

## Statement in support of

### an EU demand for the freezing of demolitions and demolition orders of Palestinian structures in the occupied Palestinian territory

(Brussels, 05/12/2013) **APRODEV and CIDSE** urge EU Member States to publicly call on Israel during the forthcoming Foreign Affairs Council to act in line with its clear obligations under international law as Occupying Power. In particular, APRODEV and CIDSE call upon the EU to unequivocally demand that Israel:

- a) Cease destruction of property and forcible transfer, which are violations of international law; and
- b) Bring the restrictive, discriminatory and unlawful planning regime in Area C in line with its international obligations through the transfer of planning authority to Palestinian institutions, in order to provide for genuine ownership over the planning process<sup>1</sup>.

According to data compiled by the UN Office for the Coordination of Humanitarian Affairs (OCHA), the weekly average of structures demolished and persons displaced has remained unaffected by the resumption of the peace talks<sup>2</sup>. Since January 2012, 1,176 Palestinian structures have been demolished in the occupied West Bank, including in East Jerusalem, resulting in the forced displacement of 1,860 persons, over half of whom are children. Another 12,500 additional structures are currently under threat pending the execution of the demolition orders<sup>3</sup>.

Demolitions gravely impact on Palestinians' rights of access to housing, water, education and livelihoods. They also trigger displacement which in itself may amount to forcible transfer, and furthermore results in the infringement of the Palestinian right to self-determination and deepens the fragmentation of Palestinian presence in the West Bank. Individual or mass forcible transfer, as well as destruction of civilian property carried out in the absence of imperative military reasons in the occupied territory are grave breaches of the Geneva Conventions.<sup>4</sup> All grave breaches are considered war crimes<sup>5</sup>.

The Foreign Affairs Council must not miss this opportunity to build on its previous commitments<sup>6</sup> and contribute to bringing this situation to an end by promoting Israel's compliance with international law in a visible manner, as envisaged by the EU Guidelines on Promoting Compliance with International Humanitarian Law<sup>7</sup>.



**APRODEV** is the Association of World Council of Churches related Development Organisations in Europe. The members of the APRODEV Middle East Working Group - **Brot für die Welt, Christian Aid UK, Church of Sweden, Dan Church Aid, Diakonia, Finn Church Aid, HEKS-EPER, ICCO, Kerk in Actie, Norwegian Church Aid** - share a vision of peaceful co-existence in the Middle East with their partners in Israel and the Palestinian Occupied Territories. This begins with a respect for international law, and deepens with a rights-based recognition of the need for security-for-all. [www.aprodev.eu](http://www.aprodev.eu)



**CIDSE** is an international alliance of Catholic development agencies. Its members share a common strategy in their efforts to eradicate poverty and establish global justice. The members of the Working Group on Palestine/Israel – **Broederlijk Delen, CAFOD, CCFD, Cordaid, Misereor and Trócaire** – are actively involved in the region through partners in Israel and the occupied Palestinian territory. Together with our local partners, we work to reduce poverty and build peace through development and humanitarian programmes. [www.cidse.org](http://www.cidse.org)

<sup>1</sup> See "Planning to Fail: The Planning Regime in Area C of the West Bank: An International Law Perspective", Diakonia International Humanitarian Law Resource Center, September 2013.

<sup>2</sup> Calculation based on data compiled by the UN Office for the Coordination of Humanitarian Affairs (UN OCHA). Forced Displacement, Key Trends. Weekly average of structures demolished: Jan 2012- Jul. 2013 (15.76) & August-Dec 2013 (15.75). Weekly average of persons displaced: Jan 2012- Jul. 2013 (10) & August-Dec 2013 (9.7)

<sup>3</sup> According to data released by the Israeli Army under a Freedom of Information Request

<sup>4</sup> Fourth Geneva Convention of 1949, Arts 49 and 53; Hague Regulations of 1907, Arts. 46 and 56.

<sup>5</sup> Cf. Art 8. of the Rome Statute of the International Criminal Law

<sup>6</sup> In the Foreign Affairs Council Conclusions of May 2012, the EU called upon Israel to meet its obligations regarding the living conditions of the Palestinian population in Area C, including by "halting forced transfer of population and demolition of Palestinian housing and infrastructure", and to work together with the PA to allow more access and control of the PA over Area C.

<sup>7</sup> OJ C 303 of 15.12.2009