



General Assembly

Distr.: General
9 September 2016

English only

Human Rights Council

Thirty-third session

Agenda item 7

**Human rights situation in Palestine and other
occupied Arab territories**

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD), Arab Organization for Human
Rights, Indian Movement "Tupaj Amaru", International-
Lawyers.Org, Union of Arab Jurists, non-governmental
organizations in special consultative status, International
Educational Development, Inc., World Peace Council, non-
governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[01 September 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-15673(E)



* 1 6 1 5 6 7 3 *

Please recycle



Israeli Demolitions of EU funded Projects in Palestine

Introduction

The Israeli Occupation of Palestine has been the source of widespread and systematic human right violations for more than half a century now. As of today, the plague of the Palestinian people has been infinite as they still struggle to obtain the right to an independent and viable state where they can live secure from threats or armed attacks.

The EU Policy on Palestine constitutes of its commitment to a two-state solution with a viable Palestinian state on territories of 1967 which it recognizes as Palestinian territories. The EU consistently reaffirms this commitment and insists that it will not recognize any alterations to these 1967 borders other than those agreed by the parties.¹ Therefore, the EU committed itself to the establishment of the foundations needed for achieving this goal. For this purpose, the EU and its member states are funding dozens of projects in the internationally recognized Palestinian Territories.

However, Israel has been systemically destroying these EU instructions either by bombing EU funded facilities built in the Gaza Strip or by direct demolishing of EU funded instructions in the West Bank claiming their illegality. Such attitude is costing huge financial loss to the EU on one hand and constant suffering to the Palestinians benefiting from these facilities on the other.

Background

Large scale demolitions of Palestinian properties and infrastructure have been taking place in the West Bank, Gaza and East Jerusalem by Israeli forces. At the same time, Palestinians are largely prevented from obtaining building licence in the West Bank and East Jerusalem rendering their lives even harder. The primary reason behind this ongoing demolition campaign is the extension of the illegal Israeli settlements into the Palestinian territories. It is worth to indicate that such acts are prohibited under the Fourth Geneva Convention of 1949.

The Palestinian infrastructures are not the only affected by these Israeli oppressive policies. Indeed, the bulldozers also target the ones funded by the EU.

Although, the demolition of EU funded projects is not a novelty, it was accelerated after the EU tended in 2015 to label Israeli productions coming from the illegal settlements on 1967 territories. As a result, during the first three months of 2016, Israel has demolished 120 buildings financed by the EU in the Palestinian Territories. With regard to the financial impact, figures indicate a total loss of 85million Euros.

It is worth mentioning that the EU is the biggest multilateral donor to the Palestinians, as well as the largest financial supporter of Palestinian refugees through the UN Relief and Works Agency (UNRWA). In addition, the EU is a key donor to World Bank-sponsored development projects in Palestine. Since 1994, the EU has provided more than 6.5 billion euros to the Palestinian Authority. This financial aid was channelled through different mechanisms among which, the funding of building projects in the Palestinian Territories.

Israeli Demolitions of EU Funded Projects in West Bank

The EU pays special attention to the West Bank, Area C (under full Israeli control) and East Jerusalem, considering it as a paramount of importance for the realization of a viable two-state solution to the Israeli-Palestinian conflict.

Between May 2001 and October 2011, Israeli military has damaged 83 EU funded projects, 26 of them located in the West Bank according to a list of demolished EU funded projects released by the Commissioner of Enlargement and

¹ Council of the European Union, Press Release on 3166th Council meeting, published on 14 May 2012.

Neighbourhood Policy, Stefan Füle, in 2012. These damages represent a loss of 49.2 million Euros (30 million of them were provided directly from the European Commission).

In 2012, about 79 EU funded structures have been demolished in the West Bank, Area C and East Jerusalem. In the first six months of the following year, a number of about 54 EU-funded projects have been destroyed, according to the UN Office for Coordination of Humanitarian Affairs (OCHA). In May 2012, Council of the European Union has reaffirmed that “the EU will continue to provide financial assistance for the Palestinian development” and that it “expects such investments to be protected for future use”.²

After the attack on the Gaza strip in 2014, Israel returned its focus on the West Bank and damaged 108 residential houses in Area C and East Jerusalem, as well as shops and other commercial premises.

The Israeli Office of the Coordinator of Government Activities in the Occupied Territories (COGAT) has refused to comment on the UN estimates related to Area C demolitions, only saying that “measures are taken against illegal building”. It is noteworthy that, in several cases, Israeli authorities have demolished projects which they had earlier approved.

Israeli Destruction of EU Funded Projects in Gaza

Notwithstanding that Israel is not present inside the Gaza strip and has no direct rule over it, it is still controlling it through land borders, sea and air. In the course of the ten years’ blockade, Gaza has come through three hostile Israeli attacks, resulting in large scale damages and heavy civilian loss.

EU-funded Projects have been a target for Israeli bombs as well, causing important financial loss. A total of 65 million Euros have been indicated as an EU squandered aid to the strip.

2008-09 Cast Lead Operation

An estimated loss of 2 million Euros of EU funded projects in the strip, including water treatment plants and waste management, has been caused by the Israeli hostile operation “Cast Lead” which was launched on the Strip in winter 2008-2009. The EU has sought compensation only on the cases where the projects were still ongoing whereas none were received³.

2012 Pillar of Cloud Operation

After the Israeli Operation Pillar of Cloud which targeted the Gaza Strip on November 2012, the EU announced that a damage of about 112,500 Euros⁴ had been done to its aid projects in the strip. No further measures have been taken in this context.

2014 Protective Edge Operation

During Operation “Protective Edge” in 2014, important infrastructure has been targeted, including educational and health facilities, water and sanitation installations, and even entire neighbourhoods, such as Al-Shejaya and Khuza. The EU-funded facilities then damaged included UNRWA schools, wells, water networks, water reservoirs, hospitals and streets. The damage caused to the EU a total loss of 23 million Euros.

² Council of the European Union, Press Release on 3166th Council meeting, published on 14 May 2012.

³ European Parliament, parliamentary questions, answer given by Mr Füle on behalf of the Commission, 12 March 2012. Online access at: <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-000053&language=EN>.

⁴ European Parliament, parliamentary questions, joint answer given by High Representative/Vice-President Ashton on behalf of the Commission, Written questions: E-008784/13, E-009446/13, on 13 September 2013. Online access at: <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2013-008784&language=EN>.

For instance, 83 UNRWA schools were among the targeted buildings. Moreover, UNRWA pumping station, which was funded by the EU, has been targeted during Operation Protective Edge. It is worth mention that the station has been targeted twice before, during Operation Cast Lead in 2008 and Operation Pillar of Cloud in 2012. Every time the damage is worse and after each destruction the station had been reconstructed with additional EU funding. In 2014 alone, the damage caused on this pumping station was evaluated at about 358,000Euros.

Conclusion and Recommendations

We, NGOs Signatories to this statement recommend to the United Nations Human Rights Council, its Member States and the relevant UN bodies to:

- Investigate and publicly report on all destruction of or damage to structures built with funding from the UN, EU or member states on Palestinian land which deprived Palestinians from enjoying their fundamental human rights.
- Use meetings with Israeli authorities to articulate a clear and consistent European position on demolitions and destruction of EU-funded projects.
- Demand compensation from Israel if any further projects funded by the UN, EU or member states are destroyed.
- Continue to invest in Palestinian development, but substantively penalize the Israeli government when UN- or European-funded projects are targeted.
- Undertake a more active and visible implementation of EU policy on the Occupied Palestinian Territories.

Note: Facts and Figures are based on the report: *Squandered Aid: Israel's repetitive destruction of EU-funded projects in Palestine*, issued on 6th June 2016 from the Euro-Mediterranean Human Rights Monitor, a non-profit organization based in Geneva.

Euro-Mediterranean Human Rights Monitor, Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussels Tribunal, General Arab Women Federation, The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, Association of Iraqi Diplomats (AID), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), Women Will Association (WWA), Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Alliance to Renew Co-operation among Humankind, International Coalition against War Criminals (ICAWC), Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), International Society of Iraqi Scientists, Children of Iraq Association (UK), The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty-CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, NGO(s) without consultative status, also share the views expressed in this statement.
