



DEMOLITIONS AND DISPLACEMENT BULLETIN

(For the period covering 20 October- 31 December 2020)

Key points outlined in this LPHR Demolitions and Displacement bulletin:

- On 3 November, Israeli authorities demolished 75% of the herding community of Humsa Al Bqai'a in the Jordan Valley (83 structures), displacing 73 people, including 41 children.
- UN OCHA reports that 2020 has seen the highest number of demolitions and seizures of Palestinian property since 2016
- In 2020, according to data collected by [UN OCHA](#), 848 Palestinian structures (156 of them donor-funded) were demolished or seized by the Israeli authorities, displacing 996 people (including 524 children) and otherwise affecting 5,390 people.
- In November, UN OCHA recorded the highest number of structures (178) demolished or seized in a single month since 2009
- Israeli authorities demolished a donor-funded water network serving around 700 people
- Of 156 donor-funded structures demolished or seized in 2020, at least 114 were EU-funded. November saw the largest number (43) of EU-funded structures demolished or seized in a single month since January 2017
- JCB heavy machinery vehicles were documented being involved in at least six demolition incidents by the Israeli human rights organisation, B'Tselem

The incidents and statistics outlined in this bulletin are collated from the UN Office for the Coordination of Humanitarian Affairs ([UN OCHA](#)) and the Israeli human rights organisation [B'Tselem](#).

When reading this bulletin, it is important to be cognisant of the tight nexus between a systematic policy and practice of demolitions, forcible displacement and creation of a “[coercive environment](#)” on the one hand, and Israel's relentless pursuance of a [settlement/annexation policy](#) in the occupied West Bank, including [East Jerusalem](#), on the other hand. These policies and practices are in clearly apparent violation of international law, as outlined in this bulletin.

This Bulletin further provides a material update on LPHR's evidence-based human rights complaint against the UK company, JCB, under the OECD Guidelines for Multinational Enterprises, for involvement in demolitions/displacement and settlement-related construction.

Demolitions and Displacement during the reporting period

[UN OCHA](#) records that between 20 October- 31 December 2020, Israeli authorities demolished or seized 280 Palestinian-owned structures (58 of them donor-funded), displacing 237 people, including 130 children, and otherwise affecting the livelihoods or access to services of 2,674 others. All but three of the structures were targeted due to a lack of building permits, which are nearly impossible for Palestinians to obtain.

Between 1 January- 31 December 2020, according to data collected by [UN OCHA](#), 848 Palestinian structures (156 of them donor-funded) were demolished or seized by the Israeli authorities, displacing 996 people (including 524 children) and otherwise affecting 5,390 people. Of the donor-funded structures targeted in 2020, at least 114 were EU-funded. 2020 has seen a rise in the Israeli authorities' demolitions and seizures of Palestinian-owned property: the cumulative number of structures targeted exceeded the figures recorded in any complete year since [UN OCHA](#) began systematically documenting this practice in 2009, with the exception of 2016.

[UN OCHA](#) records that November saw the Israeli authorities demolish, force people to demolish, or seize 178 Palestinian-owned structures across the West Bank, the highest such figure in a single month since UN OCHA began documenting the practice in 2009. November also saw the largest number (43) of EU-funded structures demolished or seized in a single month since January 2017.

During the COVID-19 emergency, Israeli authorities have continued to target water, sanitation and hygiene structures, demolishing 37 such structures between 20 October- 31 December 2020 (bringing the total number of demolished water, sanitation and hygiene structures since the start of the year to 83). The demolition of livelihood and agricultural structures also continued, with 38 livelihood and 102 agricultural structures demolished or seized during the reporting period.

Residential structures continue to be targeted: 95 residential structures, 46 of them inhabited, were demolished or seized between 20 October- 31 December 2020.



Incidents of demolitions, seizures and displacement include:

1. [UN OCHA](#) reports that on 28 October, Israeli authorities removed part of a donor-funded network supplying water to eight communities in Massafer Yatta, resulting in the complete disruption of water distribution to over 1,000 people (including 630 children). The Israeli authorities have been seeking for years to evict the 1,400 Palestinians residing in 14 herding communities in Massafer Yatta, on the grounds that they are residing illegally in a closed military area.
2. [UN OCHA](#) reports that in Ramallah, a school's donor-funded water cistern is at risk after an order for its demolition was issued on 28 October.
3. [UN OCHA](#) reports that 58 donor-funded structures (worth more than an estimated 102,074 Euros) were demolished during the reporting period. These include a residential tent and mobile latrine in Jericho on 21 October, residential structures and feeding troughs, cattle barriers and fencing in Bethlehem on 21 October, a transmission water pipeline in Hebron on 28 October, 7 livelihood structures, 10 mobile latrines and five solar panels in Tubas on 3 November, and a water network and four residential structures in Hebron on 25 November.
4. [UN OCHA](#) reports that on 3 November, Israeli authorities demolished 83 structures, approximately 75% of the herding community Humsa Al Bqai'a (in the northern Jordan Valley). 73 people, including 41 children were displaced. About half the structures targeted in November were in small herding communities in sections of Area C designated closed for Israeli military training.
5. [B'Tselem](#) reports that on 3 November in the community of Khirbet Izbik in the northern Jordan Valley, Israeli authorities confiscated nine tractors, five water containers, five utility trailers and two cars belonging to the community's residents.
6. [UN OCHA](#) reports that on 3 November, the Jerusalem Magistrate's Court dismissed a request for an interim injunction on an eviction order of the Sabbagh family, ordering the family to vacate their property by 24 November 2020. The family (including five children) live in the Sheikh Jarrah neighbourhood of East Jerusalem. UN OCHA reports that in recent months, Israeli courts have ordered the eviction of a large number of

Palestinian families from their homes in the Sheikh Jarrah and Silwan neighbourhoods of East Jerusalem, and the handover of the properties to Israeli settler organisations.

7. [UN OCHA](#) reports that Israel's 1 October 2020 freeze on the demolition of inhabited homes in East Jerusalem ended on 11 November, when Israeli authorities demolished a home in Sur Bahir, displacing a family of five. Overall, 25 structures were demolished and 30 people (16 of them children) displaced in East Jerusalem during the reporting period, according to data collected by [UN OCHA](#).
8. [UN OCHA](#) reports that on 17 November, Israeli authorities dismantled and seized a tent that had been provided as humanitarian aid to a husband and his heavily pregnant wife after their home was demolished in September 2020.
9. [B'Tselem](#) reports that on multiple occasions in November, Israeli troops conducted training with small arms and tank fire in Palestinian communities in the northern Jordan Valley. One such occasion, from 15- 19 November, involved hundreds of soldiers training in the pastureland of Khirbet al-Malih, about 100 metres away from residents' homes. The soldiers fired tank shells and forbade the residents from grazing their flocks in the area. The policy of conducting military training near homes and on pastureland contributes to a coercive environment.
10. [B'Tselem](#) reports that on 25 November in the community of Tal a-Smadi, Israeli authorities dismantled and confiscated a shack that was home to a couple, as well as an outhouse and a water container donated to them by a humanitarian aid organisation after the same structures were demolished on 21 October 2020.
11. [UN OCHA](#) reports that between 3- 16 December, Israeli authorities demolished, seized, or forced people to demolish at least 21 Palestinian-owned structures in the West Bank, including East Jerusalem, displacing 28 people, including 17 children. More than half of the targeted structures were seized without prior notice, a practice that has been on the rise recently. The practice effectively prevents Palestinians from objecting to planned demolitions or seizures before they take place.
12. [B'Tselem](#) reports that on 8 December 2020, Israeli Civil Administration personnel, a military escort and two crane trucks arrived in Ras 'Ein al-'Auja (Jericho District). Residents gathered and protested against the demolition. In response, Israeli soldiers hurled tear gas canisters at the residents. The forces dismantled and confiscated three



- shacks intended to house three families numbering 19 people in total, including nine children. They also dismantled and confiscated three shacks intended to serve as livestock enclosures.
13. [B'Tselem](#) reports that on 14 December, in the community of a-Zar'i (al-Quds District) Israeli authorities dismantled and confiscated two tin-roofed wooden shacks that were home to two couples. From there, the forces continued to the village of a-Za'ayem, where they dismantled and confiscated a shack belonging to a resident that served as a car wash. They also confiscated equipment from the owner of the car wash.
 14. [B'Tselem](#) reports that on 14 December, Israeli authorities dismantled and confiscated a tin-roofed wooden shack that was home to a family of six, including four children, in the community of Abu a-Nuwar, which lies southeast of the town of al-'Eizariyah in the West Bank.
 15. [UN OCHA](#) reports that in December, a home located about 1km away from Israel's perimeter fence east of Gaza city was hit and severely damaged by an Israeli tank shell, reportedly fired accidentally. Between 8- 21 December, Israeli forces opened warning fire near the fence, and off Gaza's coast, on at least 22 occasions. Twice, bulldozers levelled land near the fence, inside Gaza. Additionally, Israeli forces deployed signs about 100 metres away from the fence, ordering Palestinian farmers to move their crops or they would be forcibly removed.
 16. [UN OCHA](#) reports that between 8- 21 December, Israeli forces bulldozed approximately 30 dunums of agricultural land near Suba village (Hebron), on grounds that it had been declared 'state land'. About 930 olive, grape, almond and cactus trees were uprooted or damaged during the incident, in addition to agricultural terraces, metal bars and fences and a gate. The livelihoods of eight families were affected. During the same period, perpetrators believed to be Israeli settlers damaged at least 740 Palestinian-owned trees and saplings. Since the start of 2020, at least 8,550 trees have been damaged by people known or believed to be Israeli settlers.
 17. [UN OCHA](#) reports that on 26 December, Israeli forces carried out a series of airstrikes in Gaza city, damaging two schools, two factories, a hospital, a mosque, electricity towers

and a water carrier; damage to the latter disrupted water supply to about 250,000 people. The airstrikes followed the shooting of two rockets towards Israel from Gaza, which were intercepted in the air and resulted in no Israeli casualties or damage. According to official Israeli sources, the airstrikes targeted an underground facility and a site used to manufacture rockets.

18. [B'Tselem](#) reports that on 29 December in the area of al-Khaledeiyeh, which lies between Khirbet Ma'in and the village of al-Karmil, Israeli authorities destroyed a cinder block structure used to house a family of 19, including 10 children. Family members and other residents protested the demolition, setting fire to tires and climbing to the roof of the house. Border Police officers and soldiers threw tear gas canisters and stun grenades at the residents and the structure. A woman, a baby and a four-year-old child required medical care for gas inhalation. During the incident, Israeli authorities detained four residents, ultimately releasing three and arresting one.
19. [B'Tselem](#) reports that on 29 December, in the village of al-Buweib, Israeli authorities destroyed a tent used as a livestock pen. In addition, in the community of a-Nuwe'i'ma, Israeli authorities dismantled and confiscated four tents and two shacks that housed six families comprising 28 people, including 14 children. Israeli authorities also uprooted 350 four-year-old olive trees owned by another family.

 - Further demolitions and displacement incidents reported by B'Tselem are included in the section further below on LPHR's current human rights complaint under the OECD Guidelines for Multinational Enterprises against the UK construction equipment company, JCB.

The practice of demolishing or sealing Palestinian homes on punitive grounds continued during the reporting period, with two homes demolished or sealed on punitive grounds.

Incidents of punitive demolitions include:

1. [UN OCHA](#) reports that on 21 October, Israeli authorities punitively sealed part of a home in Area A of Ya'bad village (Jenin), belonging to a Palestinian indicted for the killing of a soldier during a search-and-arrest operation in May. A family of ten, including seven children, was displaced.



2. [UN OCHA](#) reports that on 2 November, Israeli authorities punitively demolished a Palestinian home in Rujeib village (Nablus), belonging to a Palestinian being prosecuted for the killing of an Israeli man in August 2020. A family of eight, including four children, was displaced. So far in 2020, seven homes have been demolished or sealed on punitive grounds, a practice that human rights officials have declared is collective punishment, which is absolutely prohibited under international law and constitutes a war crime.

To clearly illustrate that these demolition and displacement incidents are part of an ongoing policy and practice, please see our previous bulletins for the periods [3 September- 19 October 2020](#), [5 August-2 September 2020](#), [1 July- 4 August 2020](#), [4 June- 30 June 2020](#), 1 May- 3 June 2020, [1 March- 30 April 2020](#), [1 January-29 February 2020](#) and [1 December-31 December 2019 \(including an overview of 2019\)](#).

Legal Analysis: International Humanitarian law, International Criminal law and International Human Rights law

Palestinian residents in the occupied West Bank, including East Jerusalem, have the status of protected persons under the Geneva Conventions. International humanitarian law requires an occupying power to protect and provide for the welfare of the occupied population.

Article 53 of the Fourth Geneva Convention prohibits “destruction of property” not justified by military absolute necessity. As noted above, the purported justification for the demolitions in this reporting period was a lack of building permits. Israel’s permit system operating in the occupied Palestinian territory makes it almost impossible for Palestinians to obtain a building permit. This plainly calls into question whether the above-mentioned demolitions and confiscations in this Bulletin, including those of residential, livelihood, agricultural and water, hygiene and sanitation structures, could amount to an absolutely necessary military measure. As such, the demolitions clearly appear to constitute a violation of international humanitarian law.

Article 56 of the Fourth Geneva Convention requires that Israel ensure that all the necessary preventive means available to it are utilised to combat the spread of contagious diseases and

epidemics. The demolition of residential and water, hygiene and sanitation structures during the COVID-19 crisis, suggest that Israel is obstructing initiatives that might help halt the spread of the pandemic, rather than fulfilling its obligations under Article 56.

Further, the demolition of property is likely to give rise to the commission of war crimes. Article 147 of the Fourth Geneva Convention provides that “extensive destruction of property not justified by military necessity and carried out unlawfully and wantonly”, is a grave breach of international humanitarian law. Grave breaches entail individual criminal responsibility for all persons involved with its implementation, including government officials. The extensive destruction of Palestinian property during the reporting period of this Bulletin is indicative of a policy and practice not justified by military necessity that engages the individual criminal responsibility provision of the Fourth Geneva Convention at Article 147.

Moreover, the Rome Statute of the International Criminal Court provides that grave breaches of the Fourth Geneva Convention constitute war crimes that fall within the scope of the Court's jurisdiction. The policy and practice of the demolition of Palestinian property in the occupied Palestinian territory is therefore an issue that can be investigated by the Office of the Prosecutor of the ICC if it [opens an investigation into the situation in Palestine](#).

International human rights law is also engaged by the purposeful acts of demolitions and displacement grossly affecting Palestinian residents and communities in the occupied West Bank, including East Jerusalem. Article 11 of the International Covenant on Economic, Social and Cultural Rights, which Israel has ratified, requires State Parties to “recognise the right of everyone to an adequate standard of living for himself and his family, including adequate... housing.” Similarly, Article 27 of the UN Convention on the Rights of the Child (**UNCRC**), which Israel has ratified, provides “State Parties recognise the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.” Article 27 of the UNCRC further adds that State Parties “shall in case of need provide material assistance... particularly with regard to housing.” The above-mentioned demolitions or seizures of residential structures and consequential displacement of Palestinian civilians, including 130 children during the period 20 October- 31 December 2020, constitute a violation of these obligations under international human rights law.

In the context of the COVID-19 pandemic, it is necessary to be aware that Article 12 of the International Covenant on Economic, Social and Cultural Rights requires State Parties to



recognise the right of everyone to the enjoyment of an attainable standard of physical and mental health. Specifically listed as one of the steps to be taken by States Parties are those necessary for ‘the prevention, treatment and control of epidemic, endemic, occupational and other diseases’ (Article 12 (2)(c)). Israel’s demolition or seizure of 46 inhabited residential structures and 37 water, sanitation and hygiene structures during the reporting period of this bulletin, at a time when social distancing, self-isolation and facilities for frequent handwashing are needed to control the spread of the pandemic, appears to constitute a direct breach of its obligations under Article 12.

[LPHR’s human rights complaint against the UK company, JCB, under the OECD Guidelines for Multinational Enterprises, in regard to its involvement in demolitions and displacement in the occupied Palestinian territory](#)

In 2019, LPHR gathered clear and compelling [evidence](#) to substantiate that in demolitions similar to some of those described above, the products of JCB, a world-leading construction equipment company headquartered in the UK, have materially been used in a way that results in human rights violations. This includes violations of the right to an adequate standard of living, including the right to adequate housing, under international human rights law.

On 10 December 2019, LPHR submitted an evidence-based [human rights complaint](#) against JCB to the UK National Contact Point for the OECD Guidelines for Multinational Enterprises (situated in the Department of International Trade). The complaint is being brought under the [OECD Guidelines for Multinational Enterprises](#) (OECD Guidelines). The primary evidence submitted with LPHR’s complaint that substantiates the material use of JCB products in demolitions, relates to incidents in ten villages or areas in the occupied Palestinian territory, covering the period 2016-2019. In total, 89 homes are identified as having been demolished, resulting in the displacement of at least 484 individuals, including children and the elderly.

In chronological order below is published evidence from B’Tselem of apparent continuing involvement of JCB heavy machinery vehicles in demolitions and displacement:

1. [B'Tselem](#) reports that on 2 November in the area of Ghzewi, east of Khirbet Susiya in the South Hebron Hills, Israeli authorities demolished a home that was under construction and intended to house a mother and her six children. A JCB heavy machinery vehicle and a Volvo heavy machinery vehicle appear in an edited [video](#), published by B'Tselem, documenting the incident. The video primarily shows the Volvo vehicle demolishing the structure.
2. [B'Tselem](#) reports that on 25 November, Israeli authorities cut and destroyed a two-kilometer donor-funded water line serving the communities of al-Fakhit, a-Safai, Mughayir al-'Abid and a-Taban (all in Massafer Yatta). A JCB heavy machinery vehicle appears in the above-mentioned edited [video](#) published by B'Tselem, which also documents the destruction of the water line. The video appears to show the JCB vehicle involved in the destruction and or removal of a water pipeline.
3. [B'Tselem](#) reports that on 25 November, in the village of Fayasil a-Tahta in the northern Jordan Valley, Israeli authorities destroyed the homes of 17 people, including six children. A JCB heavy machinery vehicle and a Volvo heavy machinery vehicle appear in an edited [video](#), published by B'Tselem, documenting the demolition incident. The targeted structures included two shacks intended to house an extended family of seven, including two children. The shacks were donated to the family by a humanitarian aid organisation after their homes were demolished. Two other shacks, housing a family of ten, four of them children, were demolished. Other livelihood and agricultural structures were also demolished.
4. [B'Tselem](#) reports that on 1 December in the village of Zif, northeast of the town of Yatta, Israeli forces confiscated two prefabs used for agricultural purposes and destroyed a cave used for agricultural storage. B'Tselem published an edited [video](#) documenting the confiscation incident. The video appears to show a Caterpillar heavy machinery vehicle and a JCB heavy machinery vehicle involved in the confiscations. In 2020, 277 agricultural structures were confiscated or demolished. The targeting of agricultural structures contributes to a coercive environment in which Palestinian communities, especially those reliant on farming, feel pressured to leave their homes.
5. [B'Tselem](#) reports that on 29 December in Khirbet Wadi Ejheish, Israeli authorities demolished a prefabricated home used to house a family of eight, including six children.



B'Tselem published an edited [video](#) of the demolition, which records a JCB heavy machinery vehicle's involvement in the demolition incident. The video also contains footage of another demolition, in which a Hyundai heavy machinery vehicle appears to be involved.

In our comprehensive complaint, LPHR submits that JCB is in breach of five human rights responsibilities under the OECD Guidelines. In summary, these are:

- That JCB is in breach of the general obligation under Chapter 4, paragraph 1 of the OECD Guidelines to respect human rights;
- That JCB has failed to avoid contributing to adverse human rights impacts and to address impacts where they do occur;
- That JCB has not sought ways to prevent or mitigate adverse human rights impacts that are directly linked to their business operations and products;
- That JCB has failed to develop a human rights policy that: has been approved by its Board; benefits from internal and/or external expertise; sets out the company's expectations from its staff; is publicly available; and is embedded across the business; and
- That JCB has failed to carry out human rights diligence as appropriate to its size, nature and context of operations and the severity of the risks of adverse human rights impacts.

As a consequence of our submissions that JCB is in breach of its human rights responsibilities under the OECD Guidelines, LPHR concludes our complaint by requesting that JCB:

- Immediately suspend supply of products to Comasco (an Israeli company which is the exclusive dealer of JCB products in Israel) that could be identified as being part of the supply chain that results in demolitions or settlement-related construction, and to permanently cease supply to Comasco should it not be able to provide credible and verifiable guarantees that such products will not be involved in the violation of Palestinian human rights;
- Develops and publishes on its website a human rights policy which specifically sets out the due diligence methodology it applies to ensure that its products are not at risk of

contributing and/or being directly linked in a business relationship to the violation of human rights;

- Agrees to participate with LPHR and other appropriate stakeholders in establishing an effective grievance mechanism to enable remediation. Such a mechanism would be administered in accordance with the core criteria for a remediation process as specified in the OECD Guidelines, and incorporate appropriate financial and/or non-financial remedies for individuals in respect of damages suffered through the known uses of JCB products in the demolition of their homes and property, including those identified in this complaint.

The UK National Contact Point's [Initial Assessment decision](#) on our complaint was published on 12 October 2020. It accepts that key aspects of our complaint are material and substantiated. JCB's actions and policies in relation to three key human rights standards under the government-backed OECD Guidelines for Multinational Enterprises will now be subject to mediation or a full investigation:

- Seek ways to prevent or mitigate adverse human rights impacts directly linked to its business operations and products by a business relationship (Chapter 4, Paragraph 3)
- Have a policy commitment to respect human rights (Chapter 4, Paragraph 4)
- Carry out human rights due diligence (Chapter 4, Paragraph 5)

In the possible absence or failure of mediation, the UK National Contact Point will carry out a full investigation and make a final determination on JCB's apparent breach of the above corporate human rights responsibilities under the OECD Guidelines. LPHR's full public statement on the publication of the UK National Contact Point's Initial Assessment can be read [here](#).