



AL - HAQ

Submission to the Special Rapporteur on the right to adequate housing

In response to the request for submissions on land and the right to adequate housing:

Consolidating Annexation of the West Bank: Israel's Demolitions in Area B

27 May 2025

I. Introduction

On 11 November 2024, Israel's far-right Finance Minister, Bezalel Smotrich, met with his far-right faction at the Israeli Parliament and announced his intention to lead "the government of Israel [to] work with the new administration of President Trump and the international community to apply Israeli sovereignty over [the West Bank]".¹ To this end, he instructed the Settlement Administration at the Defence Ministry and the Civil Administration to lay the groundwork for annexation and prepare the necessary infrastructure to apply Israeli sovereignty over the West Bank.² This is in line with the Israeli Government's guiding principles of 2022, which pledged to lead to the formulation and promotion of a policy to extend Israeli sovereignty over the West Bank.³

As the Israeli Finance Minister and a minister in the Defence Ministry, Smotrich has been spearheading settlement expansion and annexation in the occupied Palestinian territory (OPT). With the transfer of settlement issues to the Settlement Administration, and the transfer of authority from the head of the Civil Administration to a "Civilian Deputy" directly under Smotrich, the government has accelerated approval of settlements establishment. Smotrich's plan includes increasing the settler population in the West Bank by 500,000, including an improvement of infrastructure in the settlements and illegal outposts.⁴

In January 2025, while Israel has been carrying out a large scale military assault on the northern West Bank,⁵ a bill was advanced in the Israeli Parliament (the Knesset) to annul the applicable Jordanian law governing the West Bank, "The Law on Leasing and Selling Real Estate to Foreigners, No. 40, 1953", to open up the sale of Palestinian West Bank lands to Israeli settlers.⁶ In February 2025, Israel's Ministerial Committee for Legislation, examined a bill to progress the annexation of West Bank settlements Ma'ale Adumim, Givat Ze'ev, Efrat, and Ma'ale Mikhmas located around Jerusalem.⁷ On 23 March, Israel's Political Security Cabinet approved Minister Smotrich's proposal to "split 13 [settlement] localities in [the West Bank] from their adjacent localities and to work towards recognizing them as independent localities" thereby "normalis[ing]" the settlements by recognising them as independent entities, while approving

¹ Anadolu Ajansi, "What Trump's second term could mean for the Middle East", 15 November 2024, at: <https://www.aa.com.tr/en/americas/what-trump-s-second-term-could-mean-for-the-middle-east/3394966>.

² Al-Jazeera, "Israel's Smotrich orders prep work for annexation of occupied West Bank", 11 November 2024, available at: <https://www.aljazeera.com/program/newsfeed/2024/11/11/israels-smotrich-orders-prep-work-for-annexation-of-occupied-west-bank>.

³ Adalah, "Adalah's Analysis of the New Israeli Government's Guiding Principles and Coalition Agreements and their Implications on Palestinians' Rights", 10 January 2023, at: <https://www.adalah.org/en/content/view/10770>.

⁴ Haaretz, "Far-right Israeli Minister Lays Groundwork for Doubling West Bank Settler Population", 18 May 2023, at: <https://www.haaretz.com/israel-news/2023-05-18/ty-article/.premium/far-right-israeli-minister-lays-groundwork-for-doubling-west-bank-settler-population/00000188-2de6-d6e4-ab9d-ed74a3e0000>. For more on settler road network and annexation, see Madar Center, "Settler Road Network – Annexation Infrastructure", 25 March 2025, at: <https://tinyurl.com/mry7tva3>.

⁵ Al-Haq, "Action Alert: Urgent Need for Protection of Palestinians as Israel Intensifies Its Genocidal, Colonial Violence in the West Bank, including in Jenin and Tulkarem", 29 January 2025, at: <https://www.alhaq.org/advocacy/25868.html>

⁶ "Approved in preliminary reading: Annulment of Jordanian law applied in Judea and Samaria regarding lease and sale of real estate to foreigners", 30 January 2025, at: <https://main.knesset.gov.il/en/news/pressreleases/pages/press30125q.aspx>; @limor_sonhrmelh, (3:42 pm, 29 January 2025), https://x.com/limor_sonhrmelh/status/1884628103462363576

⁷ Noa Shipgel, "Major Step to Full Sovereignty: Bill to Annex West Bank Settlements Near Jerusalem Set to Pass" Haaretz, 28 February 2025, at: <https://www.haaretz.com/israel-news/2025-02-28/ty-article/.premium/step-to-full-sovereignty-law-to-annex-west-bank-settlements-near-jerusalem-set-to-pass/00000195-4c3f-d79a-abfd-fdff5ab10000>; Arie King @arieh_king, (8:31 pm, 27 February 2025), https://x.com/arieh_king/status/1895210228666577107

“tens of thousands of [settlement] housing units”.⁸ On 24 March, Israel’s Minister for Agriculture, Avi Dichter, encouraged, “We’re at a crucial historic opportunity that must not be missed; the time has come to apply Israeli sovereignty over [the West Bank]”.⁹

In a grave development, on 11 May 2025, the Israeli Security Cabinet approved the proposal brought by Israeli Defence Minister, Israel Katz, and Finance Minister, Bezalel Smotrich, and decided to initiate land registration process (or a land title settlement process) in Area C of the West Bank.¹⁰ This process aims to settle any disputing ownership claims to land, with the end goal to definitively determine the ownership of land, which, once settled, cannot be reversed. It also revives the registration process which was frozen by the Israeli military commander following the occupation of the OPT.¹¹ While the process of land title settlement in Area C is and should be carried out by the Palestinian Authority, this decision regards the Palestinian Authority’s land title settlement procedures in Area C as void and without legal force. The Minister of Defence’s stated the goal of this decision as one which “does justice to Jewish settlements in [the West Bank] and will lead to its strengthening, consolidating, and expansion.”¹² While Bezalel Smotrich regards this decision “as part of the revolution in normalization and *de facto* sovereignty that we are leading in [the West Bank],” regarding this as “the first time, the State of Israel takes responsibility for the territory as a permanent sovereign,” viewing the land title settlement process as one of the measures which will help bring another million settlers into the OPT.¹³

This decision, along with the abovementioned and other decisions, effectively means the mass dispossession of Palestinians from their lands and properties, consolidating Israel’s annexation of the OPT, and introducing the registration of lands in the West Bank in the names of Israeli citizens.¹⁴ Israel has initiated a similar process in Jerusalem in 2018 to strengthen its sovereignty in occupied Jerusalem, and seize control over and appropriate more Palestinian property, through a costly and procedurally burdensome process.¹⁵ Israel’s discriminatory planning and zoning regime, in combination with the misinterpretation of the applicable provisions of the 1858 Ottoman Land Code, and amendments to existing local laws under military orders as well as the imposition of access restrictions to land, have been utilised to dispossess Palestinians of their land, making it extremely difficult for Palestinians to prove their ownership to their land.¹⁶

Extending Israel’s sovereignty over the OPT amounts to purported annexation. One essential tool used by Israel to carry out its annexation of the West Bank is the strategic fragmentation

⁸ @bezalelsm, (5:14 am, 23 March 2025), <https://x.com/bezalelsm/status/1903676584210424217>

⁹ “Dichter: ‘Time to apply Israeli sovereignty over Judea and Samaria’” JNS (24 March 2025), <https://www.jns.org/dichter-time-to-apply-israeli-sovereignty-over-judea-and-samaria/>

¹⁰ The text of the decision can be found here as provided by Peace Now: <https://peacenow.org.il/wp-content/uploads/2025/05/Cabinet-Decision-Land-Registration-110525.pdf>.

¹¹ According to the Military Order Suspending Settlement Proceedings No. 291 Judea and Samaria 5728-1968.

¹² <https://peacenow.org.il/wp-content/uploads/2025/05/MOD-press-release-on-cabinet-decision-110525.pdf>.

¹³ *Ibid.*

¹⁴ Peace Now, “The Cabinet Decides to Initiate Land Registration Process that would Dispossess Palestinians from their Lands the West Bank”, 12 May 2025, at: <https://peacenow.org.il/en/cabinet-decision-land-registration>.

¹⁵ Joint Urgent Appeal to the United Nations Special Procedures on Israel’s Permanent Illegal Annexation of Jerusalem, 8 November 2021, at: <https://www.alhaq.org/advocacy/19204.html>; Al-Haq, CAC and partners, “Israel’s Land Title Settlement in Eastern Jerusalem: A Plan to Cement Israel’s Illegal Annexation of Jerusalem”, 29 June 2022, at: <https://www.un.org/unispal/document/israels-land-title-settlement-in-eastern-jerusalem-a-plan-to-cement-israels-illegal-annexation-of-jerusalem-statement-submitted-to-the-human-rights-council-by-al-haq-and-p/>.

¹⁶ For more information, see Al-Haq’s Forensic Architecture Investigation Unit, “Touring Stolen Land: How Airbnb Fuels Illegal Settlements in the Occupied West Bank”, 29 December 2024, at: <https://www.alhaq.org/FAI-Unit/25389.html>.

of the Palestinian people through discriminatory inhumane acts of apartheid.¹⁷ The 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II Accord) divided the West Bank into three areas: Area A under full Palestinian civil and security control, Area B under full Palestinian civil control and joint Israeli-Palestinian security control, and Area C under full Israeli civil and military control, which comprises more than 60 percent of the West Bank. The occupied West Bank has been systematically fragmented into hundreds of separate enclaves or ‘Bantustans’ by Israel’s ever-growing settlement enterprise, where a total of 737,332 Israeli settlers are living in a total of 147 Israeli settlements and 224 outposts in the West Bank.¹⁸

The year 2024 witnessed an acceleration in Israel’s annexation plans and practices. By 20 March 2025, Minister Smotrich announced “an annual record for approvals for housing units in Gush Etzion, and we are only in the first third of the year. We are leading a revolution in [the West Bank]- to strengthen our sovereignty”.¹⁹ Approximately half of all the land declared as state land since the Oslo Accords were declared in 2024.²⁰ At least 59 new outposts have been established, most of them pastoral outposts, while at least 8 outposts have been established in Area B for the first time since the Oslo Accords.²¹ Additionally, Israel is further extending its jurisdiction in Area B, including in archaeological sites, whereby the Israeli Civil Administration can restrict development and carry out demolitions following an Israeli cabinet decision.²² Also, on 18 July 2024, the Israeli Commander of the Central Command signed two orders granting Israel enforcement, planning, and building authorities in territories transferred under the Oslo Accords to the Palestinian Authority, including demolition of Palestinian structures in Area B.²³ Demolition orders were issued and some were enforced as will be highlighted below.

II. Increased Demolitions of Palestinian Structures

For decades, Israel has been employing a discriminatory planning and zoning regime to quell Palestinian construction, forcibly transfer Palestinians and alter the OPT’s demographic composition. Israel unlawfully amended the operative Jordanian law governing Palestinian planning and zoning under military order, to introduce a new discriminatory planning system, which is unlawful in its entirety.²⁴ This includes the practice of ‘administrative demolitions’ premised on the sole ground of lacking a building permit, which are by design impossible for

¹⁷ Al-Haq et al, “Israeli Apartheid: Tool of Zionist Settler Colonialism”, 29 November 2022, available at: <https://www.alhaq.org/publications/20940.html>

¹⁸ Peace Now, <https://peacenow.org.il/en/settlements-watch/settlements-data/population>. See also, OHCHR, Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan (Report), 6 March 2025, A/HRC/58/73, at: <https://www.ohchr.org/en/documents/country-reports/ahrc5873-israeli-settlements-occupied-palestinian-territory-including>.

¹⁹ @bezalelsm (7:09 pm, 20 March 2025), <https://x.com/bezalelsm/status/1902799619852996893>

²⁰ In June 2024, the Custodian of the State’s Property in the Civil Administration declared 12,700 dunams at the Jordan Valley as state lands, the largest declaration as such since the Oslo Accords, Peace Now, “The Government Declares 12,000 Dunams in the Jordan Valley as State Lands”, 3 July 2024, at: <https://peacenow.org.il/en/state-land-declaration-12000-dunams>.

²¹ Peace Now, “The Year of Annexation and Expulsion: Summary of Settlement Activity in 2024”, 6 February 2025, at: <https://peacenow.org.il/en/the-year-of-annexation-and-expulsion-summary-of-settlement-activity-in-2024>.

²² Emek Shaveh, “Cabinet Decision to Allow Israeli Civil Administration Jurisdiction at Heritage Sites in Area B of the West Bank”, 4 July 2023, at: <https://emekshaveh.org/en/cabinet-decision-area-b/>.

²³ Peace Now, “Israeli Government Assumes Authorities of the Palestinian Authority in Area B”, 19 July 2024, at: <https://peacenow.org.il/en/israeli-government-assumes-authorities-of-the-palestinianauthority-in-area-b>.

²⁴ Diakonia, “Planning to Fail: The planning regime in Area C of the West Bank: An International Law Perspective”, (2013) p. 14, <https://apidiakoniase.cdn.triggerfish.cloud/uploads/sites/2/2021/07/planning-regime-c-west-bank-international-law.pdf>

Palestinians to obtain.²⁵ Even in areas where building permits can and are issued by Palestinian local authorities, Israeli authorities do not recognize such permits.

1. Demolitions in Ni'lin Town (Ramallah Governorate)

On 20 December 2023, at 8:00 am, the house under construction of M. Q., located 200 meters away from the Israeli settlement Modi'in Illit, 350 meters from '446' settler road, and 70 meters away from the Annexation Wall, was demolished by the Israeli authorities in Area B in Al-Muhallel area, Ni'lin town, western Ramallah. The Civil Administration, accompanied by a large force of border guards, arrived with Hyundai bulldozers, pulled their weapons on the residents, forcibly removing them and preventing them from approaching, then proceeded with the destruction of M. Q.'s house. Israeli authorities also demolished two warehouses belonging to M. Q., with an area of 140 square meters, which served as an auto mechanic shop and auto parts store.

The demolition order issued by the military commander of the IOF was notified to the family on 20 February 2022. An objection was submitted to Israel's High Court, which rejected the petition to freeze the demolition order.²⁶ While M. Q. had applied and obtained a permit before the construction from Ni'lin Municipality, the demolitions were carried out under the pretext of lacking a building permit – in complete disregard to the Palestinian authorities' jurisdiction in Area B.



Picture by Al-Haq's field researcher, 21 December 2023 (c) Al-Haq

M. Q. informed Al-Haq that the demolitions caused him to lose his primary source of income which supports six members of his family, as well as a number of employees. The estimated loss caused by the demolition amounts to around 900 thousand NIS (approximately 243 thousand USD), in addition to the damage of 9 cars and some car parts. Alarming, M. Q. mentioned that he is unable to utilise his land fearing repeated demolitions.²⁷

²⁵ Administrative demolition orders concern ongoing constructions, new constructions (completed less than 60 days prior to the demolition order), uninhabited buildings or buildings inhabited for less than 30 days prior to the issuing of the demolition order, *see* Al-Haq, *House Demolitions and Forced Evictions in Silwan- Israel's Transfer of Palestinians from Jerusalem*, 2020, pp. 29-30.

²⁶ Al-Haq Demolition Form 2023-12-1400-RB-D-Q-IL-NTG, taken from M.Q., 31, resident of Shuqba, on 21 December 2023.

²⁷ Al-Haq Demolition Form 2023-12-1401-RB-P-Q-IL-NTG, taken from M. Q., 31, resident of Shuqba, on 21 December 2023.



Picture by Al-Haq's field researcher, 21 December 2023 (c) Al-Haq

Similarly, on the same day, 20 December 2023 at 8:00 am, the Israeli authorities demolished five other warehouses, with an area of 300 square meters, belonging to A. E., in Area B of Al-Muhaller area in Ni'lin town. The demolition order was notified to the owner on 20 December 2022, and was carried out by Hyundai bulldozers, despite petitioning before the Israeli High Court, under the pretext of lacking a building permit. The construction of the warehouses was in the finishing stages, which were intended to be used as a blacksmith shop, causing a loss of about half a million shekels.²⁸

2. Demolitions in Beit Awwa Town (Hebron Governorate)

On 19 September 2024, at approximately 8:00 am, Israeli Hyundai bulldozers demolished two houses under construction of Th. S.²⁹ and M. S.,³⁰ in Areas B of Beit Awwa town, south western Hebron. The structures are located at a distance of approximately 200 meters from the Annexation Wall, and were demolished under the pretext of lacking a building permit, and building in an area restricted for construction.

While Th. S. was not notified of a demolition order or a court order to cease construction, M. S. received a demolition order, affixed to his door, on 22 July 2024, and the demolition was carried out despite objecting to it and obtaining a building permit issued by Beit Awwa Municipality. The destruction of Th. S.'s structure cost him about 70 thousand shekels, while M. S. incurred 400 thousand NIS (111 thousand USD) in losses as a result of the demolition of his almost-finished-house.



Pictures by Al-Haq's field researcher, 22 September 2024 (c) Al-Haq

²⁸ Al-Haq Demolition Form 2023-12-1402-RB-P-Q-IL-NTG, taken from A.E., resident of Deir Qiddees, on 21 December 2023.

²⁹ Al-Haq Demolition Form 2024-09-461-HE-D-Q-IL-NTG, taken from Th. S., 23, resident of Beit Awwa village, on 22 September 2024.

³⁰ Al-Haq Demolition Form 2024-09-465-HE-D-Q-IL-NTG, taken from M. S., 34, resident of Beit Awwa village, on 22 September 2024.

The IOF further destroyed M. S.'s water well under construction, for which he also obtained a building permit from the Beit Awwa Municipality, under the purported grounds that the well is built in a prohibited construction area.³¹ M. S. petitioned the demolition order before the Civil Administration, which was rejected, and enforced, costing him a loss amounting to 60 thousand NIS (around 16 thousand USD).



Picture by Al-Haq's field researcher, 22 September 2024 (c) Al-Haq

On the same day, also at 10:00 am, the Israeli authorities demolished a barracks and two other structures belonging to R. U., located 150 meters away from the Annexation Wall. The barracks was used as a livestock pen and a warehouse, housing 10 sheep, and commercial goods, which served as the family's primary source of income. Despite objecting to the demolition order received on 22 July 2024, and having obtained a building permit from the Beit Awwa Municipality, the structure was nonetheless demolished, without providing the owner a chance to empty it, resulting in a total loss of around 50 thousand NIS.³²



Picture by Al-Haq's field researcher, 22 September 2024 (c) Al-Haq

³¹ *Ibid.*

³² Al-Haq Demolition Form 2024-09-442-HE-P-Q-IL-NTG, taken from R. U., resident of Beit Awwa, on 22 September 2024.

The two other structures destroyed constituted a resting room for employees working with the owner, and the other served as his office, costing him a loss of 50 thousand NIS (around 13,600 USD). Both structures were also permitted for building by the Beit Awwa Municipality.³³ Hyundai bulldozers were used to carry out the demolitions of all three structures.



Picture by Al-Haq's field researcher, 22 September 2024 (c) Al-Haq

3. Demolitions in Al-Malha village (Bethlehem Governorate)

Al-Haq also documented the demolitions of several structures in Al-Malha village, eastern Bethlehem. On 12 December 2024, Israeli authorities along with Volvo and JCB bulldozers demolished three concrete walls surrounding agricultural lands, an agricultural structure, a house, and a livestock pen under construction.³⁴ All owners were notified and received a demolition order, several on 27 August 2024. Al-Malha village council assigned a lawyer to object to the demolition orders, but failed to stop their enforcement. The demolitions were carried out under the pretext of building without a building permit, under Military Order Regarding Restriction of Construction in the Agreed-Upon Reserve of 2024.³⁵

These structures are located in an area designated as a nature reserve area, also known as “Agreed-Upon Reserve” based on an agreement in 1998 between Israel and the Palestinian Liberation Organisation, which provided the Palestinian Authority with planning and building authorities in these areas.³⁶ However, on 18 July 2024, the Commander of the Central Command signed two orders transferring enforcement, planning, and building authorities in these areas to the Israeli Civil Administration, one granting Israel the authority to operate in the

³³ Al-Haq Demolition Form 2024-09-444-HE-P-Q-IL-NTG, taken from R. U., resident of Beit Awwa, on 22 September 2024; Al-Haq Demolition Form 2024-09-443-HE-P-Q-IL-NTG, taken from R. U., resident of Beit Awwa, on 22 September 2024.

³⁴ Al-Haq Demolition Form 2024-12-641-BL-D-Q-IL-NTG, taken from M. Kh., on 15 December 2024; Al-Haq Demolition Form 2024-12-632-BL-P-Q-IL-NTG, taken from H. A. on 18 December 2024; Al-Haq Demolition Form 2024-12-633-BL-P-Q-IL-NTG, taken from R. M., on 18 December 2024; Al-Haq Demolition Form 2024-12-634-BL-P-Q-IL-NTG, taken from M. A., on 18 December 2024; Al-Haq Demolition Form 2024-12-631-BL-P-Q-IL-NTG, taken from F. A., on 18 December 2024; Al-Haq Demolition Form 2024-12-630-BL-P-Q-IL-NTG, taken from Kh. D., on 18 December 2024.

³⁵ Military Order Regarding Restriction of Construction in the Agreed-Upon Reserve no. 2198 of 18 July 2024, at: <https://shorturl.at/ANyIV>

³⁶ Peace Now, “Israeli Government Assumes Authorities of the Palestinian Authority in Area B,” 19 July 2024, at: <https://peacenow.org.il/en/israeli-government-assumes-authorities-of-the-palestinian-authority-in-area-b>.

area, and the other restricting construction in the Agreed-Upon Reserve.³⁷ The demolition orders issued immediately following these two orders, the prompt enforcement of these orders, and the establishment of five outposts in the “Agreed-Upon Reserve” in 2024 are a manifestation of Israel’s annexation policy of the Palestinian land in practice, blurring the lines between the Oslo-divided areas.



*Pictures of demolished Al-Malha structure by owners, 12 December 2024
(authorised for use by Al-Haq)*



Picture of the Israeli demolition order affixed to structure in Al-Malha on 27 August 2024

III. General Context

Land confiscation and mass demolition of Palestinian homes and structures is a predominant practice and a cardinal part of Israel’s Zionist settler colonial regime that aims to eliminate and

³⁷ *Ibid.*

replace Palestinians with Israeli-Jews. The demolitions at hand ought not to be seen as isolated but rather as part of Israel's policy to further the strategic fragmentation of the Palestinian people and the entrenchment of its *de facto* annexation of the Palestinian territory. Further, the demolition of commercial structures severely affects Palestinian economic development, which, in addition to the land, often constitutes a primary source of income for many Palestinian families.³⁸

The abovementioned Palestinian structures subjected to demolition include structures in close proximity to the Annexation Wall, ranging from 70 to around 200 meters, whereby demolitions are carried out on the basis of building in restricted areas – which refers to areas close to the Annexation Wall, settlements, and settler roads, regarded as ‘security zones’.³⁹ This renders these demolitions part and parcel of Israel's settlement enterprise, which aims to disrupt Palestinian territorial contiguity, connect Israeli settlements, seize Palestinian lands and displace Palestinians under a coercive environment; hence forming an integral part of Israel's annexation of the West Bank.

With ever more expanding settlements and settler roads, demolishing Palestinian structures built in ‘restricted areas’ effectively means appropriating extensive tracts of Palestinian land and forcing the Palestinian population into small ‘Bantustan’ enclaves. For example, the jurisdictional area designated for the newly approved settlement “Nahal Heletz” is situated very close to Palestinian homes—approximately 250 meters from Area B and Palestinian homes in Battir village, western Bethlehem, with some homes as close as 30-50 meters from the designated settlement area.⁴⁰

The Israeli governmental decision to establish “Nahal Heletz”, which is located at the heart of a UNESCO-designated World Heritage site, is part of a plan initiated by Smotrich through the Settlement Administration to connect Gush Etzion settlement bloc to Jerusalem and sever Palestinian territorial contiguity by “driv[ing] a wedge in very narrow corridors in Area B.”⁴¹ As per practice, this would pave the way for forthcoming demolition orders to nearby Palestinian structures, and allow for an increased wave of settler violence. Since mid-2024, serious spikes in settler attacks have been documented around seven new settler outposts constructed in Area B, including five outposts located in the “Agreed-Upon Reserve” area.⁴²

Denying Palestinians building permits, and ignoring permits issued under Palestinian jurisdiction forms part of Israel's discriminatory planning and zoning policies under its apartheid regime. Tellingly, the United Nations reported that, according to Israel's Civil Administration, on 20 July 2023, “90–95% of Palestinian requests for permits are rejected” whereas “[o]n the Israeli side, 60–70% of the plans are discussed and approved”.⁴³

According to Al-Haq's documentation, the Israeli authorities have demolished 753 residential structures between October 2023 and April 2025 in the occupied West Bank. The largest

³⁸ On Israel's access denial of Palestinians to their lands, see Al-Haq, “Israeli Systematic Denial of Palestinian Farmers From their Land”, 1 March 2025, at: <https://www.alhaq.org/monitoring-documentation/26020.html>.

³⁹ On demolitions under the security pretext, see for example, Al Jazeera, “Israel demolishes Palestinian homes near separation wall”, 22 July 2019, at: <https://www.aljazeera.com/news/2019/7/22/israel-demolishes-palestinian-homes-near-separation-wall>.

⁴⁰ Peace Now, “Israeli Government Sets Jurisdiction for New Settlement Near Bethlehem”, 9 July 2024, at: <https://peacenow.org.il/en/israeli-government-sets-jurisdiction-for-new-settlement-near-bethlehem>.

⁴¹ *Ibid.*

⁴² UN OCHA, Humanitarian Situation Update #256 | West Bank, 16 January 2025, at: <https://www.ochaopt.org/content/humanitarian-situation-update-256-west-bank>

⁴³ UN Office of the High Commissioner for Human Rights, “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan”, UN doc. A/HRC/55/72, 1 February 2024, para. 35.

number of demolitions is found in Jerusalem governorate, at 314 structures, followed by Hebron governorate at 153 structures, and Jericho governorate at 81 structures, while July 2024 marked the highest number of demolitions, at 88 structures, followed by April 2025, at 69 structures throughout the reported period.

IV. Conclusion

On 19 July 2024, the International Court of Justice (ICJ) released a landmark Advisory Opinion finding that Israel's presence in OPT is unlawful, and that its policies and practices "entrench Israel's control of the Occupied Palestinian Territory, notably of East Jerusalem and of Area C of the West Bank", and "are designed to remain in place indefinitely and to create irreversible effects on the ground", hence they "amount to annexation of large parts of the Occupied Palestinian Territory."⁴⁴ More specifically, the Court found that Israel's policies and practices of forcible evictions, extensive house demolitions and restrictions on residence and movement "indicate that [these] measures are not temporary in character and therefore cannot be considered as permissible evacuations," and amount to forcible transfer.⁴⁵ The above-mentioned instances are evidence that Israel is further entrenching its control in Area B as well.

The ICJ further considered that Israel's practice of property demolition for lack of a building permit, as well as its planning policy in relation to the issuance of building permits, constitute a breach of their right to be protected from arbitrary or unlawful interference with privacy, family and home, protected under Article 17, paragraph 1, of the International Covenant on Civil and Political Rights. The Court added that this practice "cannot be justified with reference to reasonable and objective criteria nor to a legitimate public aim."⁴⁶ It further concluded that these practices and policies that treat Palestinians differently from the settlers without proper justification constitute discrimination in violation of Article 2 of the Convention on the Elimination of Racial Discrimination.⁴⁷

Al-Haq recalls that under the law of occupation, Israel is under the obligation to "ensure, as far as possible, public order and safety".⁴⁸ The law of occupation further provides that an occupying Power "may not effect changes in the status and intrinsic characteristics of the occupied territory." The Occupying Power is thus a temporary administrator vested with limited powers and does not acquire sovereignty over the occupied territory. This was also emphasised by the ICJ, as "conduct by the occupying Power that display an intent to exercise permanent control over the occupied territory may indicate an act of annexation",⁴⁹ prohibited as an unlawful territorial acquisition resulting from the use of force under Article 2, paragraph 4 of the United Nations Charter. The Court found that "Israel's policy of integrating the infrastructure in the West Bank, including the road network, with that of Israel [...] results in the interlacement of the settlements in the West Bank with Israel in a contiguous area, fragmenting the remaining areas in the West Bank".⁵⁰

These intrinsic characteristics that Israel cannot change include the demography of the OPT, which Israel intends to manipulate by creating a coercive environment to force Palestinians to leave. This is contrary to Israel's above-mentioned obligations as an Occupying Power and is

⁴⁴ ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, 19 July 2024, para. 173.

⁴⁵ *Ibid*, para. 147.

⁴⁶ *Ibid*, paras 220-221.

⁴⁷ *Ibid*, para. 222.

⁴⁸ Article 43, The Hague Regulations.

⁴⁹ ICJ, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, para. 159.

⁵⁰ *Ibid*, para. 167.

also prohibited under Article 43 of the Hague Regulations of 1907, and Articles 64 and 49 of the Fourth Geneva Convention and constitutes a grave breach thereof⁵¹ as well as a war crime.⁵²

Meanwhile, Israeli demolitions of Palestinian structures and quelling the development of the Palestinian population deny the Palestinian people's fundamental and inalienable right to self-determination, including the right to territorial integrity, and their right to economic and social development by the systemic deprivation of Palestinian families of their lands and main source of livelihood. UN High Commissioner for Human Rights, Volker Turk has warned that "Israel's settlement policy, its acts of annexation, and related discriminatory legislation and measures are in breach of international law, as the International Court of Justice has confirmed, and violate Palestinians' right to self-determination".⁵³

In light of the above, it is incumbent on Third States to tackle Israel's demolition of Palestinian properties in Area B through its root causes, namely Israel's Zionist settler-colonial and apartheid regime and illegal occupation. It is all the more important considering the genocidal violence this regime is inflicting upon Palestinians in the northern West Bank aimed at demographically re-engineering refugee camps. States must use every means at their disposal to compel Israel to respect international law, including imposing a two-way arms embargo against Israel and imposing sanctions. Notably, states must impose targeted sanctions on complicit persons and institutions –Israeli and international– contributing to Israel's international crimes against Palestinians, including complicit companies such as Hyundai, JCB, and Volvo, which provide Israel with bulldozers used to destroy Palestinian properties, as evidenced above. Alongside the International Criminal Court, Third States should trigger universal jurisdiction against perpetrators of international crimes against Palestinians, including for the construction of settlements.

V. Recommendations for the UN Special Rapporteur on the right to adequate housing

In light of the above, Israel's increased attacks on Palestinians rights to land and adequate housing, and its colonial genocidal violence inflicted upon Palestinians in Gaza and the West Bank, particularly in northern West Bank aimed at demographically re-engineering refugee camps, Al-Haq recommends the Special Rapporteur following:

- i. Denounce the land title settlement processes in Area C of the occupied West Bank and in Jerusalem, as unlawful practices that create irreversible effects in occupied territory, in violation to international law and Palestinian inalienable rights to self-determination and return;
- ii. Call on Israel to repeal and cease all laws, policies and practices that aim to extend its jurisdiction and control over Areas B and C of the occupied West Bank, and alter the demographic composition of the OPT;
- iii. Call on Third States to tackle Israel's demolition of Palestinian properties in Area B through its root causes, namely Israel's Zionist settler-colonial and apartheid regime and illegal occupation;
- iv. Call on Third States to use every means at their disposal to compel Israel to respect international law, including imposing a two-way arms embargo against Israel and targeted sanctions, and trigger universal jurisdiction against perpetrators of international crimes against Palestinians, including for the construction of settlements;

⁵¹ Article 147, Fourth Geneva Convention.

⁵² Article 8(2)(a)(vii), Rome Statute of the International Criminal Court.

⁵³ UN OHCHR, "Israel ramps up settlement and annexation in West Bank with dire human rights consequences", 18 March 2025, at: <https://www.ohchr.org/en/press-releases/2025/03/israel-ramps-settlement-and-annexation-west-bank-dire-human-rights>.

- v. Call on Third States to compel persons and institutions under their jurisdictions to end their complicity in Israel's international crimes against Palestinians, including complicit companies such as Hyundai, JCB, and Volvo, which provide Israel with bulldozers used to destroy Palestinian properties; and
- vi. Call on Third States to implement the recommendations of the ICJ Advisory Opinion on *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, to not render aid or assistance to Israel's illegal acts, bringing to an end as rapidly as possible Israel's unlawful presence, ensuring that Israel immediately ceases all settlement activities and evacuates all settlers from the Palestinian territory.

About Al-Haq:

Al-Haq is an independent Palestinian non-governmental human rights organisation based in Ramallah, West Bank. Established in 1979 to protect and promote human rights and the rule of law in the Occupied Palestinian Territory (OPT), the organisation has special consultative status with the United Nations Economic and Social Council.

Al-Haq documents violations of the individual and collective rights of Palestinians in the OPT, irrespective of the identity of the perpetrator, and seeks to end such breaches by way of advocacy before national and international mechanisms and by holding the violators accountable. The organisation conducts research; prepares reports, studies and interventions on breaches of international human rights and humanitarian law in the OPT; and undertakes advocacy before local, regional and international bodies. Al-Haq also cooperates with Palestinian civil society organisations and governmental institutions in order to ensure that international human rights standards are reflected in Palestinian law and policies. The organisation has a specialised international law library for the use of its staff and the local community.

Al-Haq is the West Bank affiliate of the International Commission of Jurists - Geneva and is a member of the International Network for Economic, Social and Cultural Rights (ESCR-Net), the Euro-Mediterranean Human Rights Network (EMHRN), the World Organisation Against Torture (OMCT), the International Federation for Human Rights (FIDH), Habitat International Coalition (HIC), the Palestinian Human Rights Organisations Council (PRHOC), and the Palestinian NGO Network (PNGO).