



# General Assembly

Distr.: General  
11 February 2020

English only

---

## Human Rights Council

### Forty-third session

24 February–20 March 2020

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[03 February 2020]

---

\* Issued as received, in the language(s) of submission only.



## Settlements in the Occupied Palestinian Territory Forced evictions and house demolitions

The Israeli authorities have continued the demolition, bulldozing and forced evacuation in favor of settlement projects. On 26 January 2020, the Israeli Magistrate's Court issued a decision to vacate the Dweik family building from its property in the Batan al-Hawa neighborhood of Silwan, East Jerusalem, in the interest of the "Ateret Cohanim settlement association", claiming that Jews owned the land on which the building was built. The Israeli Magistrate's Court rejected the objections presented by Dweik family's to judicial reports that it had received from the Ateret Cohanim Association in 2014, whereas it had over the past years tried to establish its right to land and property, in which it had lived for nearly six decades. The court gave the family until early August to implement the evacuation decision.

The occupation forces also practiced the forced evacuation, without providing the guarantees established by the Office of the United Nations High Commissioner that there is a valid justification for the project and that there are no other possible alternatives to eviction, consultation and participation of affected persons and communities, and adequate notification of due process and effective and legal redress; The prohibition of actions leading to displacement or deterioration of housing and living conditions, the provision of adequate transport and appropriate compensation prior to the evacuation. Whereas the occupation authorities' practices of Palestinians displacement rose sharply in 2019, compared to any other year in the last decade and a half, as the number of homes demolished from January to July 2019 reached 240, increasing to 617 by the end of the year, with 898 Palestinians arbitrarily displaced.

On July 22, 2019, the occupation authorities committed the largest displacement since 1957 when 500 Palestinians were displaced from their homes in the village of "Tire Baher" in Wadi Homs without any right, claiming that it is close to the area of the security wall. Although the area belongs to the Palestinian Government administratively, securely, legally and within the areas of (a) and (b) provided for in the Oslo Agreement, which these are Palestinian areas, it is further stated that some of these houses have building permits, but the occupation authorities have collected the residents in a yard and demolished their homes.

Judicial calls by settlement organizations have also been used as a pretext for the expansion of forced evictions. The occupation authorities have expanded the issuance of eviction sentences to settlement organizations, and until July 2019 the number of families sued for the evacuation of 199 Palestinian families, 877, was the majority of calls by settlement organizations, which are usually a judgment is passed in her favor. In July 2019, the occupation authorities evacuated Mrs. Elham Hussein Siyam and her four sons from their home in Wadi Halwa neighborhood in Silwan, East Jerusalem, after the occupation court issued a decision to evacuate in favor of a settlement organization.

The same was repeated earlier, specifically in January 2019, with the Sabbagh family from Jaffa, settled after the displacement in Sheikh Jarrah, although their original house still exists in Jaffa. However, they were prevented from restoring it after a long legal battle against an Israeli settlement organization claiming that it possesses the 19-dunums of land since 1885. Although the district committee denied what the settlement organization said and confirmed that its papers were forged, the family finally received a decision to evacuate the house in the favor of the organization on 3 January 2019.

These practices have led to a 70% increase in the pace of settlement expansion in 2019 than in 2018, although the occupation authorities have accepted - albeit in part - recommendations earlier this year that require them to respect the right of States to enjoy adequate housing. It is part of the economic and social rights signed by Israel.

Violation of the right to "security of tenure"

Housing is only appropriate if residents enjoy a degree of security of tenure that guarantees legal protection against forced evictions, harassment and other threats, in accordance with UNHCR's Safety of tenure Index to measure and implement the right to adequate housing.

Claims of displacement for lack of a building permit were the most prominent arbitrary reasons used by the occupation authorities to practice the forced evacuation of the

Palestinians, claiming that no building permits were available. As of April 2019, six buildings belonging to the Zarina family, comprising 25 apartments in the Bearona district of Beit Jala municipality, west of Bethlehem, south of the West Bank, were demolished under building arguments without a license, although the land was purchased on official papers after the displacement. There is no conflict on the ground with neighbors, according to the testimony of "Mohammad Moussa Zarina", one of the family's sons.

In addition to circumventing the land classification and changing its allocation from agricultural land to circumvent security licenses, the order took place with the Joulani family from a village of Ara in the triangle area, a family of a father, a mother and four children, where a decision was made to demolish their home. When they bought a piece of land, it was for construction, but after a while the allocation of land was changed from construction to agriculture, without notifying the family. Despite the existence of building permits and the required permits, the occupation authorities have exercised the evacuation of these families, and have denied the right to security provided by such statements and legal permits.

### **Intransigence in the issuing buildings permits**

The right not to be subjected to arbitrary interference in their homes and private life, and the right to choose one's residence, to determine one's place of life and to freedom of movement are all freedoms guaranteed within the right to adequate housing; which the Committee on Economic, Social and Cultural Rights, in its commentary on forced evictions, emphasized it. This includes the right to choose his place of residence, which, according to the Palestinian interior, especially in areas (b) and (c), requires obtaining permits from the Israeli authorities, which have clearly exercised their intransigence in issuing them.

Israeli authorities refuse to grant building permits to Jerusalemites, who need to build homes, from 2016 to 2018 Palestinians have submitted 1485 applications for building permits in West Bank Area C, the Civil Administration has approved only 21 permits, 1.4 percent of the claim. According to the Civil Administration, during the same period, 2147 demolition orders were issued for Palestinian buildings in Area C because of the overcome of planning and construction laws, and Jerusalemites are therefore forced to build without permits, accompanied by either high fines or demolition decisions.

### **Recommendations**

In the context of the above, Maat Foundation for Peace, Development and Human Rights calls upon the occupying authorities to take concrete, well-defined and targeted steps to realize the right to adequate housing, the most prominent of which are as follows:

- To fulfill its obligations under the signed international conventions on the right to adequate housing.
- The obligation to implement relevant recommendations on the right to housing, which were partially accepted in its last review.
- Provide effective legal remedies or appropriate remedies in cases of violation of the right to adequate housing.
- Stop the practice of eviction and forced displacement with all grounds
- To clarify its position on the indicated displacement and demolition operations despite the existence of official papers.
- Explain the criteria on which the building permit is given, and the reasons for only a small percentage of the permit applications submitted.
- Stop the practice of intransigence in issuing building permits.
- Provide legal security of tenure to those who lack such protection.

- Adequate involvement and representation of "Palestinian" stakeholders in the formulation and implementation of housing policies, particularly in connection with the extraction of construction permits.
-