

# Property Rights

## GENERAL OVERVIEW

Since 1967 Israel has pursued a policy of establishing and expanding Israeli-only settlement colonies in the occupied Palestinian territories (oPt), including Gaza, the West Bank, and East Jerusalem. While Israel unilaterally removed its settlers from Gaza in 2005, most were relocated to West Bank settlements. At the same time, Palestinian development has been severely limited by the Israeli military occupation, which has confined the population to small enclaves. The natural development of Palestinian towns and villages is frozen by various means, including land expropriation, discriminatory planning and zoning policies, restrictive granting of building permits and the demolition of Palestinian homes.

## HOME DEMOLITIONS | PERMITS

***“The United States also disagrees with some Israeli actions in Jerusalem affecting Palestinians in areas such as housing, including the continuing pattern of evictions and demolitions of Palestinian homes.”***

-U.S Special Envoy for Middle East Peace George Mitchell | November 5, 2009

As of 2009 approximately 4,700 Palestinian homes have been demolished because their construction is deemed in violation of Israeli permit requirements. However, it is almost impossible for Palestinians living in certain parts of the West Bank, especially in East Jerusalem, to obtain permits for the construction of new homes or building additions to pre-existing homes. The process is long, expensive, and complicated. More often than not, a permit is not granted and Palestinians are faced with the choice of staying in an overcrowded home or building without a permit.

Years	Palestinian Homes Demolished	Jewish Homes Demolished
1967-1990	11,286	no data available
1990-1999	1,628	no data available
2000-2009	10,465	30

Sources: ICAHD<sup>1</sup> and B'Tselem<sup>2</sup>

### THE FOURTH GENEVA CONVENTION

#### ARTICLE 53

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons ... is prohibited.

- For every construction permit granted to a Palestinian by the State of Israel, 18 other buildings are destroyed and 55 demolition orders are issued.<sup>3</sup>
- 94% of requests for construction permits submitted by Palestinians were denied by Israel.
- Of 1,624 construction permits requested by Palestinians from 2000-2007, only 91 permits were granted. 4,993 demolition orders were handed out during the same time period.<sup>4</sup>
- From 2000-2007, 18,472 housing units were constructed for Israelis in West Bank settlements.<sup>5</sup>



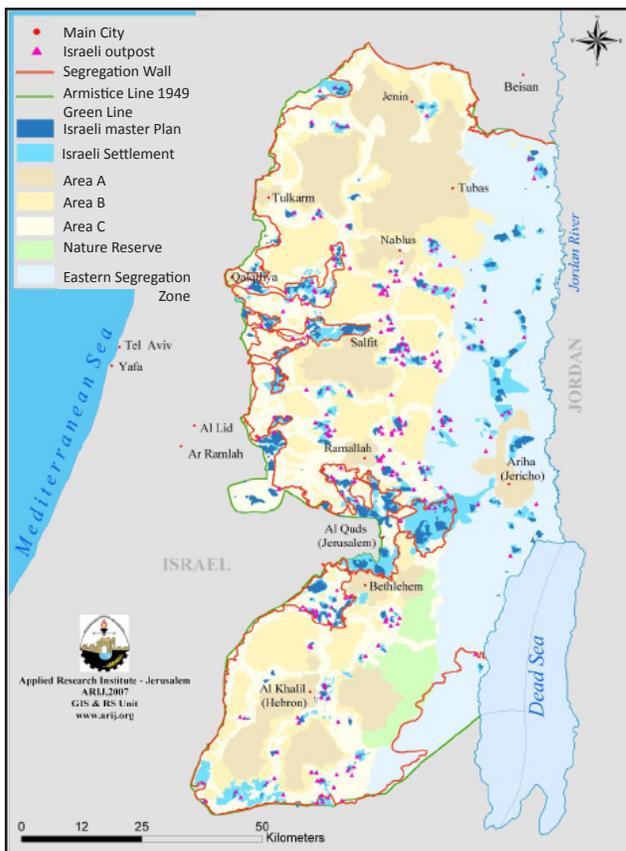
# SETTLEMENTS | THE WALL | LAND RESTRICTIONS

***“The United States does not accept the legitimacy of continued Israeli settlements. This construction violates previous agreements and undermines efforts to achieve peace. It is time for these settlements to stop.”***

-President Barack Obama | June 4, 2009 | Cairo Speech

Israel has used complex legal and bureaucratic mechanisms to take control of the majority of the West Bank. Some of this occupied land is used to establish and expand settlements which are contrary to international law. The principal tool the Government of Israel has used to take control of Palestinian land is to declare it “state land.” This creates a reality in which the Israeli government, in which Palestinians are not represented, can confiscate and destroy Palestinian property.<sup>6</sup>

- 70% of the West Bank has been designated as state land. Palestinians cannot build on any of this land.<sup>7</sup>
- More than 38% of the West Bank now consists of settlements, outposts, military bases and closed military areas, Israeli-declared nature reserves or other related infrastructure that are off-limits to Palestinians.<sup>8</sup>



## THE FOURTH GENEVA CONVENTION ARTICLE 49

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.

- As of 2007, approximately 481,600 Israeli settlers reside illegally in the West Bank and East Jerusalem in over 123 illegal Israeli settlement colonies and over 105 illegal Israeli outposts.<sup>9</sup>
- Palestinians are only allowed to build on approximately 9% of the land in East Jerusalem.<sup>10</sup>
- As of 2005, 82% of housing units in East Jerusalem were built for Israelis as opposed to 18% for Palestinians.<sup>11</sup>
- The Separation Barrier (wall) annexes 10% of the West Bank to Israel including arable land and major water aquifers.<sup>12</sup>
- In 2003, Palestinian farmers lost a total of 2,200 tons of olive oil, 50,500 tons of fruit, and 100,000 tons of vegetables. This was caused by the lack of water due to the wall and inaccessibility to their fields due to checkpoints.<sup>13</sup>

***“While we were waiting there naked in the sun, opposite Jamal’s house, army vehicles and bulldozers arrived. At about 11:00, the soldiers took us to the “divan” [room for receiving guests] of the Hourani family, where they gathered the residents and kept us until 7:30 at night, without letting us have anything to eat. The soldiers did not allow me to take my heart medication.***

***When the military action ended and the soldiers left, we went back to where our houses were. It was as if there had been an earthquake. The whole area was destroyed. ”***

-Ibrahim Da’ud 62 | August 29, 2007 | “Testimonies” collected by B’Tselem<sup>15</sup>

## FOOTNOTES

<sup>1</sup> ICAHD Statistics on House Demolitions (1967-2009). Last updated 7 April 2009, accessed 4/8/10 <http://www.icahd.org/eng/docs/ICAHD's%20updated%20House%20demolition%20statistics.pdf>

<sup>2</sup> B'Tselem, accessed 4/8/10 [http://www.btselem.org/english/Planning\\_and\\_Building/East\\_Jerusalem\\_Statistics.asp](http://www.btselem.org/english/Planning_and_Building/East_Jerusalem_Statistics.asp)

<sup>3</sup> Peace Now Report. Dec 2007. Israeli Central Bureau of Statistics compiled by Peace Now.

<sup>4</sup> *ibid.*

<sup>5</sup> According to the Israeli Central Bureau of Statistics, settlement construction from 2000-September 2007.

<sup>6</sup> B'Tselem, accessed 4/8/10 [http://www.btselem.org/English/Settlements/Taking\\_Control.asp](http://www.btselem.org/English/Settlements/Taking_Control.asp)

<sup>7</sup> World Bank Report Sep 2008. *An Analysis of the Economic Restrictions Confronting the West Bank and Gaza.*

<sup>8</sup> UNOCHA *The Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank.* July 2007 pg. 8.

<sup>9</sup> According to Israeli Central Bureau of Statistics data for 2008.

<sup>10</sup> Dimova, Nicoletta. *When Ideology Leads to Destruction: Home Demolitions in East Jerusalem.* Palestine-Israel Journal. 2008.

<sup>11</sup> World Bank Report. *An Analysis of the Economic Restrictions*

*Confronting the West Bank and Gaza.* Sep. 2008

<sup>12</sup> Global Policy Forum accessed 4/8/10 <http://www.globalpolicy.org>

<sup>13</sup> Jerusalem Statistical Yearbook. No.7. June 2005. pg 171

<sup>14</sup> Applied Research Institute of Jerusalem. accessed 4/8/10 <http://www.arij.org/>

<sup>15</sup> Ibrahim Da’ud “Testimony: Soldiers destroy houses and force men to undress during a search for wanted persons, Qalqiliya, 29 August 2007.” B’Tselem, accessed 4/9/10 [http://www.btselem.org/english/testimonies/20070829\\_House\\_demolitions\\_in\\_Qalqiliya\\_witness\\_Ibrahim\\_Daud.asp](http://www.btselem.org/english/testimonies/20070829_House_demolitions_in_Qalqiliya_witness_Ibrahim_Daud.asp)