



One Year Report on Demolitions and Seizures in the West Bank, including East Jerusalem Reporting Period: 1 January – 31 December 2021 ¹

Summary

Demolitions carried out by Israeli authorities in the West Bank reached a 5-year high. A total of 904 structures were demolished and 1,205 people were displaced in 2021 (including 650 children). This represents a 6% increase in the number of structures demolished and a 20% increase in the people displaced respectively, compared with 2020.

Of the structures targeted in the twelve-month reporting period, 140 structures were funded by the EU or EU Member States (valued at EUR 331,031), representing a 15 and 43 per cent increase compared with 2020 and 2019, respectively.

Concerning developments over the reporting period was the repeated targeting of Bedouin and herding communities in Area C, such as Humsa al Bqai'a. Israeli authorities are also increasingly using military orders in Area C to execute demolitions/seizures without, or with very little, prior notice, further limiting opportunities to legal recourse. Regarding displacement, a particular focus in 2021 were the risk of forced eviction cases of Palestinians from their homes in the East Jerusalem neighbourhoods of Sheikh Jarrah and Silwan, due to cases brought before Israeli courts, primarily by settler groups and associates. 2021 also saw a significant spike in the number of so-called 'self demolitions' in East Jerusalem carried out by the owners themselves to avoid financial penalties or imprisonment in light of increasing pressure by the Jerusalem Municipality.

1. INTRODUCTION

The West Bank, including Area C and East Jerusalem, are considered occupied territory under international law and Israel's sovereignty over those territories is not recognized by the EU and the international community. The displacement of Palestinians in occupied territory through evictions and demolition of their properties is illegal under international humanitarian law. Additionally, according to article 53 of the fourth Geneva Convention, the destruction of property by the occupying power is forbidden, except where such destruction is rendered

¹ UN OCHA (United Nations Office for the Coordination of Humanitarian Affairs) Demolition Database last accessed 25 January 2022. All information disclosed in this report is susceptible to change at any time depending on new available data.

absolutely necessary by military operations. Especially in the context of East Jerusalem and Sheikh Jarrah, which is one of heightened tension between the parties, these targeted evictions and demolitions have served as the combustible for new eruptions of violence in May 2021. The practice also strongly undermines trust between the parties and does not contribute to restoring calm.

After Israel occupied the West Bank in 1967, including Area C and East Jerusalem, authorities established planning and building policies that, to a large extent, benefited Jewish communities but discriminated against Palestinian ones. While established planning and building laws allowed to balance the needs and regulate development of Jewish neighbourhoods, they prevented the development of adequate housing, infrastructure and livelihoods for Palestinians and dispossessed them from their properties through house demolitions.

To date, only 13% of East Jerusalem is zoned for Palestinian construction, much of which is already in use. A total of 57% of Palestinian land in East Jerusalem has been expropriated for the construction of illegal settlements and public infrastructure, while the remaining 30% are considered 'unplanned areas' on which construction is forbidden². As concerns Area C, according to the NGO Peace Now, only two per cent of all requests submitted by Palestinians for building permits were granted between 2009 and 2018³. Less than 1% of Area C have Israeli-approved plans, which would allow Palestinians to apply for building permits and build in these areas⁴.

What is more, Israeli authorities tend to focus on the technical question of whether the petitioners in question actually had building permits. Under Israeli law, Palestinians have almost no chance of obtaining a building permit in the first place, which leaves them with the only option of building without permits. Many structures established by Palestinians in Area C in the West Bank are consequently under threat of being demolished⁵.

The impact of Israel's demolition orders on Palestinian families and their children is tremendous. Apart from the material damage that demolitions leave behind, the displaced are left with long-lasting mental scars. According to a report published by Save the Children in 2021, more than 3/4 of parents and caregivers affected by demolitions feel powerless, not able to protect their children anymore, while four out of five children feel abandoned by the world⁶.

2. GENERAL DEMOLITION FIGURES

2.1. Material Damage: Monthly and Annual Number of Structures demolished or seized

From 1 January to 31 December 2021, a total of 904 structures were demolished or seized throughout the West Bank, of which 178 were located in East Jerusalem, 718 in Area C and 8 in Areas A and B⁷.

Table 1: Monthly number of structures demolished or seized

² <https://www.ochaopt.org/content/wadi-yasul-community-risk-mass-displacement>

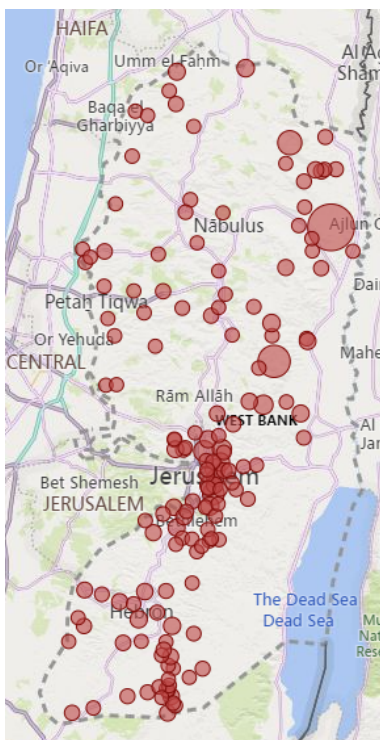
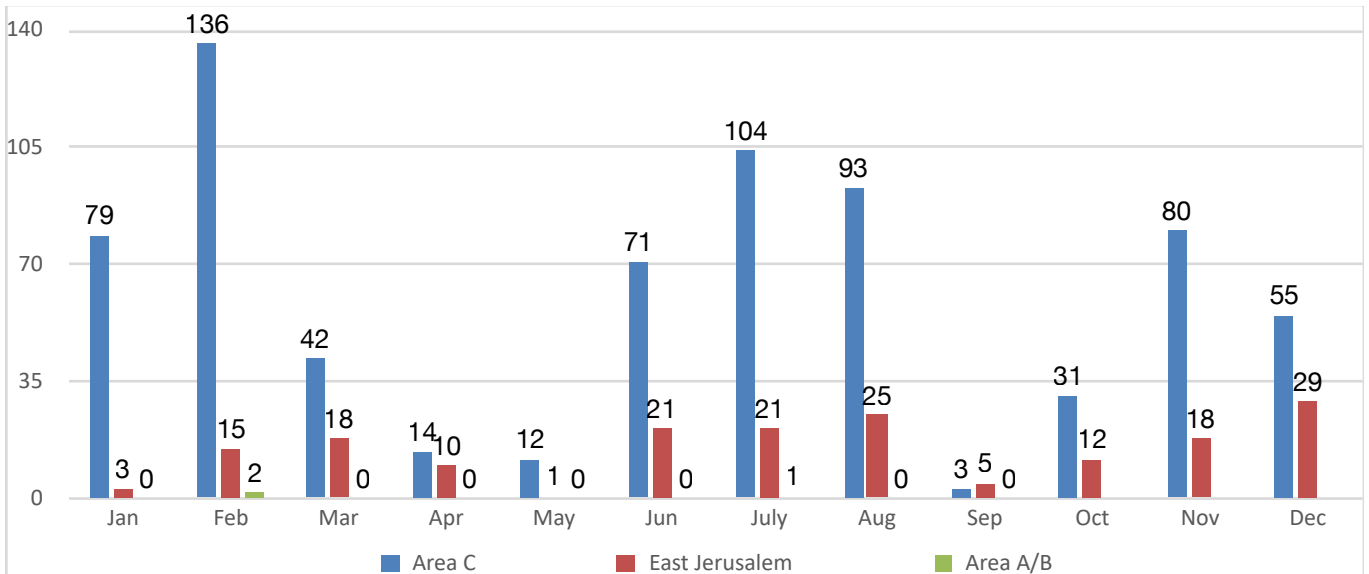
³ <https://peacenow.org.il/en/approvals-for-palestinians-in-area-c-2009-2020>

⁴ Source: ECHO

⁵ https://www.btselem.org/planning_and_building

⁶ https://www.savethechildren.es/sites/default/files/2021-06/Hope_under_the_rubble_STC.pdf

⁷Source: UN OCHA

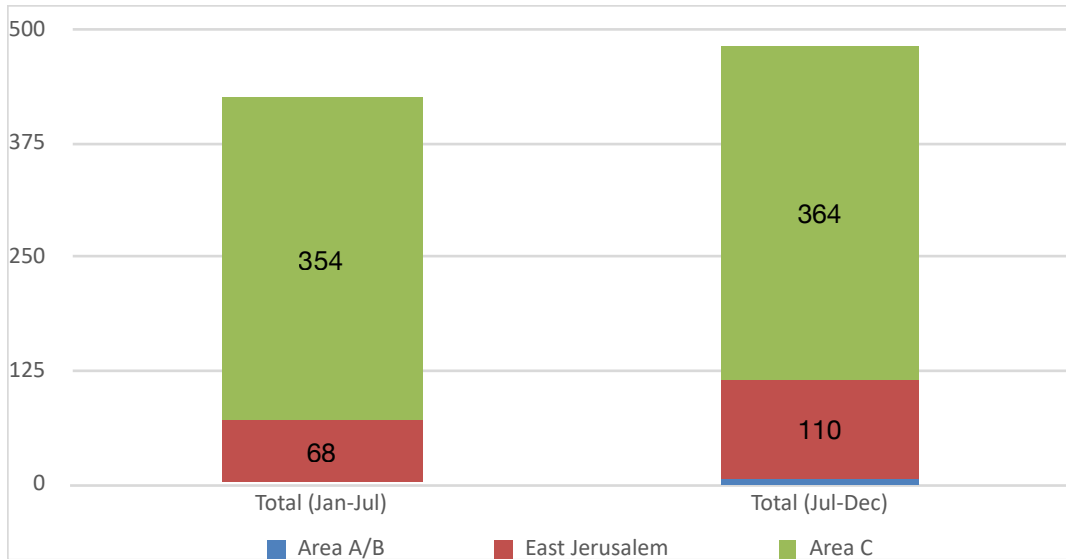


As reflected in Table 1, February 2021 saw the highest individual monthly number of demolished homes and other structures. Almost 90% of the targeted structures in February were located in Area C and were seized without warning. Bedouin and herding communities have particularly been affected. While the month of April and May experienced a relatively low number of demolitions in the light of Ramadan and the May escalations, the month of September saw the lowest number of demolitions recorded since 2017, which may be partially due to the Jewish holidays.

The map to the left shows the location of the demolitions and seizures during the reporting period. Demolitions and seizures took place in all governorates, with concentrations in the areas in East Jerusalem and the 'greater Jerusalem' area, the Jordan Valley and the southern Hebron area. Herding communities in the Jordan Valley, such as Humsa and Fasayil al Wusta, were also heavily affected.

Source: UN OCHA

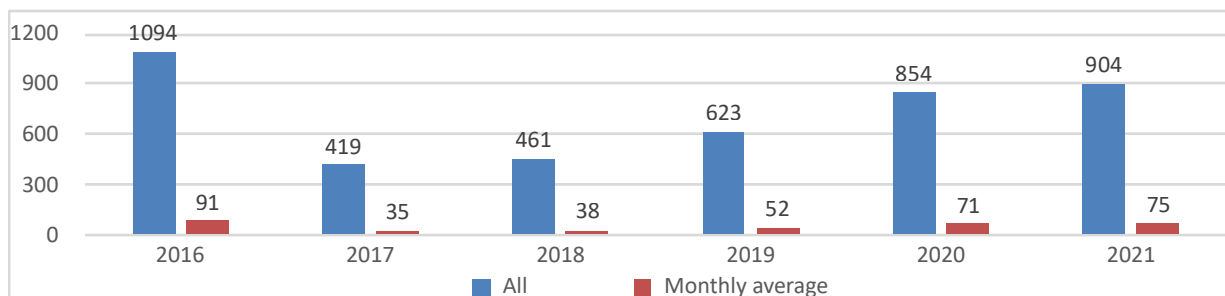
Table 2: Jan-June demolition/seizure in comparison with July-Dec demolition/seizure



Source: UN OCHA

The second half of the year (Jul-Dec) shows a slight increase in demolitions compared to the first half (Jan-June). A reason for this was particularly the increase in demolitions in East Jerusalem, rising from 68 in the first half to 110 in the second half, resulting in the total of 178 structures demolished in East Jerusalem in 2021.

Table 3: Annual number of structures demolished or seized, and monthly averages



Source: UN OCHA

Table 3 demonstrates that the number of demolitions recorded in the West Bank in 2021 is the highest since 2016. In total, 904 structures were demolished or seized, with 718 in Area C, 8 in Area A/B and 178 in East Jerusalem. 900 of the structures were demolished due to a lack of building permits, which is almost impossible for Palestinians to obtain in the first place.

2.2. Human Damage: Monthly and Annual Number of People Displaced and Affected by demolitions or Seizures

Table 4: Monthly number of people displaced⁸ and affected⁹ by demolitions or seizures

2021	All Displaced	All Affected
January	73	719
February	305	435
March	81	196
April	13	108
May	9	70
June	108	2689
July	182	1289
August	191	1402
September	7	46
October	8	1993
November	79	3396
December	147	352

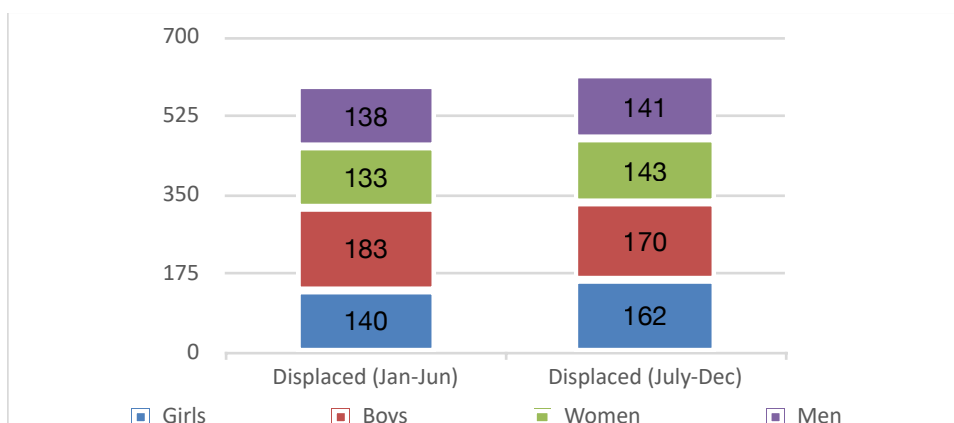
Source: UN OCHA

The month of August saw the highest number of displaced people in 2021, with nearly 100 being Palestinian residents of East Jerusalem neighbourhoods. July recorded the second highest number of displaced people, mainly due to mass demolitions in two Palestinian Bedouin/herding communities. Demolitions carried out in November affected the livelihoods, or access to services, of more than 3000 Palestinians, mainly due to – the highest number in 2021.

Table 5: Disaggregated Displacement Figures in 2021

⁸ Includes all people who had a structure used as their habitual place of residence demolished.

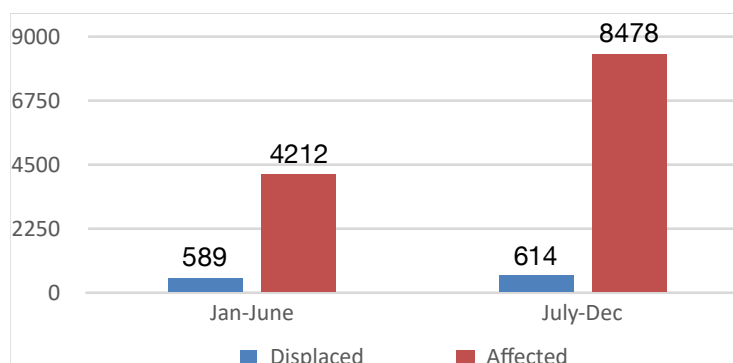
⁹ Includes all people who had any of their property, other than their residence, demolished. Displaced and affected are here



Source: UN OCHA

In the year of 2021, 302 girls, 275 women, 275 men and 353 boys were among the displaced, making it a total of 1203. More than half of the displaced were thus children. The second half of 2021 (July-Dec) experienced a slight increase in displacements, with a higher number of girls affected (160) but a lower number of boys (169) (see table 5).

Table 6: Number of people displaced or affected between Jan-June and number of people displaced or affected between July-Dec



Source: UN OCHA

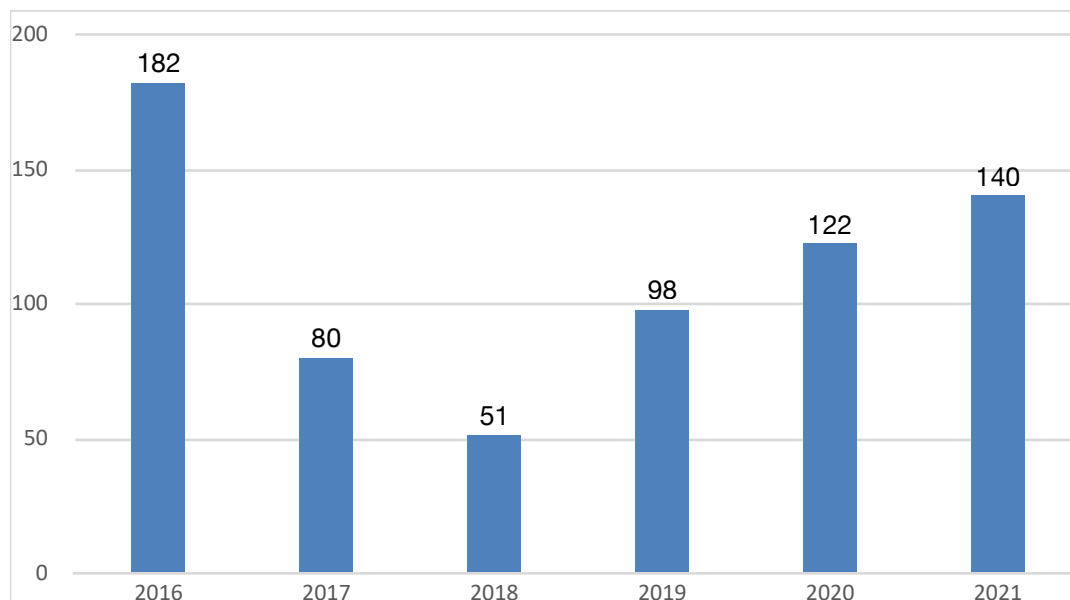
A bird's-eye view on 2021 reveals that demolitions/seizures of buildings and structures resulted in the displacement of 1,205 individuals, otherwise affecting a further 12,693 individuals. Particularly the period from July to December, experiencing a high number of affected people by demolitions, contributed to this yearly total (Table 6).

3. TARGETED STRUCTURES FUNDED BY THE EU OR EU MEMBER STATES

A total of 140 structures constituting humanitarian assets, including residential and livelihood structures, funded by the EU or its Member States were demolished or seized in 2021 (see table 7). According to OCHA, in 2021, the number of EU-funded structures that were demolished or seized (140) is the highest since 2016, and represents a

15 and 43 per cent increase compared with 2020 and 2019, respectively. The material loss of these targeted structures are EUR 331,031, which is more than 10% higher than in 2020 (EUR 300,233). Between 2016 and 2021, a total of 673 EU-funded structures were demolished or seized by Israeli authorities, representing an accumulative value of EURO 2,110,151.

Table 7: Annual number of targeted structures funded by EU or EUMS,



Source: UN OCHA

Table 7: Financial Losses of structures targeted

2016	182	€ 557,378
2017	80	€ 272,602
2018	51	€ 168,282
2019	98	€ 480,625
2020	122	€ 300,233
2021	140	€ 331,031
TOTAL	673	2,110,150

Source: UN OCHA

4. DEVELOPMENTS OF CONCERN IN THE REPORTING PERIOD

The following developments are of concern as they negatively affect the lives of Palestinians and contribute to the consolidation of Israel's presence and control of the occupied West Bank, including East Jerusalem.

4.1. East Jerusalem

A trend continuing since the second half of 2020 was the increase of structures being demolished by their owners, following the receipt of demolition orders, to avoid financial penalties and/or imprisonment and reduce damage to adjacent structures and personal belongings. This was particularly visible when comparing the number of the structures that were demolished by their owners in East Jerusalem in 2021 (55%) with the average from 2017-2019 (23%). The rise of demolitions by their owners in 2021 is attributed to Amendment 116 to the Planning and Building Law, transferring authority to intervene from Israeli courts to the Jerusalem Municipality and enabling them to pressure homeowners to demolish their own properties¹⁰.

In 2021, the Sheikh Jarrah and Silwan neighborhoods of East Jerusalem were making headlines due to the forced eviction cases that families were facing in these areas. Even though pending eviction court cases, initiated by the settler organizations and associates¹¹, were not resulting in forced eviction so far, they were placing many Palestinian families at risk of eviction and are thus of particular concern in the near future. In both neighborhoods, Sheikh Jarrah and Silwan, Palestinian families are brought to court on the basis of the Legal and Administrative Matters Law of 1970, allowing Jewish people to claim ownership of Palestinian-owned assets in East Jerusalem on the argument that they were in possession by Jews before 1948¹².

According to OCHA, at least one third of Palestinian homes in East Jerusalem lack building permits, affecting a total of 100.000 inhabitants¹³. As such building permits are almost impossible to obtain. In Jerusalem, between 1991-2018, only 16.5% of permits were issued for Palestinians, who comprise 38% of the Jerusalem's residents (Peace Now).

In August 2021, two houses were demolished in the neighborhood of Al Walaja village in Bethlehem which falls under the jurisdiction of the Jerusalem Municipality. The demolitions raised concerns over possible imminent mass demolitions in the area, particularly given that 36 residential structures have pending demolitions orders, issued after 2015.

4.2 Area C

The numbers and figures on Area C demolitions reinforce the already existing trend of rising demolitions and seizures since 2016.

¹⁰ OCHA Demolition Report for November-December 2021

¹¹ Israeli firm Nahalat Shimon, established in 2000, has specialized in the purchase of West Bank properties and the eviction of their residents. The right-wing Nahalat Shimon settler association, associated with the company, is often a driving force behind attempts to evict Palestinian residents from their homes in Sheikh Jarrah to enable Jewish settlers to move in. A link with the actual previous Jewish owners of the property is not always established.

¹² <http://peacenow.org.il/wp-content/uploads/2021/04/Action-Alert-EJ-displacements-PN-IA-ES-1.pdf>

¹³ <https://www.ochaopt.org/content/wadi-yasul-community-risk-mass-displacement>

Additionally, in January 2021, the Israeli Civil Administration (ICA) implemented new building permit regulations for construction in Area C, making it even harder for Palestinians to obtain building permits, and exposed more structures to be at-risk of being seized/demolished¹⁴. On average, between 2009-2020, less than 2% of the building permit applications filed by Palestinians in Area C were approved by the Israeli authorities.¹⁵ According to data from the Israeli Human Rights Group Bimkom, Palestinians submitted 2,550 requests for construction permits between 2016 and 2020, but only 24 of them were granted – not even 1%¹⁶.

Of particular concern are the rise of targeted structures located in Bedouin and Herding communities in Area C. The victims of demolitions are among the most vulnerable, in most cases without access to health, education, water and electricity infrastructure. In June 2021, for instance, about 80% of the demolished or seized structures in Area C were located in Bedouin and herding communities¹⁷. In particular focus in 2021 was the repeated targeting by the ICA of the herding community of Humsa al Bqai'a in the north of the Jordan Valley. The fact that this was the seventh demolition that the community had to face since November 2020 showcases the ongoing trend of vulnerable Bedouin and herding communities being targeted.

Another continuing trend that is observable in Area C is the seizure of structures without prior notice, further limiting opportunities to legal recourse. Between 2018-2020, approximately 30 per cent of all structures targeted in Area C were seized without prior warning, compared to 53% in 2021 (381 out of 718). In February 2021 alone, 90% of all the structures targeted were demolished or seized without prior warning. For reference, it is worth considering that in 2016/2017, only 10% of the structures were seized without prior warning¹⁸.

The 5-year high demolition number of 2021 was accompanied by a high rise in settler violence. In 2021 OCHA documented nearly 500 attacks by Israeli settlers resulting in four Palestinian fatalities, 175 injuries and extensive property damage. This is the highest level since OCHA started recording settler-related violence in 2005, and represents a 40 and 50 per cent increase in the number of incidents compared with 2020 and 2019, respectively.

5. EU PUBLIC STATEMENTS DURING THE REPORTING PERIOD

During the reporting period the issue of demolitions and seizures continued to be raised by the EU with relevant interlocutors through various diplomatic channels. In addition, the following actions took place.

- On 9 February 2021 the EU issued a statement on recent Israeli demolitions of Palestinian structures, of which several were funded by the EU and its Member States. In the statement, the EU recalled on Israel to halt its demolition activities, which are illegal under international law¹⁹.

¹⁴ LTF Protection Cluster: Legal Developments & Trends in 2021

¹⁵ Source: Peace Now

¹⁶ <https://www.haaretz.com/israel-news/.premium-demolition-orders-for-palestinians-in-west-bank-s-area-c-hit-five-year-record-1.10445759>

¹⁷ Source: UN OCHA

¹⁸ OCHA Demolition Report for November-December 2021

¹⁹ https://eeas.europa.eu/delegations/palestine-occupied-palestinian-territory-west-bank-and-gaza-strip/92880/israelpalestine-statement-spokesperson-demolitions-palestinian-structures_en

- On 23 April, the EU, its Member States, and like-minded countries participated in an Iftar with the local Palestinian community of Silwan in solidarity with the families who are at risk of losing their homes²⁰.
- On 5 July 2021, the EU missions issued a local statement on the situation in Silwan neighbourhood in East Jerusalem, stressing their concern about the targeting of Palestinian structures in the neighbourhood, which is illegal under international humanitarian law²¹.
- On 19 July 2021, following Israeli mass demolition of Palestinian structure, Heads of Mission and representatives of West Bank Protection Consortium member states and likeminded countries visited Humsa Al Bqai'a and Ras Al Tin²²
- On 22 November 2021, Heads of Mission and representatives from the EU and likeminded countries visited the sensitive areas of E1 and Qalandia along the outer perimeter of East Jerusalem. This visit followed the recent announcements by the Israeli authorities of advancements of major settlements' plans in the areas²³.
- On 8 December, EU missions in Tel Aviv participated in a demarche led by the UK with a number of EU MS and likeminded to the Israeli MFA, to raise concern about the problem of evictions and demolitions, amongst others.

²⁰ <https://twitter.com/eupalestinians/status/1385347296628461571>

²¹ https://eeas.europa.eu/delegations/palestine-occupied-palestinian-territory-west-bank-and-gaza-strip/101264/eu-local-statement-situation-silwan-neighbourhood-east-jerusalem_en

²² https://eeas.europa.eu/delegations/palestine-occupied-palestinian-territory-west-bank-and-gaza-strip/102027/following-israeli-mass-demolition-palestinian-homes-heads-mission-and-representatives-west_en

²³ https://eeas.europa.eu/delegations/palestine-occupied-palestinian-territory-west-bank-and-gaza-strip/107661/heads-mission-european-union-and-likeminded-countries-visit-e1-and-qalandia-areas_en