



The Jerusalem Human  
Rights Consortium  
تجمع المؤسسات الحقوقية المقدسية



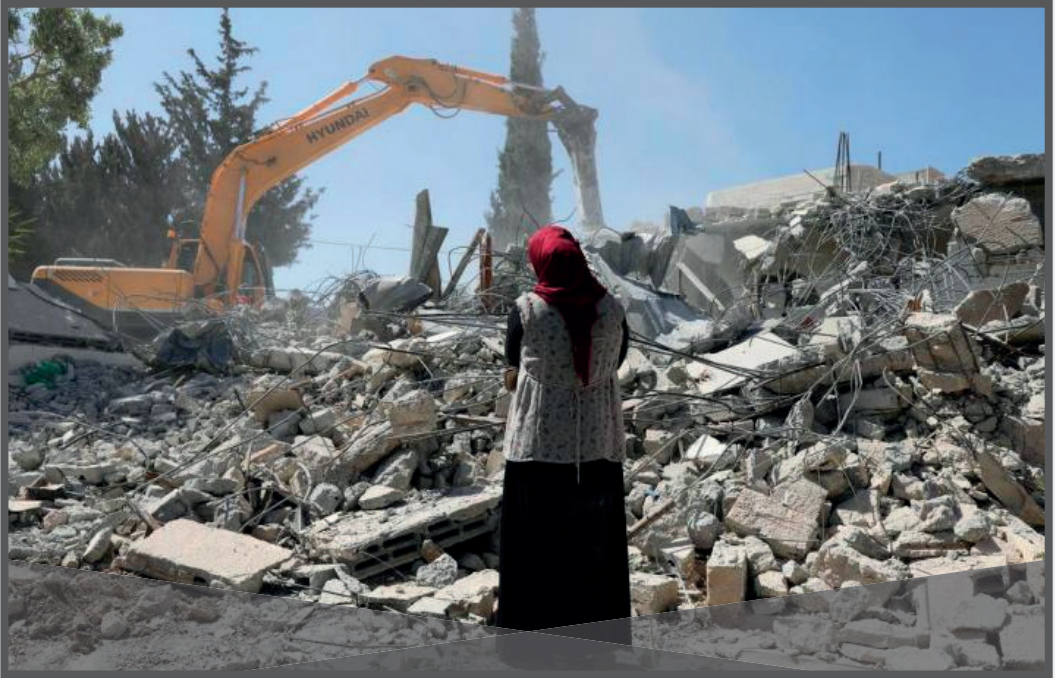
للارشاد القانوني والاجتماعي

مرکز المرأة

Women's Centre for Legal Aid and Counselling

# Dismantled Dreams

The Unceasing Demolitions in Jerusalem by the Israeli  
Occupation Forces and Their Impact on Women.



2023

## Acknowledgment

Women's Centre for Legal Aid and Social Counselling (WCLAC) extends sincere gratitude and appreciation to the Advocacy Team, particularly its International Advocacy Coordinator who have drafted this report under the supervision of the Advocacy Unit Manager and Director of Programs, in addition to women field researchers who have had an essential role in monitoring and documenting the evidence-based data and women testimonies to develop this report.

This fruitful contribution had a significant impact on proving a systematic pattern of IHL and IHRL violations utilized since 1948 by the Israeli Occupation against the Palestinian people, as a whole.

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## Abstract

This report reviews the documentation carried out by the Women's Centre for Legal Aid and Counselling (WCLAC) concerning Home Demolitions in Occupied East Jerusalem. This issue stands as one of the most significant and prominent violations of International Humanitarian Law (IHL) committed by Israel's Occupation Forces against Palestinian communities in the Occupied Jerusalem from January 2022 to May 2023.

The report adopts a human rights-based approach, delving into the gender-specific impacts of Israeli violations on women and girls. It particularly highlights how these violations directly and indirectly infringe upon their fundamental human rights. The report aims to ensure that women's voices in light of the Israeli colonial occupation, apartheid regime, and its discriminatory policies and practices are well-documented.

Fueled by data and testimonies gathered from Jerusalemite women by WCLAC's field researchers, this report focuses on gendered-impact of the main violation by the Israeli occupation – Home Demolitions in the Occupied East Jerusalem.



*"I don't envy what others possess, yet when I encounter beautiful homes, I find myself wondering why God didn't bless me with a comfortable home like theirs. The moment we received the demolition order from the Israeli occupation forces, all my dreams crumbled before my eyes".*

**Aziza, 50 years old, Jabal Mukaber.**



# Introduction

Since the military occupation of East Jerusalem during the 1967 war, Israel has actively pursued a strategy aimed to curtailing and diminishing the Palestinian population within the city's confines. Concurrently, it has sought to foster the expansion of its Jewish populace, all in a pre-accounted efforts to bolster its dominion over the entire expanse of Jerusalem. In 2009, the US State Department International Religious Freedom Report highlighted that a multitude of both national and municipal policies in Jerusalem were intentionally drafted to restrict, limit or reduce the non-Jewish population within the city<sup>1</sup>.

**This process, commonly referred to as «Judaization,» involves several actions that blatantly violate the international law:**

1. Imposing severe restrictions on Palestinian's ability to construct or expand their homes in East Jerusalem, making it exceedingly difficult for them to obtain the required construction permits;
2. Demolishing of Palestinian homes and other structures constructed without permission. Notably, obtaining construction permits in Occupied East Jerusalem for Jerusalemites is exceedingly challenging endeavor due to deliberate policy hurdles;
3. Revoking of residency rights and social benefits afforded to Palestinians;
4. Engaging in a systematic discrimination against Palestinian neighborhoods through biased municipal planning and unequal allocation of essential services, including education and sanitation;
5. Actively promoting the relocation of Jewish settlers to East Jerusalem, often leading to the eviction of Palestinians from their homes, constitutes a practice that squarely breaches the International Law;
6. Constructing the Annexation Wall on Occupied Palestinian land in East Jerusalem, which has been declared illegal by the International Court of Justice. This wall serves to physically separate Palestinians in the West Bank from those living in Occupied East Jerusalem.

These violations have resulted in the direct displacement of thousands of Palestinians, giving rise to an unlivable and hostile environment that has forced many Palestinians to leave their homes. This situation amounts to a grave violation of international law and is classified as a war crime.

Moreover, Jerusalemites are consistently exposed to violence and brutality, whether by the Israeli Forces or Settlers. This trend is escalating due to the unprecedented

1. U.S. Department of State. (2012, July 30). Report on International Religious Freedom: Israel and the occupied territories. U.S. Department of State. <https://2009-2017.state.gov/j/drl/rls/irf/2011/nea/192887.htm>



expansion of settlements. According to the Office of the European Union Representative (West Bank and Gaza Strip, UNRWA), the year 2022 witnesses the highest number of advanced settlement plans since 2018, with 27,524 plans compared to 18,246 in 2021, indicating an unprecedented increase.<sup>2</sup> . What implications does this hold for the Palestinian population? A disturbing surge in settler violence. The erection and expansion of illegal settlements in the OPT, as defined by human rights organizations, directly contribute to the escalation of violent acts committed by settlers. These actions have a particularly adverse and disproportionate impact on women and girls.

In 2022, UN OCHA documented 849 attacks in which Israeli settlers caused harm to Palestinians or their property. This represents the highest number of such attacks recorded by OCHA since it began recording them in 2006<sup>3</sup>.

However, in line with the objectives of this report and aggregate rate of these violations, particular attention will be devoted to Home Demolitions and their impacts on Palestinian women. This decision is substantiated by the noteworthy circumstances in the West Bank during the first quarter of 2023, wherein there was a significant escalation in demolitions and seizures. A total of 290 structures were either destroyed or confiscated, leading to the displacement of 413 individuals. These statistics signify a substantial escalation of 46% and 78% respectively, when compared with the same period in 2022.

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2. <https://www.eeas.europa.eu/sites/default/files/documents/2023/One-Year%20Report%20on%20Israeli%20Settlements%20in%20the%20occupied%20West%20Bank%2C%20including%20East%20Jerusalem%20%28Reporting%20period%20January%20-%20December%202022%29.pdf>

3. [www.ochaopt.org](http://www.ochaopt.org)

## Methodology

WCLAC's objective is to meticulously observe and document the gendered-impact of Israeli violations against human rights and International Humanitarian Law (IHL) on Palestinian women and girls. This pursuit involves the integration of the international legal framework with a gender-sensitive approach and a feminist vision that advocates for equality and social justice.

The current report adopts a qualitative and analytical approach, drawing on substantiated data derived from primary and secondary sources. Primary sources encompass the testimonies of affected women, collected through semi-structured interviews conducted by WCLAC's specialized field researchers. The field researchers for the Occupied East Jerusalem have received consistent and on reporting process coaching sessions that equip them with essential field-related skills and knowledge.

To ensure rigor, all gathered testimonies are meticulously reviewed in accordance with International Humanitarian Law (IHL) standards and subsequently translated by WCLAC's Advocacy unit staff. Secondary sources utilized within this report encompass research papers, periodic reports, and evidence-based information have been observed, documented and developed by WCLAC, in collaboration with other human rights organizations. Moreover, the report draws insights from international conventions and treaties established by UN and its organs.

Within the Occupied East Jerusalem, WCLAC strictly documented demolitions conducted under the Kaminitz Law across four primary neighborhoods: Silwan (Batn Al-Hawa), Jabal al-Mukaber, Al-Essawyeh and Beit Hanina.

Despite the ongoing threats by Israel to demolish hundreds of structures in Jerusalem and demolition orders, the majority of these orders are concentrated in Jabal al-Mukaber in East Jerusalem.

Between (2022 - June 2023), WCLAC's field workers have documented more than 16 testimonies concerning demolitions in Jerusalem. The methodology of testimony adopted by WCLAC involves comprehensive interviews carried out by the WCLAC's field researchers.

These interviews are conducted with women whose rights have been violated, or as referred to «Rights Holders» by WCLAC. The purpose of these interviews is to strictly document the violation, including its nature, location, time, details of perpetrators, and the ensuing repercussions on the affected women and their overall well-being. All of this is undertaken within the framework of International Humanitarian Law and Human Rights Law.

## Background

The term «demolition» refers to the deliberate physical destruction of a structure or part thereof, carried out by governmental authorities. Within the context of the Occupied Palestinian Territories (OPT), the Israeli Occupying Forces (IOF) have conducted such demolitions since their occupation of the West Bank and Gaza in 1967.

In the Occupied East Jerusalem, the implementation of the Kaminitz Law - officially known as Amendment 116 to the Planning and Building Law - has led to a notable surge in the frequency of home demolitions. Although this law was passed in 2017, it became enforceable in 2019. This amendment facilitated a partial shift of power over planning decisions to a national entity, thereby restricting judicial oversight in demolition instances while concurrently increase the imposition of high financial penalties<sup>4</sup>.

In the Occupied East Jerusalem, 181 structures were demolished, leading to 349 individuals were displaced from their homes in 2021<sup>5</sup>. Concurrently, a significant rise in self-demolitions<sup>6</sup> was observed. While in January 2022, a total of 30 structures were demolished under by virtue of orders by Jerusalem Municipality, Civil Administration and Ministry of Interior<sup>7</sup>. Among these demolitions, 12 were houses, resulting in the displacement of 71 individuals, including 32 minors. The remaining 13 structures were commercial entities designed to accommodate firms employing at least 45 employees. According to data compiled by UN OCHA, spanning the period from the start of 2022 through May 2023, the number of 9,509 structures were demolished across the West Bank and East Jerusalem which led to the displacement of approximately 14,000 individuals. In East Jerusalem alone, during the same period, the number of demolished structures reached 1,865, resulting in the displacement of 3,569 people<sup>8</sup>.

During the first five months of 2023, a combined number of 224 structures in East Jerusalem underwent demolition or seizure, leading to the displacement of 494 individuals. These figures reflect a notable rise of 46% and 78% respectively, as compared to the same period in 2022. Notably, the first quarter of 2022 already witnessed the highest documented number of demolitions in the West Bank, including East Jerusalem, since 2016.

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4. <https://www.adalah.org/en/content/view/9074>

5. OCHA, Data on demolition and displacement in the West Bank,

6. Ibid

7. B'tselem, 03 February 2022, [https://www.btselem.org/video/20220203\\_demolitions\\_in\\_jm\\_area\\_jan\\_2022#full](https://www.btselem.org/video/20220203_demolitions_in_jm_area_jan_2022#full)

8. <https://www.ochaopt.org/data/demolition>





# Legal framework

According to the International Committee of the Red Cross (ICRC), the relevant International Humanitarian Law pertaining to belligerent occupation is primarily contained within two documents: The 1907 Hague Regulations and the 1949 Fourth Geneva Convention Relative to the Protection of Civilians in Times of War (Fourth Geneva Convention). This legal framework is particularly due to the aftermath of 1967 international armed conflict between Israel and its neighboring states, after which the Israeli armed forces assumed control over new territories and populations. As a result, the ICRC designates these territories as being under Israeli belligerent occupation, thereby affirming the de jure applicability of the law of occupation<sup>9</sup>.

Within the context of this report, it holds paramount importance to evaluate the framework under which demolitions are carried out. This evaluation enables us to subsequently delve into the relevant legal rules that apply. Home Demolitions in the Occupied Palestinian Territories (OPT) can be categorized into three primary types<sup>10</sup>:

## Administrative Demolitions

The process of administrative demolitions is governed by regulations set forth by the competent public authorities. Within the framework of the law of occupation, the responsibility for managing public land and enforcing urban and zoning regulations rests with the Occupying Power, as outlined in Article 55 of Hague Regulations. These powers are further articulated by Article 43 of Hague Regulations of 1907, which stipulates that the Occupying Power is accountable for restoring and upholding «public order and safety.» However, it is crucial that these powers are wielded in adherence to the existing laws and regulations of the occupied territory and for the benefit of the local population.

Article 43 also explicitly stipulates that the occupying power must refrain from altering the local laws that are in effect. However, in spite of this provision, Israel has enacted laws and amendments that disproportionately favor the Israeli settlers' population by facilitating controlled development. Paradoxically, when these same laws are imposed upon Palestinian communities, they hinder their progress and contribute to the dispossession of their land.

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9. International Committee of the Red Cross. (2023, April 4). What does the law say about the responsibilities of the occupying power in the Occupied Palestinian Territory?. International Committee of the Red Cross. <https://www.icrc.org/en/document/ihl-occupying-power-responsibilities-occupied-palestinian-territories>

10. Opt: The legality of house demolitions under International Humanitarian Law - Israel. ReliefWeb. (2004, May 31). <https://reliefweb.int/report/israel/opt-legality-house-demolitions-under-international-humanitarian-law#:~:text=Houses%20can%20be%20demolished%20only,purposes%20as%20a%20military%20operation>



Jeruslamite Kayed Edkidek was forced by Israeli Occupying Forces to demolish his own home

## Military Demolitions:

Article 53 of the Fourth Geneva Convention states that; “Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations”.

The above cited Article discusses the regulations regarding the demolition of houses and property during military operations under the law of occupation. The main points are as follows:

1. Houses can only be demolished during military operations in response to violence by organized armed groups, not for ordinary law enforcement or occupational purposes.
2. Demolition is allowed only if it is absolutely necessary for an ongoing military operation and there are no less intrusive alternatives.
3. Article 53 protects both real property (houses) and personal property (moveable assets) inside or outside the houses, including furniture, money, vehicles, etc.
4. Private and public properties are protected regardless of the owner’s status within the occupied territory, encompassing all individuals living there, including Palestinians, foreigners, and even Israeli citizens, as well as journalists, humanitarian workers, and visitors.

Any demolition carried out in contradiction to the above-mentioned requirements is deemed to be a violation of international humanitarian law.



Demolition of a house- Source: Al-Ayyam newspaper


## Punitive Demolitions:

Punitive house demolitions have historical origins in British military practices dating back to the early of 20th Century. These practices were employed during the British mandate period in Palestine, serving as a response to the growing resistance against British rule. noteworthy example is Regulation 119 of the Defense Emergency Regulations of 1945, which played a central and pivotal role in incorporating house demolitions into the legal framework of Palestine.

When the Israeli army entered the West Bank and Gaza in 1967, Israel continued the practice of punitive demolitions under the same regulation. To date, Israel has demolished hundreds of houses as part of this policy, leaving thousands of Palestinians homeless<sup>11</sup>.

The current punitive house demolition policy, which adopted by the Israeli Occupation Forces (IOF), is designed to inflict harm on individuals who have not committed any wrongdoing or not directly involved in any criminal activities as Israel deems. Instead, they are related to Palestinians who have allegedly been involved in involved in alleged attacks, as they were either killed by Israeli security forces or arrested, and are serving lengthy prison sentences in Israel.

11. Home demolition as collective punishment | b'tselem. (n.d.). [https://www.btselem.org/punitive\\_demolitions](https://www.btselem.org/punitive_demolitions)



Despite of the aforementioned, this policy is still implemented, leading to the destruction of homes and adversely affecting innocent family members who had no role in the attacks.



The occupation demolishes Silwan (archives- ABA)

The legal part of this issue is rooted in the Fourth Geneva Convention. The specific principle in question is enshrined in Article 33 of the Convention, which outlines the following key provisions:

1. **No Punishment of Innocents:** The Article explicitly states that no individual who is considered a «protected person» under the Convention may be punished for an offense he or she has not personally committed. This means that civilians, including homeless women and other vulnerable populations, cannot be held accountable for any wrongdoing they did not directly involve in.
2. **Prohibition of Collective Penalties:** The Article prohibits the imposition of collective penalties. This principle recognizes that punishing a group of people for the actions of a few individuals is unjust and contrary to the spirit of individual responsibility.
3. **Prohibition of Measures of Intimidation or Terrorism:** Any measures that instill fear or use terrorism tactics against civilians are strictly forbidden. This includes punitive house demolitions that target innocent family members of those who are suspected to be involved in attacks.
4. **Prohibition of Pillage:** The Article forbids pillaging, which refers to the unlawful taking of private property by force or through other illegal means.



5. Protection of Protected Persons and Their Property: The Convention unequivocally prohibits any form of reprisals against «protected persons» and their property. «Protected persons» refer to civilians who find themselves in the hands of a party to the conflict or an occupying power.

According to B'tselem, Home demolition is an administrative process that does not involve a trial or presentation of evidence. Following Regulation 119, when a demolition order is issued, the affected family has only 48 hours to appeal against such order to the military commander. According to a 1989 ruling by the High Court of Justice (HCJ), if the appeal is rejected, the family shall have the right to petition the court before the demolition is being carried out<sup>12</sup>.

The Israeli officials claim that such demolitions are carried out for the purpose of achieving deterrence for other Palestinians from planning or carrying out attacks, given the fact that they fear their familie's homes will be demolished. However, even if this deterrent effect exists, it does not make the policy morally or legally justified.

12. Ibid

# Home demolitions in perspective of the International Law

Israel, as the Occupying Power, has obligations and responsibilities that are bound by IHL towards the Palestinian people, due to its de facto control over the Palestinians in OPT. Home Demolition is a grave breach violation by the Occupying Power of its obligation under both International Humanitarian Law (IHL) and International Human Rights Law (IHRL). In particular, when Home Demolitions lead to the displacement of Palestinians in the Occupied Palestinian Territories (OPT), this act is considered a grave breach of the Fourth Geneva Convention. Article 27 of the Fourth Geneva Convention emphasizes the principle of respecting and upholding human dignity safeguarding fundamental individual rights.

Moreover, Article 46 of the Hague Regulations protects family honor and rights, the lives of persons, and private property. The displacement of communities resulting from demolitions violates various protections provided to protected persons under IHL. Home Demolitions in Jerusalem contradicts Article 49 of the Fourth Geneva Convention. Article 49 explicitly prohibits individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to any other, occupied or not, country regardless of their motive.

## Here's how home demolitions in Jerusalem violate Article 49 of the Geneva Convention:

**1. Forcible Transfer:** Home Demolitions in Jerusalem involve the forced removal of Palestinian families from their homes and communities, effectively transferring them against their will. This practice amounts to a forcible transfer of protected persons, which is prohibited under Article 49.

**2. Transfer of Occupying Power's Civilian Population:** The establishment and expansion of the Israeli settlements in East Jerusalem often involve demolishing of Palestinian homes to make way for Israeli settlers. This practice constitutes the transfer of the occupying power's civilian population into the occupied territory, which is also prohibited by Article 49.

**3. Dispossession and Deprivation:** Home Demolitions result in the dispossession and deprivation of Palestinian families of their property, assets and livelihoods. Such actions violate the protections afforded to civilians in the occupied territories under Article 49, which aims to ensure their security, well-being, and right to remain in their homes.

**4. Alteration of Demographic Composition:** The systematic demolition of Palestinian homes and the subsequent settlement activities in Jerusalem are considered part of a broader pattern that aims to alter the demographic composition of the occupied territory. This practice violates the fundamental principles of International Humanitarian Law, which seeks to safeguard the rights and interests of civilian populations during times of occupation.



## “Revealing Insights: Unveiling Discoveries Findings from testimonies”

For Palestinian women, Home Demolitions are particularly detrimental. Not just due to the obvious repercussions of homelessness for women, but also due to traditional patriarchal structures. Home is mostly often seen as the women’s sphere, and women are expected to continue caring for the family’s needs with or without a shelter. This is also due the fact that most Jerusalemite women are housewives.

According to Israeli sources, the participation rate of Palestinian women in the workforce in Jerusalem reached 23%, compared to 81% of Jewish women in the year 2019. Not to mention that female labor force participation rate has decreased to 16% in the year 2020 due to the COVID-19 pandemic<sup>13</sup>.

However, the lack of women participation in the Public Life is due to the Israeli policies, WCLAC has documented women inability to travel for education or work in Shu’fat Refugee Camp, for example, due to camp closure by the Israeli Occupying Forces. Additionally, and due to settlers’ ongoing violence, women are less likely to pursuit education in many areas of the OPT, all of which is leading to lack of participation of women.

Furthermore, Palestinian mothers shall have to care for their children and heal the trauma incurred by having the family home destroyed. It is common for displaced families to move in with the husband’s relatives, a factor that can reduce women’s decision-making power and agency.

Living with relatives has its own negative impact on women, depriving them of their privacy, and often leading to the further diminishing of women’s influence in the domestic sphere, and erosion of their decision-making power.



*«Every day, my daughter pleads for a room of her own. She currently sleeps in the same room as me and her siblings. I’m desperately searching for a way to provide her with a separate private space, but I’m at a loss as to where to find it.»*

**Aziza, 50 years old, Jabal Mukaber**



There is also an increased risk of domestic violence and abuse against women who move into the homes of their husband’s relatives. Women supported by WCLAC have described how-matter the little authority they enjoyed previously had been stripped

13. “The economic rights of women in Jerusalem: A challenging reality and serious violations.». The Palestinian Initiatives for The Promotion of Global Dialogue and Democracy. (n.d.).



away when they moved in with their in-laws. Psychological distress is also a common consequence of home demolition for women and girls since they witness the violent intrusions carried out early in the morning or late at night and/or the arrests and physical assaults of family members.

In accordance with the Committee on Economic, Social and Cultural Rights (CESCR), as articulated in General Comment No. 4: The Right to Adequate Housing, it is emphasized that the right to housing should not be construed in a limited or confined manner, solely as the provision of a physical roof over one's head or as a mere commodity. Instead, it should be comprehended as the entitlement to reside in a place that offers security, tranquility, and a sense of dignity.

According to the Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 4: The Right to Adequate Housing "The right to housing should not be interpreted in a narrow or restrictive sense of merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity" .

In view of the testimonies documented by WCLAC, structures' demolitions were typically considered as Administrative and carried out due to lack of Israeli-issued permits, which are impossible to obtain for Palestinians according to OCHA, yet in some cases WCLAC documented, women indicated that the demolition of their structures was due to Municipality constructing a street that cuts through Jerusalem as they were informed.

Most of the testimonies documented by WCLAC, during 2022 and first half of 2023, were about Home Demolitions in the Occupied East Jerusalem. These testimonies have evidenced the following according to the interviewed women:

### **Why do not Palestinians attempt to acquire building permits?**

- All interviewed women testified that the family attempted to legally build and obtain a permit, but due to discriminatory practices of Israel, their building permits are rejected constantly, no matter how many times they apply. According to OCHA, the Israeli Authorities overwhelmingly reject the vast majority of Palestinian applications for building permits, citing the lack of appropriate zoning for construction in the relevant areas. This rejection occurs even when the Palestinian applicants can prove undisputed ownership of the land for which the permit is requested.

- As a result of this, obtaining building permits for Palestinians becomes virtually impossible<sup>14</sup>.

- Moreover, and according to data collected from the Israel Civil Administration (ICA),

14. Most Palestinian plans to build in area C not approved. United Nations Office for the Coordination of Humanitarian

Affairs - occupied Palestinian territory. (n.d.-c). <https://www.ochaopt.org/content/most-palestinian-plans-build-area-c-not-approved>





between 2009 and 2018, only two percent (2%) of all Palestinian applications for building permits in Area C were granted, with a mere 98 permits approved out of 4,422 submitted applications<sup>15</sup>.

In contrast, the Israeli Authorities have approved local outline plans for the Israeli settlements, which cover a significant portion of Area C, estimated to be at least 8.5% according to 2015 estimates by OCHA.

It is crucial to highlight that settlements are deemed illegal in accordance with International Humanitarian Law, as they violate Article 49 of the Fourth Geneva Convention. This article explicitly forbids the relocation of the civilian population of the Occupying Power into the Occupied Territory.

According to data provided by human rights organizations, the Israeli Authorities continued their settlement expansion efforts with approvals for 16,098 units in settlements and permits issued for at least 2,233 housing units during years 2019 and 2020<sup>16</sup>.

Furthermore, the testimonies revealed that the majority of families made efforts to pursue legal recourse against demolitions of their homes. This involved paying substantial fines to the municipality and covering attorney and legal procedure fees. However, in most instances, and despite the ongoing legal process with scheduled court sessions, homes are still demolished before the conclusion of the proceedings. Unfortunately, in these cases, the affected families had no opportunities to appeal the demolition orders, as confirmed by the testimonies of the women impacted by these demolitions.



*«People often say to us ask us, «Why build without a permit?» But what other option do we have? Building is restricted, and we are left with no place to call home. Today, after the demolition, I find myself residing in an underground rental with no windows or proper ventilation. My son's family is also scattered; his wife and children live with her family, while he resides with me, burdened by his debts.»*

**- Asmahan, 48 years old, Jabal Mukaber.**



## Enforced Self-demolitions:

Self-demolition in the Occupied East Jerusalem refers to a distressing phenomenon where Palestinian homeowners are forced to demolish their own homes or structures due to pressure by the Israeli Authorities. Under the threat of heavy fines, penalties, or the risk of having the demolition costs imposed, Palestinian homeowners are sometimes left with no choice but to demolish their own properties.

15. Ibid

16. ibid





Self-demolition of a house in Jerusalem- Source: Al-Hadaf News Portal



Nonetheless, Jerusalemites' families are sometimes forced to destroy their own homes due to an amendment made to the Israeli Planning and Building Law. This amendment imposes fines on owners of «illegal» structures for each day the structure is in use, creating financial burdens that many families cannot afford. According to the regulations, fines may reach up to ₪ 300,000 New Israeli Shekels. The owners may be charged extra sums for any additional days of use, as well as the cost of the demolition itself if this is carried out by the municipality. Ultimately, this type of demolition reduces the cost of the demolition for Israel.

This enforced self-demolition practice is seen as a desperate measure undertaken by families to avoid even more severe consequences imposed by the authorities. In the testimonies collected by WCLAC, two cases of self-demolition were documented. The first case was the women's male family members had demolished their own homes with hammers during which kids also participated. The second case was that the other family rented a bulldozer as it would be cheaper than demolition fees incurred if IOF had demolished structures.



*«We decided to demolish the house ourselves because having the municipality do it would add around 100,000 shekels, and we already owe thousands of shekels for building and furnishing the house. So, my husband decided to demolish the house with his own hands, and he and his brothers participated in demolishing the house themselves. Even our young children joined in demolishing the house with their father. Everyone was crying; we broke our hearts while demolishing the house.»*


**Nevin, 28 years old, Jabal Mukaber.**



## **«They do not tell us when the demolition will take place»**

- Families were informed about their home's impending demolition, but the actual demolition process was often carried out after prolonged periods. In some instances, years passed after receiving the demolition notice. This situation made the Jerusalemites families to have constant stress and anxiety as they lived in uncertainty, not knowing when they would be forced to evacuate their homes.
- It is noteworthy that the majority of home demolition orders were issued by the Israeli Occupation Forces (IOF) after the completion of construction of both residential and non-residential structures. Interestingly, these demolition orders were not issued during the construction process of these structures, but rather at a later stage.





«Each night, my children and I drift into sleep haunted by the same recurring nightmare, envisioning bulldozers arriving to destroy our home. This tormenting nightmare has plagued me for two long decades.»

**Aziza, 50 years old, Jabal Mukaber.**

## “They destroy everything”

- As reported by the interviewed women, when demolition orders are issued for specific parts of structures for which building permits haven't obtained, the Israeli Occupation Forces (IOF) often overlook the potential damage to the entire building during the demolition process. This disregard leads to the destruction of not only the targeted part but also of the essential utilities, such as waterlines, electricity, and phone lines.

Moreover, neighboring structures and homes are also affected, resulting in a significant damage to the whole neighborhoods. In these cases, not only the demolition processes affect the intended targets, but also have far-reaching consequences for the surrounding community. The destruction of essential infrastructure and neighboring properties exacerbates the hardships faced by local residents, causing widespread damages that go beyond the immediate structures targeted for demolition.


«During the demolition of the rooftop, they caused havoc and destruction to the entrance of the building and the stairwell. They also ruined electricity lines, water pipes, telecommunication and internet cables for the entire building.»

**Nima, 40 years old, Al-Eisawiya.**


## The violence accompanying the demolition.

- According to the accounts of nearly all the women interviewed, the home demolitions they experienced were marked by violence and the use of excessive force. During the demolitions, women and their families faced direct confrontations with the Israeli Forces, often leading to physical altercations and harsh treatment. The women recounted instances of physical assault, verbal abuse, mocking and intimidation by the Israeli Forces.

These violent and forceful actions by the Israeli Forces created an atmosphere of fear, anxiety and trauma to the affected women and their families, especially the children.




The demolition process, which is already a distressing event due to the loss of homes and personal belongings, was further exacerbated by the use of excessive force and aggression. The women and their families felt vulnerable and helpless facing such a show of power by the occupying forces.




*«When we urged them not to proceed with the demolition of the house's wall, they responded with violence, wielding crowbars and assaulting us. I was struck on my legs, and my sister in law suffered a broken hand as a result.»*

**Heba, 40 years old, Al-Eisawiya.**




## **Mockery and ridicule by the occupying forces during the demolition**

In reference to testimonies by the Palestinian women regarding the behavior of Israeli Forces officers during Home Demolitions, many of these women shared accounts of being subjected to mockery and ridicule by IOF officers. Such disrespectful behavior only added to the emotional distress experienced by these women and their families during the demolitions. One particularly troubling testimony highlighted the insensitivity showed by the IOF officers who were reported to have taken selfies with the rubble of the demolished home. One female officer of IOF mocked one of the women by saying “We have demolished your home!”. This act occurred while Palestinian women are still trying to gather their family members and salvage whatever belongings they could amid the destruction. For the affected women, this behavior was deeply humiliating and degrading.



*«All of my household possessions were discarded in the trash, and when I pleaded for them to save my belongings, they only permitted me to salvage my clothing. I wept while they laughed callously. My son experienced a severe epileptic seizure, and afterward, they confined us in a cramped , box-like container resembling vegetable refrigerators, all to prevent us from witnessing the demolition.»*

**Nada, 53 years old, Beit Hanina.**





Such actions by the Israeli Forces not only demonstrate a lack of empathy and compassion but also show a complete disregard for the immense human suffering caused by these demolitions. The act of taking selfies amidst the ruins of a demolished home, where families are grappling with the loss of their possessions and the upheaval of their lives, highlights a disturbing lack of sensitivity and respect for the dignity of the affected individuals.



*“After they demolished the house with everything inside, and they started taking selfies with it while laughing. The female soldier came and mockingly said to me, (We demolished your house).”*

**Jamalat and Tamara, 21 years old, Silwan.**



## Destructive psychological effects

- The demolition of Palestinian residential structures in the Occupied East Jerusalem has left hundreds of Palestinians homeless while suffering from the vigorous financial and psychological impacts of demolition. Following home demolitions, families are often left in dire financial circumstances and burdened with significant debts.



*«Since the house was demolished, my husband refuses to go to work. He says he has no hope in anything; he’s just waiting for death. As for my son, he goes to work just to provide the house with food and pay the bills.»*

**Izdahar, 46, Jabal Mukaber**



## Unbearable financial consequences and debts

The following are some of the ways in which the interviewed women have spoken of some financial hardships:

**Loss of Property:** Home Demolitions result in the complete destruction of a family’s property, causing a substantial loss of assets. The value of the land and the demolished structure is also lost.

**Debt Incurred as of Building Costs:** Many families invest their savings and take loans for purposes of constructing their homes. The demolition of their property means that they are left with unpaid debts, including mortgages and construction loans, with no assets to present thereto.



**Fines and Demolition Costs:** In some cases, families are forced to bear the costs of the demolition carried out by the Israeli Authorities. These costs can be excessive and place an additional financial burden on already struggling families.

**Legal Expenses:** Families often attempt legal recourse to challenge the demolitions or seek compensation. However, legal fees, court costs and other expenses associated with these legal battles can be quickly accumulated, leaving families with mounting debts.



*«My husband has become constantly agitated, yelling at us all the time, and picking fights with everyone. The financial burden, debts, and fees for lawyers and engineers have added to his stress.»*

**Nevin, 28, Jabal Mukaber.**



**Relocation and Rent:** Following the demolition of their homes, families are forced to find alternative accommodation, which usually involves renting a place. Renting can be costly, particularly in the Jerusalem area, and it adds to the familie's financial strain.

**Loss of Livelihood:** Home Demolitions can lead to the destruction of businesses or shops that families operated from their homes. The loss of income from these businesses further exacerbates the familie's financial hardship.

**Emotional and Psychological Toll:** The financial burden resulting from home demolitions is intertwined with emotional and psychological distress. The trauma of losing one's home and belongings can affect the ability to work, make financial decisions, or even find the motivation to re-build one's life. As testimonies evidence, financial consequences of home demolitions often have long-lasting effects on families, leading to a cycle of debt and poverty. The lack of affordable housing options and limited access to resources further compound the difficulties faced by these families.



*«The total amount we paid in fines was 400,000 shekels, and Tthe last fine was 85,000 shekels. Just a month after paying those fines, the bulldozers came and demolished the house.»*

**Izdahar, 46 years old, Jabal Mukaber.**



## Women's Testimonies and Voices

These testimonies were collected from Jerusalemite women; the testimonies below describe the experience of women interviewed in their own words.

### Jabal Al Mukabber

According to OCHA, the number of demolished structures in Jabal Al-Mukabber in January 2022 - May 2023 was 39 demolitions, which are the highest in the Occupied East Jerusalem and causing displacement of 124 Palestinian people.

Below are Jerusalemites' women's voices from Jabal Al Mukabber, who shared their stories, in their own words.

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- Shireen: is 38 years old, a mother of five children. Shireen and her husband bought a house after living for decades in one-bedroom apartment with her five children. Together, they spent their lives-saving buying the house and later renovating it, they also built a fence surrounding the house, when finished, and on the 15th of March 2021, her family was served with a "Notice to demolish fence" and later a notice to demolish the home due to the Municipality's intention to construct "the American Street". As a result of that, Shireen and her family have been living under tremendous stress, awaiting the demolition of her home any minute. Shireen says that: "If the land is confiscated and the house is demolished, we will be in debt until we die and we will never be able to buy another house, I feel that I am losing my life and my family and the pain has accompanied me every day".



- Likewise, Shadia: is 33 years old, a mother of five children, who also lives under the threat of having her family's shops demolished due to the construction of the "American Street" in Jabal Al Mukabber. Shadia and her husband constructed shops on a land they own, hoping to improve their income. Once the shops were fully constructed, they were served a notice to demolish the shops. Shadia and her family appointed a lawyer but all was ineffective. Currently, they are waiting for demolition of their structure, causing them to live under severe distress.



- Mahira: is 60 years old, a mother of ten children and lives in a small home with her husband and two of her children. Mahira and her husband decided to build a home, so she and her husband can reside in, accordingly, they took many loans to build the house. Mahira says that: "even though me and my husband are elderly, we worked day and night to pay our debts", "we barely ate during those times". Once





their house was built and ready to resident in, Mahira and her husband served with a notice from Jerusalem Municipality to demolish their home as for the sake of construction the “American Street”. Mahira was told that she can fight the decision if she hires a lawyer, but nothing is guaranteed. However, she says that they cannot even afford it. Currently, they are waiting for their home to be demolished any day, causing her and her husband to live in constant fear and anxiety of homelessness.



- Widad: is also 60 years old. According to Widad, Jerusalem Municipality issued an order to confiscate most of the land in Jabal Al-Mukabber. Widad and her family tried to fight the decision as it means having their home demolished. They fought the decision before the Israeli Courts for over two years. In 2022, the Israeli Court issued its judgment to confiscate her land and demolish her and her sons’ homes. Widad and her family now live in debt and anxiety awaiting their homes to be demolished.



- Aziza: is 50 years old, and has nine children. Aziza and her family lived for more than 21 years under the threat of having their home demolished since 2001. Aziza says that she and her family lived in constant fear of Bulldozers destroying our house. Till IOF finally demolished it in 2022. Currently, Aziza lives in a small space with eight of her children in a one-bedroom apartment in Jerusalem. Two of Aziza’s sons tried to move out but both of her sons had their houses demolished. One of her sons was forced to self-demolish his home in order to avoid paying heavy fines for Jerusalem Municipality.



- Izdihar: is 46 years old, housewife and has five children. Ever since she was married in 1995, has been living in a one-bedroom apartment. Izdihar’s family grew larger and the need to have more space became more of a must and a vital need. They applied for a permit to build a home on a land they own in Jabal Al- Mukabber, but for years the permit was rejected. In 2015, Izdihar and her husband decided to take the risk of building without a permit. As soon as they started, they were notified by the municipality. Izdihar’s husband appointed lawyers trying to fight the demolition order at courts and get the required permit to legalize the Home they have built. Izdihar says that: they were under the impression that if they paid the fines, the house would not be demolished. Accordingly, they had to pay over ₪ 350,000 Shekels as fines, (which is equal to US \$95,000). However, during the payment process of the fines in installments, the Israeli forces showed up at their house and demolished it. Izdihar says that over 300 IOF soldiers arrived at their house accompanied by dogs. She was at home alone with her daughter-in-law, as



well as her granddaughters. Izdihar said that: “We were terrified and my granddaughters were dramatically crying. It’s really shocking to see our entire house that we’ve built in years, was destroyed in front of us just in “few minutes. Izdihar and her family had to move back to their one-bedroom apartment. The family was also billed the cost of the demolition which made them in debt of  $\approx$  400,000 Shekels. Pursuing the demolition, Izdihar’s husband is bed-ridden and would not work or leave the house. Her son is currently the main supporter of the family; she says he provides enough for them to have food on the table.

## Silwan

In Silwan nevertheless, four testimonies were collected from women who had their homes demolished and were left homeless with their children. Demolitions in these four testimonies took place at night, leaving the families and children terrified.

- **Jamatat:** at age of 56, she became homeless with another 30 individuals of her family after their home was demolished. Her family had tried applying for a building permit multiple times but always rejected. She says that: the Israeli Authorities always reject their building permit as for “Confidential” reasons. For twenty years, Jamalat and her family lived in fear of the day at which their home will be demolished till finally was demolished indeed in 2022. This was in spite of paying heavy fines up to half a million Shekels which equal to US \$ 137,000.

Even though, they were given a weekly notice to demolish their home, Jamalat and her family thought it was like the other notices they have been receiving for twenty years. The family did not take this matter seriously and went on about their lives. A week later, Jamalat was awakened by IOF’s Soldiers in her bedroom, a female soldier started beating Jamalat and dragged her out of the house. Jamalat’s husband was also beaten and the family was given an hour to evacuate their home. Accordingly, they started throwing their clothing out of the windows trying to get as much stuff as they can. Jamalat says that: soldiers were taking selfies next to the rubble of their home and laughing, one soldier taunted them by saying “we demolished your home”. Jamalat and thirty members of her family slept near the rubble at that night, neighbors offered mattresses and covers for the family.



- **Shahed:** is 18 years old, housewife and lives in a multiple-story house with her husband’s family. Like Jamalat. Shahed says that she was awoken by soldiers in her home, she says that she never had to deal with Israeli soldiers before, thus, she was terrified that she left her baby sleeping in his crib and had to go back for him. She knew later that they were there to demolish her house. She was only allowed to take only the baby formula with her. Their house was demolished in front of their



eyes, leaving her with anxiety, stress, and insomnia. She says: “watching our own home demolished is one of the worse scenes that I can’t forget or overcome!”



- Anwar and Tamara: are both housewives in their early twenties age. They are married to brothers and share the same residential building. On the 10th of May 2022, the Israeli forces swarmed their building at 9:00 am. They were told that Tamara’s home would be demolished and that they need to leave the premises. Tamara was surprised since the court session to look into their home demolition was scheduled for the same day. Both Tamara and Anwar were not allowed to change their clothes nor allowed to take any of their belongings with them. Tamara’s home was demolished, resulted in a grave damage to Anwar’s home as of being in the first floor of the same building. Both Tamara and Anwar and their families were left homeless with no shelter.

## Al-Essawyeh

- Niema: is 40 years old, a mother of four children. She and her husband built an annex on top of the building they own. As soon as the annex was finished, the family was served a notice to demolish the annex, being on top of a residential building. Such demolish meant that gross damage to the building itself and the surrounding area. On the 11th of May 2022, the Israeli Forces barged into their home and confiscated her husband’s work equipment. Neima said: “The Israeli forces demolished the wall surrounding our home and later billed us by ₪ 80,000 Shekels for having doing so. They demolished the annex, and as a result, destroyed our garden, the building’s entrance, as well as electricity lines, phone lines and water”.



- Hiba: is 40 years old, a mother of two children. Hiba’s husband is disabled and bound to a wheelchair. Hiba’s family is scattered due to the fact that their current home consists of one bedroom where her son sleeps at his grandparents’ house while her daughter sleeps in the living room. Due to her husband’s condition, Hiba says that they need to be close to her in-laws as they assist with her husband’s condition. Accordingly, they tried to issue a permit to build an annex on the roof of their home, so they paid a significant amount of money to a lawyer and for court procedures. But all was in vain. Consequently, Hiba and her family decided to build the annex. On the 1st of June 2022, at 8:00 am, large numbers of the Israeli Forces invaded Hiba’s home and demolished it, even though, they had a court session scheduled for the same day to look into permit issuance as Hiba stated. They also attacked Hiba and her sister in-law with batons causing them harm. Hiba says that: whenever she needs kitchenware, she goes to rubble till finds a pot that she can use. Their home demolition left them homeless and sleeping in a storage unit next to their home.





## Beit Hanina

- Nada Khader: is 53 years old, widow, has four married daughters and three sons. One of her sons is with special needs since he has epilepsy. What makes Nada's story different is that since her husband is deceased, Nada lives with her parents. Her parents' home was demolished for the first time in August 2022, and then re-demolished for the second time in January 2023. She stated that the demolition order was under the claim that the land the house is built on property of the Hebrew University, which is not true according to her as it belongs to Palestinian Housing Council.

Nada describes the demolition: "the first thing they destroyed was the vine and olive trees, they destroyed our three rooms and all the furniture inside, they did not let me take any of my belongings, except for some clothes. I was crying and they were laughing". Nada says that due to the intensity of the situation her disabled son had a seizure, Nada testified that she and her family were placed in containers during the demolition. Due to being unemployed, Nada had to live in a women's shelter (Israeli shelter), and her epileptic son moved with his sister and husband.

Nada says that the life in shelter was unbearable due to the discrimination she faced for being a Palestinian woman in a shelter predominated by Israeli women. Nada is currently looking for a cheap place to rent and says she intends to start working in cleaning houses, so she can reunite with her son.

## Conclusion

At least third of the Palestinian homes in the Occupied East Jerusalem lack an Israeli-issued building permit, which potentially placing over 100,000 residents at risk of displacement.

The data presented in this report highlights the devastating impact of home demolitions and enforced self-demolitions on the Palestinian families in Jerusalem. These demolitions result in not only the loss of shelter but also severe financial hardships for the affected households. Home Demolition affects the right to the economic well-being of hundreds of Palestinians, including women. Jerusalemite families are left grappling with significant debts, as their homes and personal belongings are destroyed without proper compensation or support. The effects will be passed on to generations.

Moreover, the emotional and psychological impacts of these demolitions cannot be overlooked. The trauma and distress experienced by the affected families hinder their ability to rebuild their lives and regain financial stability.

Furthermore, Home Demolitions action is a violation of Article 49 and Article 147 of the Fourth Geneva Convention, as IOF involve extensive destruction of property, lack of genuine military necessity, and is considered wanton and unlawful actions.

The United Nations, human rights organizations and the international community have repeatedly expressed concerns about the legality and human rights implications of Home Demolitions in Jerusalem and other occupied territories. These actions have been widely criticized for their impact on the Palestinian communities, exacerbating existing hardships and contributing to a cycle of displacement and deprivation.



*«Yesterday, I searched among the rubble for my belongings and found a pot, a ladle, and a clothes hanger. I rejoiced in them as if they were a piece of my soul.»*

**Tamara, 20 years old, Silwan.**



## Recommendations

WCLAC calls upon the international community and stakeholders, including UN member states and parties to the Fourth Geneva Convention, to support justice and accountability measures, including ICC investigation, in addition to:

- disengage from activities with Israel that may make them complicit in serious violations of international human rights and humanitarian law or the commission of international crimes against the Palestinian people.
- Demand an immediate halt to the demolitions of Palestinian homes.
- Advocate for increased recognition of property rights for the Palestinian population.
- Recognize the rights and freedoms of Palestinian women to access adequate housing and family/private life.
- Call for the cessation of punitive demolitions and the revocation of related policies.
- Highlight the harmful impact of these practices on the physical and psychological well-being of Palestinian women and girls residing in Israel, as well as Palestinian women and girls in the Occupied Palestinian Territory.
- Expose Israeli Policies and encourage UN agencies to expose Israeli policies, practices, and crimes against women in Occupied East Jerusalem.
- Advocate for the boycott of Israeli and international companies that complicit in violations of Palestinian rights.



*«Nevertheless, we will not leave it even if we have to live in a tent. This is our land and our right is to live on it with dignity.»*

**Nevin, 28 years old, Jabal Mukaber.**







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