

URGENT ACTION

ARMY PLANS FORCED EVICTIONS OF PALESTINIANS

Some 1,000 Palestinians living in the southern West Bank, nearly half of them children, are facing forced eviction; some of their buildings are already being demolished, and their movement is restricted.

The Israeli army plans to expel from their homes all the residents of eight villages in the hills south-east of Hebron, **Safai, Majaz, Tabban, Fakhit, Halaweh, Mirkez, Jinba and Hillet a-Dab'a**, to make way for a military training zone. They were forcibly evicted in late 1999, but an interim injunction allowed them to return to their destroyed villages after a few months. The injunction was extended and will remain valid, though it has been challenged by the army, until a hearing at the Israeli High Court of Justice on 15 July. In many similar cases, the High Court of Justice has ruled in favour of the security forces and the state rather than in accordance with the principles of international law, binding on Israel, which prohibit forced evictions and forced transfer. The residents will be rendered homeless if evicted and will lose their livelihood.

The military training zone, known as Firing Zone 918, was originally declared a closed military zone in the 1980s, but the residents were allowed to build homes on the land and use it for farming. After the evictions of 1999, they petitioned the High Court of Justice to be allowed to remain on the land. The state responded that the residents did not live in the area permanently, and tried to prove this with aerial photographs taken soon after the evictions, in effect giving evidence of the destruction wrought by the expulsions. The residents' petitions were renewed in January and February 2013, and the state is due to submit its response ahead of the next hearing.

Like many of the 150,000 Palestinians in the 60 per cent of the West Bank designated as Area C, which is completely under Israeli control, the residents face repeated demolition of their homes, animal pens and amenities. Two primary schools and a clinic are also under demolition orders, as are solar electric panels and water cisterns.

Please write immediately in Hebrew, English or your own language:

- Expressing concern that some 1,000 people in Safai, Majaz, Tabban, Fakhit, Halaweh, Mirkez, Jinba and Hillet a-Dab'a, located in Firing Zone 918, are in danger of forced transfer and eviction, and calling on the authorities to cancel the eviction order immediately;
- Calling on them to remove responsibility for planning and building regulations in the Hebron hills and elsewhere in the Occupied Palestinian Territories from the Israeli military authorities and give it solely to the local Palestinian communities;
- Calling on them to place a moratorium on house demolitions and evictions in the West Bank until the law is amended to bring it into line with international standards.

PLEASE SEND APPEALS BEFORE 14 AUGUST 2013 TO:

Minister of Defence

Moshe Ya'alon
37 Kaplan Street, Hakiryia
Tel Aviv 61909, Israel
Fax: +972 3 696 2757
Email: minister@mod.gov.il

Salutation: Dear Minister

Military Judge Advocate General

Brigadier General Danny Efroni
6 David Elazar Street
Hakiryia, Tel Aviv, Israel
Fax: +972 3 569 4526; +972 3 608 0366
Email: newmedia@idfspokesperson.com

**Salutation: Dear Judge Advocate
General**

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Under international humanitarian law (IHL), including the Geneva Conventions, evacuations of protected persons (such as the inhabitants of an occupied territory) are only admissible for their own protection, temporarily, and only if there is an imperative military reason for taking this extreme measure. The description of Firing Zone 918 provided by the Israeli state in its legal response, where it claims that the terrain is particularly suitable for specific live-fire training, does not meet the threshold of such an imperative necessity, and therefore, if implemented, the eviction of the residents of this area would constitute forced transfer in violation of IHL. Similarly, IHL prohibits destruction of property in occupied territory except where absolutely necessary for military operations. The military activity that does take place in the area occasionally damages the residents' property, and arbitrarily restricts movement including access to medical treatment and the transport of water containers. The military administration of the Occupied Palestinian Territories (OPT) issues and implements demolition orders against the residents' property, because there are no planning provisions for Palestinian residency in the eight villages, as well as in dozens of other Palestinian villages around them. The residents' rights to an adequate standard of living including the rights to water, to the highest attainable standard of health and to education, under the International Covenant on Economic, Social and Cultural Rights (ICESCR), together with their right not to be discriminated against in relation to those rights, are being violated repeatedly and in various ways.

For years Israel has pursued a policy of discriminatory house demolition, allowing scores of Israeli settlements, illegal under international law, to be built on occupied Palestinian land, while confiscating Palestinian lands, refusing building permits for Palestinians and destroying their homes. In the first half of 2013, more than 250 homes, work sheds and animal pens were destroyed in Area C, displacing at least 300 Palestinians and causing damages to many more, on the grounds that they had been built illegally; Palestinians living there face severe restrictions on building, while settlements for Israelis in the same area continue to expand and are provided with utility services and other infrastructure. International law forbids occupying powers from settling their own citizens in the territories they occupy.

House demolitions are generally carried out without warning of the date and without any consultation, giving no opportunity for Palestinians to salvage their possessions or find at least basic shelter elsewhere. The UN has estimated that some 4,800 demolition orders are pending, many of which are in Area C of the West Bank. In Area C, Israel has complete control over planning and construction and the approximately 150,000 Palestinians living there lack representation at all levels of the Israeli military planning system. Not only are there no Palestinian representatives on the planning institutions, but even the ability of Palestinian residents to submit objections to eviction and demolition orders are very limited. Palestinians, especially villagers in marginal areas such as the hills to the south-east of Hebron and the Jordan Valley, have suffered particular pressure. In a "closed military zone" there is effectively no possibility for Palestinian construction and development. These demolitions amount to forced evictions. This places Israel in breach of its obligations under international human rights law, including the ICESCR, which it ratified in 1991, enshrining the right to adequate housing for everybody and prohibiting forced evictions, defined by the Committee on Economic, Social and Cultural Rights in General Comment 7 as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to, appropriate forms of legal or other protection".

The situation is compounded by the fact that, under Israeli military law, evicted families are not entitled to alternative housing or compensation, thereby violating their right to effective remedy, meaning many would face homelessness and destitution were it not for relatives, friends and charities.

Name: Residents of Safai, Majaz, Tabban, Fakhit, Halaweh, Mirkez, Jinba and Hillet a-Dab'a
Gender m/f: both

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