

Home Demolitions in the name of “Security”: Focus on Hebron

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Following the ambush of 9 Israeli soldiers and 3 settler security guards, Sharon has called for *“territorial contiguity” between Kiryat Arba, an illegal colony overlooking Hebron, and dispersed Israeli colonies in the heart of the old city of Hebron. He has told army commanders in Hebron that Israel has to “take advantage of the opportunity” to “minimize the number of Palestinians living among Jewish settlers” and establish “Jewish points of presence.”*¹

The illegal colonies situated in the heart of Hebron highlight the devastating effects of Israel's ongoing military occupation and its accompanying colonization. Currently, an estimated 400 Israeli Jewish settlers along with 2,000 soldiers of the Israeli army, have besieged 130,000 Palestinians (20,000 in the old city and 110,000 in the remainder of the city). In its latest manifestation of ongoing colonization, Israel has announced that it will demolish 22 Palestinian homes and expropriate 61 parcels of land² in order to establish a corridor³ (1.7 kilometers long, 6 to 12 meters wide with a 2 meter high wall) between the illegal colony of Kiryat Arba and the illegal colonies situated in the heart of the old city of Hebron. The corridor, which will only be accessible to Israelis, and not to the indigenous Palestinian population, will leave 110 Palestinians homeless and result in the destruction of 20 historic homes.

Hebron Colonies Dateline

June 5, 1967 - Israel occupies the West Bank (including East Jerusalem) and the Gaza Strip, thereby becoming an occupying power subject to the provisions of the Fourth Geneva Convention. Israel is obliged to protect, rather than violate, the basic rights of the Palestinian civilian population.

April 4, 1968 - 88 radical Jews led by Rabbi Moshe Levinger⁴ and posing as Swiss tourists, check into the Park Hotel in Hebron. The next day they announce their intention to establish a Jewish-only Israeli colony in the heart of Hebron. Rather than remove the settlers, then Prime Minister Eshkol approves the construction of what is now the Kiryat Arba colony and decides to temporarily house the settlers in a nearby army compound pending the colony's completion.⁵

1971 - The colony of Kiryat Arba is established. Currently, 5,500 settlers occupy this colony.⁶

April 26, 1979 - A group of 40 settlers from Kiryat Arba seize an UNRWA-financed elementary school situated in the old city of Hebron. With the assistance of the Israeli army and the Israeli Government, the settlers establish the colony of Beit Hadassah in the building.⁷

October 26, 1981 - With the assistance of the Israeli army, settlers from Kiryat Arba seize the homes of three Palestinian families and establish the colony of Beit Schneersohn.⁸

October 28, 1982 - With the assistance of the Israeli army, settlers demolish the homes of 12 Palestinian families in the old city of Hebron in order to establish a colony near Hebron's vegetable market.⁹ The colony of Beit Romano is established on the grounds of a Palestinian boys' school.¹⁰

1983 - Israel approves the construction of the Givat Harsina colony situated less than 3 kilometers from Kiryat Arba, on land belonging to the city of Hebron. Only a few meters separate the houses of the colony from the Palestinian homes.¹¹

1983 - Israel establishes the illegal colony of Avraham Avinu behind the Palestinian vegetable market in the old city of Hebron, thus permanently closing down the market.¹²

July 15, 1984 - Israel establishes the colony of Beit Haggai situated a few meters away from Palestinian homes in the south of Hebron.[13](#)

August 9, 1984 - Israel approves the establishment of the colony of Ramat Yishai/Tel Rumeida built on a Muslim cemetery in the heart of the old city.[14](#)

February 3, 1985 - with the assistance of the Israeli army, settlers destroy 23 almond trees to expand the Tel Rumeida colony.[15](#)

In 1993, after the start of the Oslo peace process, Israel allocates approximately US\$200,000 for the construction of additional floors in the illegal colonies of Beit Romano and Beit Schneersohn, in violation of the Oslo Agreements.[16](#)

February 25, 1994 - U.S. born settler, Baruch Goldstein, opens fire on Muslim worshippers in the Haram al-Ibrahimi Mosque/Tomb of the Patriarchs killing 29 Palestinians and injuring over a hundred others. In the following days, the Israeli army kills an additional 36 Palestinians.[17](#)

September 1998 - Israel allocates approximately US\$3,000,000 for the construction of permanent structures in the colony of Tel Rumeida to accommodate 75 illegal settlers.[18](#)

October 2000 - Israel imposes a military curfew on the 20,000 Palestinians living in the old city of Hebron. To the current day, Palestinians have lived under 24-hour military curfew, denied the ability to leave their homes, attend schools and work.

May 2002 - Israel approves the expansion of the Tel Rumeida colony.[19](#)

November 2002 - using the ambush of 9 soldiers of the Israeli army and 3 armed security agents as a pretext, Israel announces that it will destroy Palestinian homes in order to construct a "corridor" between the illegal colony of Kiryat Arba and the illegal colonies situated in the old city of Hebron. Three houses are immediately demolished. The order to build the corridor is temporarily halted by the Israeli High Court.

November 12, 2002 - Sharon announces that he will support the construction of another illegal colony in the old city which will contain 1,000 housing units.

How many Palestinian homes have been demolished in Hebron as a result of Israeli colonies?

Since the military occupation began in 1967, more than 24 homes have been demolished in the old city of Hebron to make way for these illegal colonies.[20](#) An additional 14 homes have been illegally confiscated by Israel since January 2002.[21](#) More than 100 homes (inhabited by approximately 500 people) have been abandoned by their Palestinian owners due to extreme harassment by Israeli settlers and the Israeli army and 1,500 Palestinian shops, situated in the heart of the old city, have been closed down by the Israeli army.[22](#)

What information can you provide on these homes?

Of the 22 homes slated for demolition, 3 are believed to have been built during the Mamluk Era (1250-1516), 13 homes were built during the Ottoman Empire's 400-year rule over Palestine (1516 to 1917) and 4 were built during the British Mandate period (1923-1947). The remaining 2 homes are modern.

Projects to restore these historic homes began in 2000 at a budgeted cost of US\$300,000 paid for by the international community. The project was halted by the Israeli army.[23](#)

Isn't the demolition of Palestinian homes necessary for Israel's security?

No. The homes will be demolished in order to build a "corridor" between the illegal colony of Kiryat Arba and the illegal colonies in the old city of Hebron and not for any "military imperative."

Moreover, a settler road already exists linking the illegal colonies. In fact, the new "corridor" will be only 30 meters shorter than the existing road. In other words, Israel intends to demolish 22 Palestinian homes - making 110 people homeless - in order to construct a road only 30 meters shorter than the road that already exists.

Thus, far from being demolished for "security" reasons, the homes are being destroyed, in Palestinian territory, in order to create a new Israeli colony and expand existing ones. The idea was first proposed at a time when there were no "security" considerations: in 1996, then Minister of National Infrastructure Ariel Sharon argued for the construction of the corridor and a "reduction" of the Palestinian population in the old city of Hebron by 90 percent,²⁴ in order to consolidate and cement Israel's illegal presence in the city.

What is Israel really trying to do by demolishing the houses?

Israel is trying to create a larger colony in the heart of the old city of Hebron in order to "reduce" the Palestinian population of Hebron while expanding the illegal settler population of Hebron. Sharon has already announced that he supports a plan to build a new colony on the site of the "corridor" with 1,000 illegal housing units.²⁵

Israel's use of home demolitions and land confiscations is not new: since 1967 Israel has demolished more than 9,400 Palestinian homes²⁶ throughout the Occupied West Bank in order to build Israeli Jewish-only colonies. Although Israel often uses the "security" argument to justify its policy of extensive destruction of Palestinian property, what it really doing is constructing new colonies and expanding existing ones.

Is the demolition of homes legal?

No. Israel's policy of house demolitions and colony expansion violates basic standards of international law such as the Fourth Geneva Convention, the Rome Statute of the International Criminal Court and international human rights law.

Israel's Home Demolitions Violate the Fourth Geneva Convention

The demolition of homes violates the Fourth Geneva Convention's prohibition of extensive confiscation and destruction of property located in occupied territory.

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or co-operative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations. (Fourth Geneva Convention, Article 53).

Israel has often claimed that its "security" mandates the violation of Palestinian rights enshrined under the Fourth Geneva Convention. However, Israel's reliance on "security" as a means to circumvent the Convention relates to supporting the illegal colonies and not to the security of the occupying forces or to that of its administration. "Military necessity" cannot be invoked to defend violations of the Fourth Geneva Convention, including Israel's implementation and maintenance of illegal Israeli Jewish-only colonies. To turn violations into rights and consequently invoke the underlying principles of the Fourth Geneva Convention, such as military necessity, to legitimize and even defend the establishment and expansion of the violation with full military means is an affront to international law in general and to the Fourth Geneva Convention in particular.

The demolition of homes violates the central obligation under the Fourth Geneva Convention requirement that the Occupying Power guarantee the well being and basic sustenance for the occupied civilian population.

It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, ...whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.

(Protocol I of the Fourth Geneva Convention, Article 54).

Israel's policy of destroying homes, objects "indispensable to the survival of the civilian population," not only dispossesses Palestinians, but also forces Palestinians to move away from occupied Palestinian territory.

Home demolitions violate the Fourth Geneva Convention's prohibition of collective punishment.

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

Pillage is prohibited.

Reprisals against protected persons and their property are prohibited. (Fourth Geneva Convention, Article 33).

Home demolitions and land confiscation punish Palestinians for crimes that they have not committed, and therefore, violate the Convention's absolute prohibition against collective punishment.

According to the authoritative Commentary of the Fourth Geneva Convention: "During past conflicts, the infliction of collective penalties has been intended to forestall breaches of the law rather than to repress them; in resorting to intimidatory measures to terrorize the population, the belligerents hoped to prevent hostile acts. Far from achieving the desired effect, however, such practices, by reason of their excessive severity and cruelty, kept alive and strengthened the spirit of resistance. They strike at guilty and innocent alike. They are opposed to all principles based on humanity and justice..."²⁷

Israel's Home Demolitions Constitute War Crimes

..."war crimes" means...grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:

...

(iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; (Rome Statute of the International Criminal Court, Article 2(a)(iv)).

Israel's Home Demolitions Violate the Universal Declaration on Human Rights

House demolitions violate the right to housing.

Everyone has the right to a standard living adequate for the health and well-being of himself and his family, including . . . housing . . . (Universal Declaration on Human Rights, Article 25(1) adopted and proclaimed by the UN General Assembly Resolution 217A (III) on 10 December 1948).

What is the international community doing to effectively stop these home demolitions?

Nothing.

The international community has failed to fulfill its Article 1 obligation to ensure respect for the Fourth Geneva

Convention, promoting Israeli intransigence by teaching Israel that it is above the law and reinforcing the sense of abandonment prevalent in the Palestinian population.

Will the home demolitions and the sense of abandonment by the international community fuel Palestinian extremists?

Yes.

For more information please visit:

<http://www.rebuildinghomes.org>

<http://www.icahd.org>

<http://www.btselem.org>

<http://www.gush-shalom.org/demolition/law.html>

<http://www.hebronrc.org>

<http://www.stophthewall.org>

<http://www.arij.org>

- 1. Aluf Benn and Gideon Alon, PM Demands 'Quick' Changes in Hebron for Jewish Control - Proposes Plan for 'Compact Zone' of Contiguity, HA'ARETZ 18 November 2002.
- 2. Order Regarding Confiscation of Land No. 02/61/C (Judea and Samaria 2002).
- 3. The corridor is expected to cost NIS 5 million (USD\$1 million).
- 4. Moshe Levinger was one of the leaders of the Gush Emunim movement. He was involved in the killing of Kayed Salah, a Palestinian from Hebron, and was sentenced to only two months' imprisonment.
- 5. PASSIA, ONE HUNDRED YEARS OF PALESTINIAN HISTORY 123 (2001).
- 6. Interview with the Municipality of Kiryat Arba 14 December 2002.
- 7. PASSIA, supra note 5, at 159.
- 8. PASSIA, supra note 5, at 166.
- 9. PASSIA, supra note 5, at 171.
- 10. PASSIA, supra note 5, at 171.
- 11. Interview with Hebron Rehabilitation Committee, 12 December 2002.
- 12. Interview with Hebron Rehabilitation Committee, 12 December 2002.
- 13. PASSIA, supra note 5, at 184.
- 14. [For more information, please visit ARIJ](#)
- 15. PASSIA, supra note 5, at 187.
- 16. [For more information, please visit ARIJ](#)
- 17. PASSIA, supra note 5, at 276.
- 18. [For more information, please visit ARIJ](#)
- 19. Id.
- 20. For more information, please contact the Hebron Rehabilitation Committee (Tel: +972-2-222-6994).
- 21. Id.

- [22](#). Interview with Mayor of Hebron, Mustafa Natsche, 9 December 2002.
- [23](#). For more information, please contact the Hebron Rehabilitation Committee (Tel: +972-2-222-6994).
- [24](#). Chris McGreal, Israel Accused of Hebron Land Grab, THE GUARDIAN, 3 December 2002.
- [25](#). RADIO ISRAEL, 12 November 2002.
- [26](#). For additional information, see [Israeli Committee Against House Demolitions](#).
- [27](#). INTERNATIONAL COMMITTEE OF THE RED CROSS, COMMENTARY ON CONVENTION IV RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR, 226 (1949).