

UN Human Rights in Occupied Palestinian Territory

Ramallah

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UN Human Rights Office calls on Israeli authorities to halt imminent home demolitions and forced displacement of Palestinians in Al Bustan, occupied East Jerusalem

Israel must immediately stop home demolitions and forcible displacement impending for 1,550 Palestinians in al Bustan neighbourhood, Silwan. Israeli authorities have threatened to destroy the neighbourhood, in violation of international humanitarian law, to create a park next to an illegal Israeli settlement in the heart of the city. In addition, thousands of Palestinians are at risk of demolitions and forced eviction in the rest of Silwan, due to Israeli planning and zoning laws and policies that are applied unlawfully and are discriminatory against Palestinians and which support the efforts by Israeli settlers to take control of this strategic area that surrounds Jerusalem's Old City.

It is estimated that about 116 Palestinian homes are under imminent threat of demolition after Israeli authorities recently resumed demolitions in the area. On 14 February, Israeli bulldozers demolished the house of Fakhri Abu Diab, spokesperson of the Silwan Land and Properties Committee, resulting in the forced displacement of 11 of his family members, including five children. Like most houses in Al Bustan, Abu Diab's home lacked an Israeli building permit within an area designated by Israeli authorities, in violation of the law of occupation, as a "green area" following the unlawful annexation of East Jerusalem. In recent years, the Palestinian community, of which Abu Diab is a vocal representative, entered negotiations with the Jerusalem municipality for alternative planning that would respect the housing needs of Palestinian residents, including initiating, at their own expenses, alternative zoning plans.

However, in December 2023, the municipality demanded that the community agree to its latest plan, according to which 80 per cent of the neighbourhood would become a "green area" without clear guarantees to the residents. There are also concerns that the demolition of Abu Diab's family home was in reprisal for his outspokenness and was intended to send a clear message that Israel will proceed with demolitions irrespective of any opposition.

Data by the UN shows that while hostilities are ongoing in Gaza, Israeli authorities have accelerated the destruction of Palestinian homes and forcible displacement of Palestinians, and fast-tracked settlement expansion in East Jerusalem, raising concerns of collective punishment following the events of 7 October. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), in 2023, Israeli authorities demolished 229 Palestinian-owned structures, including 138 homes, displacing 635 Palestinians, a sharp increase from 149 structures demolished and 347 displaced in 2022 and representing the highest numbers since the UN started to track demolitions in 2009. After 7 October 2023, the forced displacement of Palestinians resulting from home demolitions by Israel increased, on average, by about 30 percent compared to the previous nine months.

International humanitarian law prohibits Israel as the occupying power from imposing its own laws in occupied territory, including East Jerusalem, which includes the use of Israeli laws to evict Palestinians from their homes. The laws in themselves are inherently discriminatory against Palestinians in flagrant violation of Israel's international human rights obligations.

The UN Human Rights Office recalls that, in addition to violating the right of Palestinians to adequate housing, home demolitions not made absolutely necessary by military operations are prohibited, with the destruction of property violating Article 53 of the Fourth Geneva Convention. This may amount to the war crime of wanton destruction of property. The UN Human Rights Office urges Israel to halt the application of discriminatory domestic laws to demolish Palestinian property and evict Palestinians from their homes and calls on the international community to step up their efforts to prevent home demolitions and possible forcible transfer of Palestinians within and from East Jerusalem.

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