

2008 HOUSING RIGHTS AWARDS

2008 HOUSING RIGHTS VIOLATOR AWARD WINNER:

The Government of Israel

The State of Israel systematically discriminates against its non-Jewish Palestinian minority in law, policy and practice. In Israel 93% of land is held for the exclusive use and benefit of Jewish people by the State (including the Israeli Land Administration) and para-state agencies (such as the Jewish National Fund). Palestinian citizens of Israel (approx. 20% of the population) are thus effectively denied their right to use this land. No similar laws or agencies work to protect Arab land or property ownership in Israel. Palestinian citizens of Israel own less than 3% of land.

Around 84,000 Bedouin citizens of Israel live in “unrecognised” villages in the Negev/Naqab, southern Israel. Despite the fact that many of these villages existed prior to the creation of the State of Israel, the absence of official planning for these areas has rendered these communities “illegal”, preventing residents from legally building or upgrading their homes or from being connected to basic services such as electricity, water and sanitation. Conditions in these villages are often appalling, with residents living in tin shacks that provide inadequate protection from the elements. These communities are subject to widespread forced evictions and demolitions of their homes. In 2007, 227 homes were demolished in the unrecognised villages. According to information gathered from the Israeli Government by Human Rights Watch, there are currently around 3,000 pending legal procedures against buildings and 700 valid demolition orders. The Government of Israel uses such policies as a means to drive the indigenous Bedouin population off their ancestral lands and concentrate them in urban, government-built enclaves or “townships”. Conditions in such townships are well below the standards of Jewish towns. Demolitions in Bedouin villages are frequent, and are often carried out with little prior notice, rendering families destitute as no alternative housing or compensation is provided. For example on 2 April 2008, the entire Bedouin village of Twail Abu Jawal was demolished for the fifteenth time in three years.

Due to the denial of basic services, many families are forced to travel long distances to water points and spend up to 40% of their household income on clean drinking water. Ill health due to unsanitary living conditions is prevalent among the Bedouin. The Israeli Government has sought to expand Jewish settlement in the Negev/Naqab and plans to build a number of affluent Jewish-only communities there. The planning documents for some of these new towns show they are to be established on sites where Bedouin communities currently reside. Israel should implement an immediate moratorium on house demolitions in the Negev/Naqab, officially recognise the Bedouin villages and provide them with basic services such as water and sanitation.

Palestinian citizens of Israel are under-represented on planning committees and municipal authorities in the country, reflected in the lack of investment in planning for Arab localities. Substandard living conditions exist in many Arab areas of Israel’s mixed Jewish-Arab cities; these include open streams of sewage and a lack of water services as well as other infrastructure and municipal services. Physical barriers such as walls often separate Arab and Jewish residents. In

Jaffa, over the past year and a half, Amidar Israel National Housing Company has issued 497 eviction orders to Palestinian families in the Ajami and Jabaliya neighbourhoods. Amidar accuses the residents of “squatting” in the properties and of “building additions” without obtaining the required permit from the authorities.

Under Israeli law, evictions are permitted in such circumstances. However the residents maintain that current plans to develop Jaffa by the Tel Aviv municipality are in fact a plan to Judaise the area and force Palestinian citizens from their homes and businesses. If these evictions are carried out it is estimated that around 3,000 people (18% of the Palestinian population of Jaffa) will be made homeless. In Palestinian neighbourhoods of Lod there are at present around 500 demolition orders pending, and in the Palestinian neighbourhoods of Ramleh a further 150 orders are pending. Israel must ensure that evictions are only carried out in strict accordance with international standards, including that they occur only in exceptional circumstances, after genuine consultation and with adequate and reasonable notice to all those affected. Further, legal remedies and – where necessary – legal aid, must be made available to those affected by the evictions. Under no circumstances should evictions render people homeless.

Considered together with an extensive record of serious housing rights violations by the Government of Israel in the occupied Palestinian territories of the West Bank and Gaza, and in illegally annexed East Jerusalem, the above housing violations occurring within the State of Israel itself have prompted COHRE to censure the Israeli Government with a 2008 Housing Rights Violator Award (its second such award, having won a Violator Award in 2002). COHRE calls on the Government of Israel to take urgent steps to fulfill its international human rights obligations and to respect the human rights of all its citizens, whether Jewish or Arab, and repeats its standing offer to engage in constructive dialogue with the Israeli Government on implementing such steps.