

RESPONSE TO  
UNITED NATIONS HUMAN RIGHTS  
Office of the High Commissioner  
19<sup>th</sup> June 2020

**RE: Response to the letter and questionnaire from the several mandate holders of the Special Procedures 22<sup>nd</sup> May 2020**

The following brief report outlines specific responses to questions posed by the Special Rapporteurs on the [right to adequate housing](#) and the [rights of indigenous peoples](#) in East Jerusalem and Area C, in the [Occupied Palestinian Territories \(OPTs\)](#) during the Covid-19 crises. The response has been prepared from research at the Centre for International Development, Northumbria University, Open Lab and the School of Geography, Politics and Sociology at Newcastle University and civil society organisations working in the OPTs; Bimkom; Planners for Planning Rights and Good Shepherd Collective. The specific focus of the information presented here is on housing demolitions which lead to repeated displacement and periods of homelessness for many Palestinian families.

Housing demolitions are a particular approach to evicting families from homes that are considered to be illegally constructed under Israeli law. These practices have been consistently condemned by the international community as they lead to homelessness or precarious temporary and cramped living conditions for some of the most vulnerable communities in Palestine. They particularly impact poorer rural families and [indigenous Bedouin](#) herder communities in [vulnerable parts of Area C](#). It is also [widely understood](#) that these practices then pave the way for Israeli settlers to claim the land on which houses have been demolished as unoccupied and therefore available to build new illegal Israeli settlements.

There have, however, been particular challenges in gathering information on housing demolitions and assessing the longer-term impacts of demolitions on families that have now been forcibly removed from their homes and their land under lockdown. While there is clear documentation and reporting of demolitions from OCHA (LINK) and others who have provided support during this period, Israel has continued with plans to annex its settlements in the West Bank and has further intensified damage to homes and agricultural land during the crisis. It is difficult to comprehend these acts as anything other than state violence against vulnerable groups whose wellbeing should be of paramount concern. Through these acts, rather than ensuring already vulnerable groups are shielded from the impacts of the pandemic, Israel has increased their vulnerability

While the Palestinian Authority has responded effectively to the virus, containing the spread through a strict lockdown, and local organisations have been allowed access to areas impacted by demolitions, their capacities to work effectively and in line with best practice are consistently thwarted, and it has been difficult to report on the effectiveness of their activities in the context of [ongoing acts of demolition](#).

**Questions by the Special Rapporteur on the right to adequate housing**

### **1a Prohibition on evictions**

#### Limited Freeze of Demolitions

During the full Covid-19 lockdown months, the State of Israel froze the execution of demolition orders (for occupied structures), excluding new informal construction built during the lockdown. This freeze included East Jerusalem but did not apply to Area C - where Israeli Civil Law does not apply. A military order was issued limiting demolitions in Area C to unoccupied structures but stipulating that security reasons could be reason for demolition. In practice, demolitions continued – see below. Within the Green Line, and in East Jerusalem, demolitions resumed once full lockdown restrictions began to be lifted, even though it is still premature to say that the crisis is over.

#### **b. Evictions and people affected**

While there was a decision to suspend demolitions of inhabited homes during the Covid-19 emergency, and this resulted in a comparable decline in demolitions from previous months, in March 2020 [OCHA reported](#) a total of 43 structures demolished between East Jerusalem (4) and Area C (37), A(1) and B(1). They reported 31 people were displaced including 13 children. The demolition of non-residential structures in these areas also further affected 260 people including 116 children in accessing water and hygiene related structures having a negative stressful impact on the communities already under pressure to maintain sanitary conditions during the virus outbreak.

In April 2020 OCHA further reported 34 structures demolished during Ramadan in Area C with 8 people displaced and a further 203 people affected. As OCHA highlight, ‘all structures were located in Area C and were targeted due to a lack of building permits, which are nearly impossible for Palestinians to obtain.’ The majority of the structures demolished here were mobile homes and residential tents to provide shelter for families previously impacted by demolitions or homes that were unoccupied due to seasonal movement of the family. Again many of the structures targeted were water and hygiene related structures not only important to prevent the spread of the pandemic, but also particularly significant during Ramadan. The Israeli human rights organisation, [B’Tselem also reports](#) that a Covid-19 clinic in the northern part of the West Bank was demolished, directly hindering efforts to address the pandemic and its impacts on Palestinians.

There are currently no specific figures reported for May and June.

### **2) Protection measures in response to pandemic**

#### Planning Activity

The Israeli Planning authorities work intensively, under normal conditions, to promote plans that, in part, lead to eviction and [displacement](#). The most vulnerable communities live in informal settlements (see below), and in poorer neighbourhoods. In this case, continued planning activity under lockdown allowed the authority to promote these policies in an even more exclusionary fashion. The effect of planning decisions was delayed for part of the period, but discussions were held, via zoom. This meant many people, especially from underprivileged communities, were excluded from participating in these discussions.

### **3) Measures taken for people living in informal settlements**

In the urban periphery within Israel, as well as in Area C and East Jerusalem, many communities live in informal housing settlements. In these locations, access to water and electricity is not reliable and is often based on private generators or vulnerable water tanks/pipes. The vast majority of people living in these conditions are Arab. The State of Israel has not taken any extra emergency measures to improve the infrastructure in these places. [Bimkom](#) works to improve the infrastructure in these communities, specifically connecting remote unrecognized communities to electricity and water, and this activity was continued under lockdown. Water is a specific concern due to hygiene requirements as well as the need to raise livestock.

Furthermore, letters were sent by a number of organizations to the planning authorities requesting permission to construct temporary buildings for isolation purposes, regarding both recognized and unrecognized villages in the Negev and in Area C. The specific requests in these letters have not been acknowledged and in Area C a general response was given stating each request would be dealt with separately. No further correspondence has been received.

#### ***5) Providing safe accommodation for the homeless***

Many organisations have reported providing shelter in the form of tents and blankets for families and communities directly impacted by demolitions during this time. However, as described in section 1.a in evictions, many of these structures have also been targeted again during the crisis. This means that while responses to providing safe accommodation for the homeless have been attempted this is unsustainable and often results in further homelessness.

### **Questions by the Special Rapporteur on the rights of indigenous peoples**

#### ***5) Measures taken to protect land, territory and resources of indigenous people***

During the Covid-19 lockdown, the State of Israel did not make any special provisions concerning the rights and livelihoods of indigenous/native Palestinian communities. On the contrary, the transfer of workers between the West Bank and Israel was an unresolved issue throughout the period, remote communities were completely cut off from their service centres and there was a significant shortage of basic commodities. Above all, the transition to distanced learning left children in [“unrecognised”](#) settlements, primarily in the West Bank and the Negev, with no formal education due to insufficient internet infrastructure and/or a lack of adequate technology within the home.

In the Negev there is an ongoing struggle between the native Bedouin population and the State of Israel as per land ownership. From time to time, the State ploughs over Bedouin crops or, alternatively, plants trees in order to stake out its hold on land. This takes place alongside enacting a planning policy that aims to forcefully transfer Bedouins from their homes to townships, and processes of enforcement against unlicensed building. These kinds of land grabs (in the guise of ploughing and planting) continued during the lockdown. A number of civil society organization turned to the State to demand this infringement be halted – Israel stopped the ploughing but continued to plant trees.

In recent weeks, there is specific concern regarding communities and farmers in the Jordan Valley, where confiscation of equipment and destruction of crops have become daily occurrences. People are concerned that this relates to the proposed Annexation. Financial damage to individuals and communities, at a time of uncertainty, has a significant impact on rights to housing.

In the South Hebron Hills many Bedouin villages are "unrecognised" by the Israeli Civil Administration. This means that they are not connected to utilities networks and building permits are denied. It also means that communities - for instance, Um Al-Khair, Susiya - are at continual threat of demolition and it is often the case that demolitions orders are placed on the majority of structures in a village. A key means of delaying or preventing demolition in recent years has come through 1) coalition response groups led by community leaders in different South Hebron Hills villages and 2) the mobilisation of international NGOs (e.g. [Good Shepherd Collective](#)) and solidarity groups (e.g. [International Solidarity Movement](#)), whose presence and documenting activities deter settler and military violence. The pandemic has severely affected the capacities of both approaches: mobility between villages is restricted, hampering organising activities and communications; and international presence in the region is virtually impossible given restrictions on international travel and passage from Israel to the Palestinian West Bank.

Thank you for your time and considerations in these matters.