



Right Hon Philip Hammond MP  
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**For the urgent attention of: Right Hon Philip Hammond MP**

15 February 2016

Dear Mr. Hammond,

**Re: Demolitions and the forcible displacement of Palestinian Bedouin communities in Israel and Area C of the occupied West Bank**

As lawyers committed to the protection and promotion of Palestinian human rights, we write to express our deep concern at recent appalling developments concerning the planned and actual demolition and forcible displacement of Palestinian Bedouin communities in Israel and Area C of the occupied West Bank, specifically:

1. The imminent planned demolition and forced transfer of the Palestinian Bedouin community of Atir-Umm al Hiran in light of the 17 January 2016 ruling of the Israeli Supreme Court; and
2. Demolitions and the forcible displacement of twenty-six Palestinian Bedouin refugees in the West Bank on 6 January 2016.

Both of these issues involve serious breaches of international law, and we urge the British government to make urgent representations to the Israeli government calling on it to retract its unlawful forcible transfer and demolition plans.

**Israeli Supreme Court ruling on the community of Atir-Umm al-Hiran**

On 17 January 2016, the Israeli Supreme Court decided not to reconsider its decision to approve the eviction of 1,000 Arab Bedouin residents from the village of Atir-Umm al-Hiran in the Negev region of Israel. The planned eviction of the local Bedouin community will make way for a new Jewish town, "Hiran", with no place for the current villagers. The Court's refusal to reconsider this decision effectively allows for the eviction and demolition of Atir-Umm al-Hiran to proceed, destroying the community and stripping its residents of their homes.



Despite the fact that Atir-Umm al-Hiran was created by direct order of the Military Governor in 1956, the Israeli government refuses to recognise the village, claiming that the land is state-owned and the community therefore have no right to live there. The decision to displace Arab citizens in order to make way for a Jewish town is clearly discriminatory, and runs counter to Article 5 (e) (iii) of the International Convention on the Elimination of All Forms of Racial Discrimination, which guarantees the right to housing without distinction as to race, colour, national or ethnic origin. As reported by the Israeli human rights organisation, Rabbis for Human Rights, *“The decision to destroy a Bedouin village in order to build a new town and to plant a forest in its place is a discriminatory decision and will only serve to deepen the rift between the communities in the Negev.”*<sup>1</sup>

### **Demolitions and forced displacement of Palestinian Bedouin refugees in Area C of the occupied West Bank**

We also note with deep concern the Israeli government’s forced displacement on 6 January 2016 of twenty-six Palestinian refugees, including 18 children, four of whom are disabled, of the Palestinian Bedouin community of Abu Nawar in Area C of the occupied West Bank. After destroying their homes, the Israeli government confiscated eight donor-funded residential tents that had been provided to the families after the demolition. We further note that on 3 February 2016, several Palestinian structures were destroyed in the Palestinian villages of Majaz and Safai, also located in Area C. In this context, it should be highlighted that a discriminatory planning system operates in Area C, creating different and unequal zoning policies between Palestinians and Israeli settlers living on the same land.

These appalling developments have prompted statements from the UN Office for the Coordination of Humanitarian Affairs and the European Union's External Action Service. The UN's statement, issued on 19 January 2016 included a call *“for an immediate revocation of plans to transfer Palestinian Bedouin in the Jerusalem area.”*<sup>2</sup> We urge the British government to reiterate this call. The EU statement, dated 6 February 2016, noted that *“Demolitions included EU funded structures. EU humanitarian activities are carried out in full accordance with international humanitarian law, with the sole aim of providing humanitarian support to most vulnerable people. We call on the Israeli authorities to reverse the decisions taken and to halt further demolitions.”* We further urge the British government to reiterate this call.

The forced transfer of local populations by an Occupying Power in this context is clearly contrary to international law and incurs criminal liability. As you stated in your letter to LPHR of 28 August 2015: *“The Fourth Geneva Convention is clear that the destruction of any real or personal property in Occupied Territory is not justified unless it is rendered absolutely necessary by military operations. We also make clear to Israel that forcible*

<sup>1</sup> <http://rhr.org.il/eng/2015/08/bulldozers-continue-their-work-transforming-bedouin-um-el-hiran-into-jewish-hiran/>

<sup>2</sup> <https://www.ochaopt.org/reports.aspx?id=15&page=1>



*transfer would be a breach of international humanitarian law and would have serious ramifications on Israel's international standing.*<sup>3</sup>

We further note your principled and international law compatible position in regard to demolitions, as stated in the same letter: “*demolitions cause unnecessary suffering to ordinary Palestinians; are harmful to the peace process; and are, in all but the most exceptional of cases, contrary to international humanitarian law.*”<sup>4</sup>

### **Urgent intervention required by the British government**

Your letter of 28 August 2015 makes it clear that the UK government condemns demolitions and forced transfers of Palestinian Bedouin communities. Your letter also states, “*we will continue to support Bedouin communities and Palestinians in Area C facing demolition or eviction through our support to Rabbis for Human Rights and the Norwegian Refugee Council legal aid programme.*”<sup>5</sup>

LPHR welcomes the concern and attention with which the British government is treating this significant legal and human rights issue. However, in light of the recent developments outlined above which demonstrates an undiminished commitment to forcibly displace vulnerable Palestinian Bedouin communities, we once again urge the British government to make urgent representations with the Israeli government, and issue a public statement on this appalling issue of concern, that includes:

1. Condemnation of the planned forcible displacement of the Palestinian Bedouin community of Atir-Umm al Hiran, as well as the forcible displacement of Palestinian Bedouin refugees in Area C of the occupied West Bank; and
2. Urges the Israeli government to immediately meet its international humanitarian and human rights law obligations and cancel its unlawful forcible transfer plans affecting Palestinian Bedouin communities in both Israel and Area C of the occupied West Bank.

We should be grateful for your careful consideration of this urgent matter and for your reply.

Yours sincerely,

Tareq Shrourou (Director) and Alicia Araujo Mendonca  
**Lawyers for Palestinian Human Rights**

<sup>3</sup> <http://lphr.org.uk/wp-content/uploads/2015/09/FCO-reply-28-August-2015.pdf>

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.