

Urgent Appeal

Israel Occupying Forces Target Al-Hadidya Community with Demolition Orders

Date: 20 December 2021

For the attention of:

- The United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territory Occupied Since 1967, Mr. S. Michael Lynk;
- The United Nations Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-Discrimination in this Context, Mr. Balakrishnan Rajagopal;
- The United Nations Special Rapporteur on the Situation of Human Rights Defenders, Ms. Mary Lawlor;
- The United Nations Independent Expert on Human Rights and International Solidarity, Mr. Obiora C. Okafor;
- The United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Ms. E. Tendayi Achiume;
- Working Group on Business and Human Rights, Ms. Anita Ramasastry.;
- The United Nations Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression, Ms. Irene Khan.

Victim: Abdelraheem Bsharat (Abu Saqr), his family and the community of Al-Hadidya

Alleged Perpetrator: Military Commander of the Israel Defense Force (IDF), State of Israel

Person Submitting Complaint: Mr. Shawan Jabarin, Al-Haq

Date of Violation: Impending – Four military orders for demolition of community houses have been issued on 25 November 2021

1. Introduction

I am writing to request an Urgent Appeal for your immediate intervention in the imminent demolition of ten structures in the Bedouin community of Al-Hadidya in the Northern Jordan Valley in the Occupied Palestinian Territory (OPT). On Saturday, 25 November 2021, the Israeli occupation authorities authorized the demolition of aforementioned structures. These ten structures are the property of Abdelraheem Bsharat (Abu Saqr) and his family and include their residential tents as well as their only source of income, the sheds of their livestock.¹

2. Targeting of Human Rights Defender, Abdelraheem Bsharat

Abdelraheem Bsharat's is a prominent leader and human rights defender in his community and well-known throughout the Jordan Valley. In 2016, Mr. Bsharat participated in the negotiation sessions on the Binding Treaty on Business and Human Rights held by the UN Human Rights Council, intervening on behalf of the 'Friends of the Earth International'. There, he testified to

¹ Stop The Wall, 'Action Alert: Stop Israeli Home Demolition and Persecution of Human Rights Defenders', *Stop The Wall* (blog), 1 December 2021, <https://www.stophthewall.org/2021/12/01/action-alert-save-al-hadidya-from-israeli-demolition/>.

the complicity of Israeli enterprises, such as Israel’s National Water Company ‘Mekorot’, in apartheid practices and policies that target the indigenous protected Palestinian population and called on the international community to hold Israel and its corporations accountable for adverse human rights harms in the Occupied Palestinian Territory, as a conflict affected area.² Mr. Bsharat recalled to ‘Stop the Wall’, that he and members of his family, such as his son Sakher, have been arbitrarily arrested and tortured in the past due to speaking out and actively protesting against, for instance, the illegal theft of the area’s water resources by the Israeli occupation authorities.³ The property of Abdelraheem Bsharat’s and his community is now being targeted for demolition, to force their transfer, in violation of Articles 49 and 53, of the Fourth Geneva Convention.

3. Demolitions and Forced Transfer of Al-Hadidya Community

As Al-Haq and Stop the Wall have recorded, these demolitions are far from the first ones targeting Abdelraheem Bsharat and his community. In 2016 Al-Haq documented the destruction of various vital pieces of infrastructure used for livestock and the cultivation of land by bulldozers of the Israeli authorities, in order to expand the nearby illegal settlement of Ro’i.⁴ The razed lands of the Al-Hadidya community are all privately owned lands whose local owners, such as Mr. Bsharat himself, have identification papers legally proving their rightful ownership. In February 2017 Al-Haq also recorded the demolition of the community’s water infrastructure by Israeli forces who dug up the community’s water lines and destroyed them.⁵ The Al-Hadidya community has been subject to 19 demolition campaigns by the Israeli occupation authorities since 2009, in which 199 homes and structures have been razed to the ground.⁶

Since the announcement of Donald Trump’s so-called ‘Deal of the Century’, the Israeli forces escalated land appropriation and property demolitions in the OPT for settlement expansion, specifically in the region of the Jordan Valley where Abdelraheem Bsharat’s community is located. Al-Hadidya is now surrounded by the illegal settlement of Ro’i in the West, the militarized settlement of Humaidat in the East, the military bases of Samra and Mazuqa from the North and closed military areas in the South. The forcible transfer of the Palestinian residents of Khirbet Humsa Al-Faqa, and the neighbouring Al-Hadidya, have garnered some international attention after the brutal unlawful practices of the Israeli occupation authorities were revealed, which included a series of demolition raids, violent assaults, the confiscation of water tanks which were the community’s only source of water, and the largest forced displacement in four years, leaving 72 Palestinians homeless, including 38 children.⁷

² Friends of the Earth International, ‘People Power Paves the Way for a Truly People-Centred Treaty’, Friends of the Earth International, 29 October 2016, <https://www.foei.org/news/people-power-paves-way-treaty-for-people-rights>.

³ Stop The Wall, ‘Action Alert’.

⁴ Al-Haq, Affidavit Number: 2016/780 (Affidavit on file with Al-Haq).

⁵ Al-Haq, Affidavit number: 141/2017 (Affidavit on file with Al-Haq).

⁶ Stop The Wall.

⁷ Al-Haq, “Over 550 Organisations call on UN Human Rights Council: “Condemnation is Not Enough – Root Causes Must be Addressed, Israel’s Impunity Must be Brought to an End, Justice Must be Achieved” (18 March 2021), available at: <https://www.alhaq.org/advocacy/18044.html>

Following the issuing of four military orders to Abdelraheem Bsharat, Al-Haq is gravely concerned that the Bsharat family are in immediate danger of being forcibly and illegally evicted from their homes. Israel continues to ignore its responsibilities under international humanitarian law through, *inter alia*, the construction of more illegal settlements in Occupied Palestinian Territory and especially in the area surrounding the aforementioned community. The forcible transfer of civilians from occupied territory is a grave breach of the Geneva Conventions and amounts to a war crime and crime against humanity prosecutable at the International Criminal Court.⁸ Further, the destruction of the protected population's private property is a violation of Article 46 of the Hague Regulations and amounts to inhumane acts of apartheid.⁹ Al-Haq warns that both the destruction of community properties and resulting forced displacement are imminent in the case of Abdelraheem Bsharat and his family.

Accordingly, Al-Haq submits this Urgent Appeal for your immediate intervention:

- i. To publicly call on Israel, as Occupying Power, to adhere to its legal obligations, and to immediately cease its systematic implementation of policies that are aimed at the demolition of Palestinian property and the forcible transfer of the protected Palestinian community;
- ii. For your immediate intervention to prevent the State of Israel from carrying out any further demolitions in Al-Hadidya, and to freeze and rescind all demolition orders, including the four issued to Abdelraheem Bsharat;
- iii. To call on Israel to refrain from any forcible transfer of any resident from Al-Hadidya to any other location;
- iv. Call for the protection of Abdelraheem Bsharat and his family from persecution, as a Human Rights Defender;
- v. For the State of Israel to comply with its international human rights and humanitarian law obligations in the OPT;
- vi. To call on Third States to comply with their obligations to respect and ensure respect for the Geneva Conventions, by immediately adopting effective measures to pressure Israel to abide by its obligations under international humanitarian law, and to not conduct business with Israeli companies involved in human rights abuses in the OPT;
- vii. Publicly call for international justice and accountability for Israel's widespread, long-established, and systematic human rights violations committed against the Palestinian people, including war crimes and crimes against humanity, by urging the progression of the ICC investigation into the Situation in the State of Palestine.

⁸ UN Special Committee Report, at 11, fn. 13. See also Rep. of the S.C., *Human Rights Situation in the Occupied Palestinian Territories, Including East Jerusalem*, UN Doc. A/HRC/34/38, at ¶ 18 (Mar. 16, 2017).

⁹ Article 46, Hague Regulations (1907); UN Special Committee Report, at 11, fn. 13.