only about 5% of the (West Bank) Palestinian population.

Are house demolitions a form of punishment to terrorism?

No. In only 2% of the 27,000 cases of demolition were security reasons given. In fact, the IDF officially stopped their policy of punitive demolitions in 2005.

Why do Palestinians build if they know their houses are likely to be demolished?

Palestinians simply have no choice. The Israeli Occupation has lasted for over 45 years, two generations. Couples have families, often 7-8 kids, and their kids have kids; they all need places to live (In Palestinian culture, a young man cannot marry unless he can offer his bride a home). Most continue to live in inadequate conditions, often crowded in with their parents, whose own home is too small and cannot be enlarged. Those that are desperate make a cold calculation: Israel has issued tens of thousands of demolition orders. Maybe, if I build, they won't come for a year, maybe three years; maybe I'll “win the lottery” and they will never come. So, left without a choice, Palestinian families gamble. For most, simply a decent home where they can live in security and raise their families is just a dream.

Are Israel's house demolitions legal under international law?

No. Under the Fourth Geneva Convention, Occupying Powers are prohibited from destroying property or employing collective punishment. Article 53 reads: “Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons...is prohibited.” Under this provision the practice of demolishing Palestinian houses is banned, as is the wholesale destruction of the Palestinian infrastructure.

Are Israeli settlements legal under international law?

No. Under Article 49 of the Fourth Geneva Convention, Israel is prohibited from establishing settlements: “The Occupying Power shall not transfer parts of its own civilian population into territories it occupies.”

How many houses have been demolished since the Occupation began?

Since 1967, over 48,000 Palestinian homes and other structures (livestock pens and fencing for example) crucial for a family's livelihood, have been demolished in the Occupied Palestinian Territories (OPT), including East Jerusalem. It is impossible to know how many homes exactly because the Israeli authorities only report on the demolition of "structures," which may be homes or may be other structures. When a seven-story apartment building is demolished containing more than 20 housing units, that is considered only one demolition. Some homes are as yet incomplete when they are demolished, but the financial loss to families (70% of the Palestinians live below the poverty line, on less than \$2 a day), plus the inability to obtain decent and adequate housing, constitutes a fundamental violation of tens of thousands of people to shelter.

All the OPT comprises only 22% of historic Palestine between the Mediterranean and the Jordan River. The fragmentation of the Palestinian territories began in the Oslo "peace process," when in the Oslo II agreement of 1995 the West Bank was divided into Areas A, B and C. Today the Palestinian Authority controls Area A (18% of the West Bank, though in fact Israel invades at will) and Area B (another 22% of the West Bank, although Israel controls the security and patrols the territory). Area C, 60 of the West Bank (where the settlements are), is under full Israeli control. East Jerusalem, where 240,000 Palestinian live and which the international community considers occupied territory, has been formally annexed by Israel and, from Israel's perspective, is not part of the occupied territories. The PA is forbidden to have any presence in East Jerusalem. Gaza, only 6.5% of the OPT, is under PA/Hamas control. Under the Oslo agreements Gaza is considered an integral unit of the OPT and should be treated as one in the same as the West Bank. In fact, Israel has besieged and isolated it completely in the late 1980s.

How much of the OPT do Palestinians actually control?

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All in all, then, the Palestinian sort of control about 40% of the OPT and thus only 10% of historic Palestine.

If the West Bank is zoned as agricultural land and Palestinian development in East Jerusalem is prevented to preserve open green space, then how did Israel manage to construct the settlements – about 350,000 Israelis living in more than 120 officially-recognized residential buildings?

The answer is simple: Israelis sit on the planning committees. The Jerusalem municipality constitutes the District Planning Commission and the Ministry of Interior has the Regional Planning Commission. To rezone land from agricultural/green space to residential takes a minute if that is the intention of the these planning bodies, both of whom vigorously advance the settlement movement while restricting (or completely preventing) Palestinian construction. Then there is the Civil Administration, Israel's military government, who through the IDF Commander of the Central Command can expropriate any land in the West Bank for "immediate military purposes", that often later become Jewish settlements.