



מרכז המידע הישראלי לזכויות האדם בשטחים (ע.ר.)
B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories

DEMOLITION AND SEALING OF HOUSES
As A PUNITIVE MEASURE
IN THE WEST BANK AND GAZA STRIP
DURING THE INTIFADA

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HOW LONG DOES IT TAKE TO DEMOLISH A HOUSE?

A house is built in a year. Sometimes in a hundred years. And there are houses that have stood since the beginning of time.

How long does it take to demolish a house? Less time than the decision to demolish it. How long does that decision take? Less time than the telephone call that ordered the demolition.

A simple plunge and the house is no more. A big hole appears in the familiar space. A family that had a reality, a name and address, with people of all ages and relatives of all kinds, turns into an example, a concept: the Punished. And so was the thought about the demolition. It did not see people; it saw abstract concepts: instigators, arsonists, deterrents, punished, and all the rest. The abstract rises up and destroys the real. And the living turns into a concept.

During the night no one sees where the devastated family went. No one knows what they are doing now. And where are they sitting now - at what corner, estranged with their belongings, under empty and heavy skies?

Is something written about them now on one corner there?

Yizhar Smilansky

(Davar, June 24, 1989)

TABLE OF CONTENTS

PURPOSE OF THIS REPORT	5
INTRODUCTION	5
THE LAW	8
THE METHOD	10
THE DATA	11
DATA ANALYSIS	15
THE EXTENT OF THE USE OF DEMOLITION AND SEALING AS A PUNITIVE MEASURE	21
DEMOLITIONS AND SEALINGS OF HOUSES BELONGING TO SUSPECTS PREVIOUSLY KILLED BY SECURITY FORCES	21
INCIDENTAL DAMAGE	22
POLICY	24
THE DETERRENT ARGUMENT	26
ILLEGAL CONSTRUCTION	30
CONCLUSIONS	31
NOTES	33
APPENDICES	39

THE PURPOSE OF THIS REPORT

The primary goal of this report is to present the public with reliable information on the scope of demolition and sealing of houses as a punitive measure in the West Bank and the Gaza Strip during the Intifada.

We analyzed our data and tried to discern the grounds for execution of this measure, to examine policies that stand today and the changes that have occurred in them, to locate the differences in the method of execution between the West Bank and the Gaza Strip, and to appraise the criteria that stand behind the decision to demolish or seal a house.

This report will deal only with demolitions and sealings used as a punitive measure, executed according to the Defence (Emergency) Regulations, 1945. In addition there are demolitions executed for reasons of illegal building. This is a vast and complicated subject which this report will not treat with the exception of one short remark.

INTRODUCTION

When we tried to establish the exact numbers of houses demolished and sealed in the occupied territories as a punitive measure by the security forces, we encountered various obstacles which prevented us from reaching definitive and exact figures.

Our information stems from seven different sources: two of them are Palestinian human rights organizations, PHRIC (Palestinian Human Rights Information Center) and al-Haq (Law in the Service of Man). Other sources include the Israeli press, the Association for Civil Rights in Israel, field investigations we conducted ourselves, the Israel Defence Forces Spokesperson, and the Ministry of Defence.

Our request for information from the Ministry of Defence (via MK Dedi Zucker) dated July 19, 1989,¹ was answered on September 1, 1989, only after the draft of this report was sent to Minister Rabin's office for comments.* In spite of our request for detailed information, we received from the Prime Minister's office only the numbers of complete and partial demolitions and sealings since the beginning of the Intifada.²

The same is true for the IDF Spokesperson, who refused our request for detailed information on specific points such as the location and grounds for the demolitions, and disclosed to us only the number of complete demolitions and sealings per month.³ The Spokesperson did not refer at all to partial demolitions or sealings.

We found almost no correlation between the data provided by the IDF Spokesperson and the information collected from our other sources, including the data we received from the Ministry of Defence.

For instance, according to the IDF Spokesperson, in September 1988, there were 16 complete demolitions and one complete sealing in the West Bank. Neither our Palestinian sources nor the Israeli press reported any demolition or sealing during that month.

*We received no comment on the draft of this report from the Ministry of Defense

On the other hand, the Israeli press did report on July 7, 1989 - quoting the IDF Spokesperson - the demolition of 3 houses in the villages of al-Maghayir and Kufr Thulth, and the sealing of another two in Qusra and Jenin.⁴ The IDF Spokesperson's data, however, do not show any demolitions or sealings during the month of July 1989.

In his letter to MK Dedi Zucker, dated September 1, 1989, Mr. Haim Yisraeli, of the Defence Minister's Office, stated that since the beginning of the Intifada 147 houses had been demolished and 77 houses had been sealed in the West Bank.⁵ The IDF Spokesperson claims that by the end of July 1989, 160 houses had been demolished and 66 sealed in the West Bank.

Mr. Yisraeli went on to say that in the Gaza Strip 80 houses had been demolished and 36 sealed since the beginning of the Intifada. In contrast, the IDF Spokesperson claims that as of the end of July 1989, 73 houses had been demolished and 37 sealed in the Gaza Strip.

Comparing the two, no correlation can be found between the data issued by the Ministry of Defence and those issued by the IDF Spokesperson.

In a statement given by the State Attorney to the High Court of Justice, it was stated that in the month of October 1988, 4 houses were demolished in Nablus and another 6 in Jericho.⁶ According to the IDF Spokesperson, only 3 houses were demolished during October 1988 in the West Bank. These figures contradict the State Attorney's statement that in October 1988 at least 10 houses were demolished in the West Bank.

In the same statement by the State Attorney, it was stated that during October 1988, five houses were sealed in Nablus. According to the IDF Spokesperson, no houses were sealed in the West Bank during that month.

In a letter to MK Dedi Zucker signed by Minister of Defence Yitzhak Rabin, dated September 2, 1988, the Minister said that according to data 'as appearing in the IDF's operational reports [his emphasis]... in the period from March 9, 1988 through August 3, 1988, 63 houses were demolished in Judea and Samaria and 29 houses were sealed.'⁷ According to the IDF Spokesperson, 58 houses were demolished* and at most 23 houses were sealed during this same period in the West Bank. Again, there was a discrepancy between the information submitted by the IDF Spokesperson and that submitted by the Minister of Defence.

The Minister of Defence added in the same letter: "We bring to your attention that among others, the house of the terrorist who threw the Molotov cocktail at the Moses family car was demolished, as well as the house of the man who stabbed the mayor of al-Bireh, and the house of the terrorist who killed Yigal Shahaf in Hebron." However, the house of the terrorist who threw the Molotov cocktail at the Moses' car

*According to the IDF Spokesperson, the total number of houses demolished between March 1, 1988 and the end of August 1988 is 65. We know for certain that 4 of them were demolished before March 9, 1988, and 3 were demolished after August 3, 1988.⁸

was demolished on the day the Intifada broke out, December 9, 1987, a date not included in the Minister's letter.

A parliamentary interpellation in the Knesset submitted by MK Haim Ramon to the Minister of Defence on April 18, 1989,⁹ was replied to by the Minister on July 13, 1989: "In Judea and Samaria and the Gaza District, 57 houses were demolished in 1989 for security reasons."¹⁰ According to the IDF Spokesperson, 80 houses were demolished in the West Bank and Gaza in 1989 (through the end of June).

The Minister continued: "In Judea and Samaria and the Gaza District, 39 houses were sealed in 1989 for security reasons." Yet, according to the IDF Spokesperson, 54 houses were sealed in 1989 (through the end of June) in the West Bank and Gaza Strip. Thus, again the IDF gave data contradictory to those given by the Minister of Defence.

Moreover, on May 19, 1989, the newspaper Ma'ariv quoted Colonel David Yahav, the former legal advisor in Judea and Samaria, stating that: "150 houses were demolished or sealed in Judea, Samaria, and the Gaza Strip since the beginning of the Intifada."¹¹ However, according to the IDF, 268 houses were demolished or sealed from the beginning of the Intifada to the end of April 1989. The number of houses demolished or sealed according to the IDF differs by more than 100 from the number given by the legal advisor, who is supposed to approve every demolition or sealing before it is executed.

We must therefore unfortunately conclude that we cannot trust the data issued by the IDF Spokesperson. Because the IDF has refused to provide a detailed breakdown of its data, and because the data it has provided contradict the data we already have, we cannot but doubt the accuracy of the information they provide. For the same reasons we cannot accept the data given to us (via Knesset Members) by the Ministry of Defence and by Minister Rabin himself.

While rejecting the defense authorities' information, we wish to emphasize again that the discrepancies lie among the defense authorities themselves - between the IDF Spokesperson's data, that of the Ministry of Defence, and that of the State Attorney.

We are not accusing the defense authorities of deliberate deception, but rather of not possessing accurate information, and of disregarding the gravity of the issue and the public's right to receive accurate and credible information.

The defense authorities fail to adhere to the principle of disclosure and to their duty to reveal information, and thus both the public and its representatives lack undisputed information concerning an issue of collective punishment of unquestioned severity whose legality and effectiveness are controversial.

Such a situation cannot be excused in a country where freedom of information and its disclosure are considered to be among the founding principles.

The only feasible way to obtain accurate numbers is to send fieldworkers to investigate each individual reported case of demolition or sealing. This places impossible demands on personnel, funds, and time, considering that over 300 completely demolished and completely sealed houses are involved.

To the best of our knowledge, there is no Israeli or Palestinian source capable of providing an accurate and updated figure for houses demolished and sealed as a punitive measure in the occupied territories.¹²

THE LAW

Demolition and sealing of houses in the occupied territories are carried out according to Regulation 119 of the Defence (Emergency) Regulations, 1945, enacted during the British Mandate in Palestine:

119 - (1) A Military Commander may by order direct the forfeiture to the Government of Palestine of any house, structure, or land from which he has reason to suspect that any firearm has been illegally discharged, or any bomb, grenade or explosive or incendiary article illegally thrown, or of any house, structure or land situated in any area, town, village, quarter or street the inhabitants or some of the inhabitants of which he is satisfied have committed, or attempted to commit, or abetted the commission of, or been accessories after the fact to the commission of, any offence against these Regulations involving violence or intimidation or any Military Court offence; and when any house, structure or land is forfeited as aforesaid, the Military Commander may destroy the house or the structure or anything growing on the land.

(2) Members of His Majesty's forces or the Police Force, acting under the authority of the Military commander may seize and occupy, without compensation, any property in any such area, town, village, quarter or street as is referred to in subregulation (1), after eviction without compensation of the previous occupiers if any.

The regulations are still in force in Israel as a result of the instructions regarding the continuity of laws, according to Article 11 in the Law and Administrative Ordinance, 1948. The Regulations are still in force in the West Bank as result of a similar ordinance issued by the Jordanian authorities. The same is true in the Gaza Strip, where the local law has not changed since the time of the British Mandate.

Among the various punitive measures executed by the IDF in the occupied territories, demolition and sealing of houses is one of the harshest and most drastic.

First, it is an administrative measure, carried out without any legal process; second, it is a collective punishment since demolishing or sealing a house hurts not only the suspect but also innocent people living with him; third, when a demolition is carried out, the punishment is irreversible.

International law permits the IDF to destroy houses and confiscate property only when security (of both the military and civilians') necessitates such an act. Article 53 of the Fourth Geneva Convention, 1949, stipulates that:

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.

The International Committee of the Red Cross, the guardian and interpreter of the Geneva Convention, interpreted in November 1981 the words "military operations" to mean "the movements, maneuvers, and other actions taken by the

armed forces **with a view to fighting**” [their emphasis].

The High Court of Justice ruled on the legality of demolition and sealing orders issued by the military commander. The Court emphasized in its rulings that Regulation 119 is part of the regulations which were valid in the West Bank on the eve of the Six Day War, and is thus still applicable.¹³

The Court also declared that its supervision over the judgement of the military commander is solely judicial and it must refrain from intervening in other aspects of his judgement:

The supervision of this Court over the judgement of a military commander, like judicial supervision of an act of the [Civil] Administration, is concerned with judicial supervision of the legality of his judgement, and not with the factual supervision of the effectiveness or wisdom involved in the employment of that judgement. In this framework, which delineates the realm of our intervention, we have no basis for interfering in the military commander's judgements.¹⁴

The Court has rejected each and every appeal submitted to it concerning house demolition, and has accepted all claims of security concerns which underlie a demolition or a sealing.

The Fourth Geneva Convention, 1949, unequivocally prohibits collective punishment. Article 33 of the Convention reads:

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

The validity of the Geneva Convention in the occupied territories is debatable, but the Israeli Government has declared that it would respect de facto the humanitarian provisions of the Convention as far as the occupied territories are concerned.¹⁵ The Court has ruled that there is no basis to the claim that house demolition is a collective punishment.¹⁶

On July 30, 1989, the High Court of Justice restricted the IDF’s authority to demolish houses as a means of punishment.¹⁷

Court President Justice Meir Shamgar and Justices Alon and Valenstien ruled in favor of the Association for Civil Rights in Israel, saying that unless there are “operational military needs,” the army must include in the demolition order “a warning which gives the recipient an opportunity to choose an attorney and appeal to the military commander within a specified period of time, after which, if he so desires, he will be given another specified period of time in which to appeal to the High Court of Justice, all before the order is carried out.”

THE METHOD

The order to demolish or to seal a house is signed by the Military Commander of the region. This is an administrative procedure executed without trial and without any need to prove to a legal authority that the suspect is guilty. The execution of the order usually precedes the conviction and the punishment - if any - by a court of law.

The demolition is usually carried out at night, by either the use of explosives or a bulldozer, depending on the conditions of the area and the nature of the building, and after imposing a curfew in the area around the house designated for demolition.

The tenants of the house have a very limited amount of time to gather and remove their possessions. In some cases, houses have been demolished or sealed before the families were able to remove their belongings.¹⁸ The average number of people living in such houses is approximately eleven.

When the demolition is carried out with explosives, in many cases, a great deal of damage is caused to the neighbouring buildings, sometimes rendering the building unfit for habitation.¹⁹ In other cases trees have been uprooted, wells destroyed, and animals killed and injured

After the demolition or sealing, the family usually receives a tent from UNRWA or the Red Cross, which is erected on the ruins of the demolished house. The family is not allowed to rebuild the house or to break the sealed openings.



Levac

Photograph by: Alex Levac

THE DATA

June 1967 - December 1987*

From 1967 to 1978 more than 1,200 houses were sealed demolished, mostly in the first years of the occupation.

1979 9 houses were demolished and 9 sealed.

1980 19 houses were demolished and 11 sealed.

1981 17 houses were demolished and 7 sealed.

1982 35 houses were demolished or sealed.²⁰

1983 12 houses were demolished or sealed according to PHRIC.²¹

1984 2 houses were demolished or sealed according to PHRIC.

1985 44 houses were demolished or sealed according to PHIRC; 48 houses were demolished or sealed according to al-Haq.²²

1986 32 houses were demolished or sealed according to PHRIC. 22 houses were demolished or sealed according to al-Haq; 49 houses were demolished or sealed according to the Ministry of Defence.²³

It is difficult to determine the exact number of houses demolished or sealed between 1967 and the end of 1987. Different sources give different figures and the numbers given by the Minister of Defence are much higher than those given by Palestinian sources.

December 9, 1987 - July 31, 1989

As explained in the introduction, because of the lack of cooperation on the part of the defense authorities, and their failure to adhere to the principles of disclosure and freedom of information, **B'Tselem** cannot publish the exact and verified number of houses demolished and sealed in the occupied territories during the Intifada.

Thus, the numbers appearing on the table on page 14, represent only the **minimal** number of houses, i. e., those on which we have firm data.

• These data reflect only complete demolitions and sealings.
IDF Spokesperson's Data

Distribution by month of demolished and sealed houses.

	<u>JUDEA AND SAMARIA</u>		<u>GAZA STRIP</u>	
	<u>Demolition</u>	<u>Sealing</u>	<u>Demolition</u>	<u>Sealing</u>
January 1988	-	-	-	-
February	-	-	-	-
March	10	-	1	-
April	21	-	2	1
May	1	6	2	-
June	10	9	5	-
July	10	6	6	1
August	13	2	7	-
September	16	1	-	-
October	3	-	7	1
November	17	12	7	9
December	4	1	5	-
January 1989	15	8	-	5
February	1	3	2	4
March	15	3	12	4
April	-	-	-	-
May	12	7	-	-
June	12	11	11	9
July	-	-	6	3
TOTAL	160	66	73	37

* In December 1987, no demolitions or sealings of houses were carried out.

Total Demolitions: 233

Total Sealings: 104 [sic]

*Does not include two demolitions carried out during the above period as punishment for terrorist acts performed before said period.

* Does not include demolition/sealing of individual rooms or shops.

B'Tselems Data

Complete Demolitions and Complete Sealings

The figures represent only those houses demolished or sealed on which we have firm data. They should be treated as a low estimate.

	West Bank		Gaza Strip	
	Demolition	Sealing	Demolition	Sealing
December 1987*	1	0	0	0
January 1988	0	0	0	0
February	2	0	0	0
March	13	0	1	0
April	16	0	3	0
May	2	5	2	0
June	10	8	4	1
July	6	6	5	1
August	13	2	2	0
September	0	0	0	0
October	17	6	4	1
November	17	8	6	2
December	4	1	1	0
January 1989	15	6	1	5
February	5	11	1	3
March	14	3	8	1
April	0	0	0	0
May	21	11	1	0
June	12	11	**15	3
July	3	2	9	2
TOTAL	173	79	63	19

In addition to houses appearing in this table, other structures, such as shops, warehouses, fences, walls, wells, etc., were demolished, and over 60 houses were partially demolished or sealed.

* The offense occurred before the Intifada broke out.

** One of the houses was demolished for an offense committed prior to the Intifada.

Photo: Alex Levac



DATA ANALYSIS

We investigated some 330 cases of demolitions and sealings and our research revealed the following results. We analyzed our own data and not the IDF Spokesperson's.

Since our sample is very large, we assume that the trends revealed will not be different when and if the official and complete data is made public.

Complete Demolitions

Approximately 74% of all demolitions were carried out in the West Bank and 26% in the Gaza Strip.

A. The Grounds for Demolition

I. The West Bank

- 1.1 Of the total number of completely demolished houses, some 30% were cases in which one of the tenants was suspected of murder or manslaughter or of collaboration in a murder or manslaughter. In one third of the cases the victim was Israeli, and in two thirds of the cases the victim was a Palestinian suspected of collaboration with the authorities.
- 1.2 In about 9% of the cases the house was demolished on the pretext that one of its inhabitants was suspected of throwing Molotov cocktails or stones which inflicted injuries upon Israeli citizens, or one of the tenants was suspected of attempted murder of collaborators.
- 1.3 In 35% of the cases the house was demolished because one of its tenants threw a Molotov cocktail which caused no damage or prepared explosives which caused no damage.
- 1.4 Three houses were demolished on the grounds that one of the tenants was suspected of incitement.²⁴
- 1.5 Three houses were demolished on the pretext that one of the tenants was suspected of stone-throwing which caused no harm.²⁵
- 1.6 Two houses were demolished on the pretext that a tenant used force to resist arrest.²⁶
- 1.7 The storey of the house in Nablus, from which the cinder block which killed soldier Benny Meissner was thrown, was demolished in February 1989, although the owners of the house had nothing to do with the killing.
- 1.8 Thirteen houses were demolished in April 1988 in the village of Beita, following what is known as “the Beita affair.” affair. Authorities admitted that

at least one house was demolished by mistake.

In some of the cases we have no information as to the grounds for the demolition.

2. The Gaza Strip

2.1 Of the total number of completely demolished houses, about 20% were cases in which one of the tenants was suspected of murder or manslaughter or of collaboration in a murder or manslaughter. In about one third of the cases the victims were Israelis (One such case was the terrorist attack on a bus en route to Jerusalem which claimed 16 lives.) In about 2/3 of the cases the victim was a Palestinian suspected of collaboration.

2.2 In 4% of the cases the house was demolished on the pretext that one of its tenants was suspected of attempted murder. (One example is the houses of those who attacked two youths from Ramat Hasharon in September, 1987. The houses were approved for demolition on March 21, 1989.)

2.3 In approximately 60% of the cases the house was demolished on the pretext that one of its tenants was suspected of throwing a Molotov cocktail at the IDF, a suspected collaborator, or another target, which caused no damage.

In some of the cases we have no information grounds for the demolition.

3. Conclusion

In the Gaza Strip a serious offense, such as suspicion of murder, manslaughter, or attempted murder or manslaughter, or of another act which endangered lives, was needed as a pretext for demolition. In the West Bank houses of suspected stone-throwers, suspects of incitement, and people who forcefully resisted arrest were also demolished.

B. The Suspects

1. The West Bank

1.1 In some 60% of the cases, the house of the suspect's parents was demolished.

1.2 In approximately 18% of the cases the suspect was the owner of the house.

1.3 In some 6% of the cases the house was owned by the suspect's brother

1.4 We know of at least one case where the house belonged to the suspect's grandmother and one case where it belonged to the suspect's son.²⁷

1.5 We know of some cases in which the demolished house was rented by the suspects from people who were not involved in the act that caused the demolition, and other cases in which innocent tenants rented the houses from

the suspects.²⁸

1.6 In at least 6 cases, a house was demolished after one of its tenants was killed by security forces while committing the act that formed the grounds for the demolition.²⁹

1.7 At least 11 houses were demolished prior to the arrest, while the suspects were still “wanted.”³⁰

1.8 In only a few cases was the house demolished suspect was convicted by a court of law.

1.9 On December 2, 1988, **Ha'aretz** reported on houses of suspects which were not demolished because of their fathers' contacts with the authorities.³¹

In some of the cases we have no information as to the family ties between the suspect and the owner of the demolished house.

2. The Gaza Strip

2.1 In approximately 80% of the cases the parents' house was demolished for suspicion against their son.

2.2 In approximately 20% of the cases the suspect was the owner of the house.

We do not know of any other relationships between suspects and owners of the demolished houses.

2.3 In one case a house was demolished after the suspect was killed by security forces while committing one of the acts which caused the demolition.³²

2.4 In at least 10% of the cases the house was demolished after the suspect had been convicted by a court of law.

3. Conclusion

3.1 In the Gaza Strip the demolished house belonged to the suspect or to his parents. In the West Bank houses which belonged to other relatives, such as brothers, a grandmother and a son, and houses that were rented by or rented from suspects were also demolished - houses whose residents or owners had no connection to the crime for which the house was demolished.

3.2 In only approximately 1% of the demolition cases in the West Bank was the suspect convicted prior to the demolition. In the Gaza Strip about 10% of the demolitions were carried out after a conviction.

Complete Sealings

Of the total number of completely sealed houses, 80% were in the West Bank and

20% in the Gaza Strip.*

A. The Grounds for the Sealings

i. The West Bank

- 1.1 Of the total number of complete sealings, some 10% were cases in which one of the tenants was suspected of murder or manslaughter or of collaborating in a murder or manslaughter.
- 1.2 In approximately 10% of the cases, the house was sealed on the pretext that one of its tenants was suspected of attempted murder or of another act which inflicted injuries on a person.
- 1.3 In some 60% of the cases the house was sealed on the pretext that one of its tenants was suspected of throwing Molotov cocktails, setting fire to a car, preparing explosives, or committing other acts which caused no damage.
- 1.4 Two houses were sealed on the pretext that one of the tenants was suspected of stone-throwing which caused no damage.³³
- 1.5 One house was sealed for 3 months on the pretext that stones had been thrown from it, not necessarily by one of its tenants.³⁴
- 1.6 One house was sealed on the pretext that cinder blocks had been thrown from its roof, not necessarily by one of its tenants.³⁵
- 1.7 One house was sealed in East Jerusalem on the pretext that one of its tenants put explosives near the house of Minister Ariel Sharon.^{36**}

2. The Gaza Strip

- 2.1 In some 20% of the cases the house was sealed on the pretext that one of its tenants was suspected of killing a collaborator.
- 2.2 In approximately 13% of the cases the house was sealed on the pretext that one of its tenants was suspected of attempted murder.
- 2.3 In approximately two-thirds of the cases the house was sealed on the pretext that one of its tenants was suspected of throwing Molotov cocktails, assault on collaborators, etc.

* According to the IDF Spokesperson 35% of the complete sealings were in Gaza and 65% in the West Bank

** Houses are not demolished in East Jerusalem, apparently due to a request by Mayor Teddy Kollek. We do not know of any other houses that were sealed in East Jerusalem. However, a sealing order is pending for the apartment of a woman who lives on the floor above Sharon's apartment in East Jerusalem.

3. Conclusion

In the Gaza Strip a serious suspicion, such as of murder, manslaughter, attempted murder, or another act which endangered lives, was required as a pretext for the sealing. In the West Bank houses of suspects of stone-throwing and houses of people who were not involved in the offense were also sealed.

B. The Suspects

1. The West Bank

1.1 In approximately 70% of the cases the house belonged to the parents of the suspect.

1.2 In some 20% of the cases the suspect was the owner of the house.

1.3 We know of at least 2 cases in which the house belonged to the suspect's brother.³⁷

1.4 One house was sealed after it had been sold by the suspect's parents to another family. The sale was concluded 10 days before the commitment of the act which was the pretext for the sealing. The authorities were aware of the sale prior to the sealing.³⁸

In some of the cases we have no information as to the family relationship between the suspect and the owner of the house.

2. The Gaza Strip

2.1 In approximately 50% of the cases the house belonged to the parents of the suspect.

2.2 In some 50% of the cases the suspect was the owner of the house.

We have no knowledge of any other relationships between the suspect and the owner of the sealed house.

3. Conclusion

In the Gaza Strip only the suspect's house or his parents' house was sealed. In the West Bank, houses of more distant relatives, such as brothers, were also sealed, as was a house which had been sold 10 days before the alleged crime was committed.

Partial Demolitions and Sealings

In addition to complete demolition and sealing, security forces carry out partial demolitions and sealings. One part of the house is demolished or sealed while the remainder remains intact.³⁹

A. Partial Demolitions

1. The West Bank

We have no knowledge of partial demolitions in the West Bank.

2. The Gaza Strip

2.1 We know of some 30 cases of partial demolitions, which constitute one third of the total number of demolitions in the Gaza Strip.

2.2 The pretexts are killing of collaborators, throwing Molotov cocktails, membership in terrorist organizations etc.

2.3 In most cases only the suspect's room is demolished.

3. Conclusion

In the West Bank there are no partial demolitions, and in the Gaza Strip a third of the demolitions are partial.

Partial Sealings

1. The West Bank

1.1 We know of 5 instances of partial sealings, which constitute 7% of the sealings in the West Bank.⁴⁰

1.2 The pretext for all five sealings was Molotov cocktail throwing.

1.3 In 2 of the cases, the sealing was carried out after the suspect was convicted by the court.⁴¹

2. The Gaza Strip

2.1 We know of 30 instances of partial sealings, which constitute approximately two thirds of the sealings in the Gaza Strip.

2.2 The pretexts were attempted murder, Molotov cocktail throwing, membership in a terrorist organization, and attacking collaborators.

2.3 In most cases, the suspect's room was sealed.

3. Conclusion

There were only 5 partial sealings in the West Bank, and in the Gaza Strip two thirds of the sealings were partial.

THE EXTENT OF THE USE OF DEMOLITION AND SEALING AS A PUNITIVE MEASURE

Of all of the houses that were completely demolished or sealed, approximately 77% of them were in the West Bank and some 23% in the Gaza Strip.

It is important to note here that according to the West Bank Data Project, more than one million Palestinians live in the West Bank and nearly 700,000 in the Gaza Strip. That is, 60% of the Palestinians live in the West Bank and 40% in the Gaza Strip.

If we refer to figures on fatalities as an indicator of the level of violence, we find that between the beginning of the Intifada and the end of July, 1989, 65% of the shooting deaths were in the West Bank and 35% in the Gaza Strip. Thus we can conclude that the relative use of this punitive measure is more widespread in the West Bank than in the Gaza Strip.

DEMOLITIONS AND SEALINGS OF HOUSES BELONGING TO SUSPECTS PREVIOUSLY KILLED BY SECURITY FORCES

Through the end of July 1989, 477 Palestinians had been killed by security forces' gunfire. According to defense authorities, soldiers fire when they perceive a threat to their lives.

We know of at least 7 cases in which a family's home was sealed or demolished **after** the suspected family member was killed by security forces while committing the act which later formed the basis for the demolition or sealing.⁴²

In 470 cases in which Palestinians were shot to death, no reason was found to demolish or seal their houses after they were killed.

There is therefore an inconsistency between the claim of the defense authorities that open-fire regulations allow shooting in life-threatening situations, and the fact that although the IDF demolishes houses of victims of its own fatal gunfire, in 470 cases no grounds were found for the demolition of homes of people who, according to the army, endangered the lives of soldiers.

INCIDENTAL DAMAGE

When the demolition is carried out using explosives, neighboring houses are often damaged to various degrees, sometimes to the point of being rendered uninhabitable.

In April 1988, when 13 houses were blown up in a period of 48 hours in the village of Beita following what was called “the Beita affair,” 21 nearby houses were damaged. These demolitions occurred before the investigation into the original incident had been completed (possibly before it had even begun).

In May 1989, when two houses were blown up in the village of al-'Arub, 22 neighboring houses were damaged to various degrees. On May 23, 1989, MKs Shulamit Aloni and Dedi Zucker visited al-'Arub together with B'Tselem staff members.

In her letter to the Minister of Defence, MK Aloni wrote, “[t]he army, for some reason, decided to blow up one house, an act which resulted in extensive damage to a great number of neighboring houses.”⁴³

On May 25, 1989, when two houses were demolished in al-'Ayzariya, three neighboring houses were damaged. On June 17, 1989, Dan Simon, of the Association for Civil Rights in Israel, together with Bassem 'Eid of **B'Tselem** and construction engineer Gavriel Shen'ar, visited al-'Ayzariya. Shen'ar checked the three damaged buildings and assessed the damage caused by the explosion at NIS 52,000.⁴⁴

We have reports, most of them from the West Bank, on dozens of cases in which neighboring houses were damaged as a result of the explosion of a nearby house.

Nevertheless, on June 7, 1989, the IDF blew up two houses in Gaza in front of journalists and television cameras. In this particular explosion, none of the neighboring houses were damaged, and the IDF Spokesperson even stressed this fact in his message to the media. In this context, Shulamit Aloni wrote in her letter to Minister Rabin, “[s]ince we may easily assume that the IDF is trained to blow up a house without damaging adjacent buildings, just as in countries where multi-storey buildings are demolished without any resultant damage to their immediate surroundings, one may conclude that the damage wrought upon neighboring buildings results from malicious intent or criminal negligence toward the neighbors, or operational negligence on the part of troops involved.”

In light of the fact that the majority of the incidental damage occurred in the West Bank, and in light of the “successful” explosion for the television cameras, we have no doubt that the IDF has both the knowledge and the means to blow up a house without damaging adjacent buildings. The fact that in such a large number of cases so many untargeted houses were damaged can only indicate disregard for human beings and their property.

The defense authorities occasionally compensate residents whose houses were damaged by the explosion of a neighboring house.

In answer to a parliamentary interpellation by MK Haim Ramon,⁴⁵ the Minister of Defence said: “The defense establishment has indeed compensated residents whose homes were damaged during the destruction of a neighboring house.

Every case was thoroughly checked and the damage assessed. Since December 1987, 34 requests for compensation have been approved, and a total of NIS 50,335 has been paid out.”⁴⁶ Payments thus averaged NIS 1,480 per house.

In an inspection performed by a licensed engineer of homes damaged by the explosion of neighboring buildings in al-'Arub, the damage to one building was estimated at NIS 12,135, and to another at NIS 14,491.⁴⁷ In the Ministry of Defence's response to requests for compensation, NIS 400 in damages was approved for the first house, and NIS 1,200 for the second.⁴⁸

In light of these facts, it is apparent that the sums paid by the defense establishment as compensation for incidental damage are unrealistic.

POLICY

In March 1988, as part of a new package of punitive measures approved by the Israeli government for confronting what was beginning to be seen as a popular uprising, the use of two measures was broadly expanded: administrative detentions, and house demolitions.⁴⁹ In the same month 13 houses were demolished in the West Bank, and from that time until the end of July 1989 an average of 15 houses were demolished or sealed in each month of the Intifada. In the Gaza Strip during the same period, an average of five houses were demolished or sealed each month.*

Up to the end of March 1988 houses of people who were suspected of inflicting injuries were demolished. On March 21, 1988 the newspapers reported that for the first time houses of suspects were demolished even though the Molotov cocktails they had thrown caused no injuries. Indeed, a day earlier, the IDF demolished three houses in the West Bank belonging to people suspected of throwing Molotov cocktails.⁵⁰ Since then, the throwing of a Molotov cocktail, regardless of whether or not it caused any damage, has been sufficient reason to seal or demolish a house.

On January 17, 1989, the daily **Ha'aretz** reported that "the Judge Advocate General's Corps is currently preparing a judicial basis that will enable the defense authorities to seal or demolish the homes of families residing in the occupied territories when it is found that stones thrown from them caused severe damage."⁵¹

On the same day, the IDF demolished three houses in Qalqilya and sealed two other houses of families whose sons were suspected of throwing stones. No source claimed that the stone-throwing caused any damage to persons or property,⁵² and the Minister of Defence said a few days later in the Knesset Security and Foreign Affairs Committee: "We demolish the house of every person who confesses to throwing stones. If there is no confession, we do not demolish."⁵³ Thus, even the Minister of Defence did not claim that the criterion for demolition is the extent of the damage caused by the stone thrown. Nevertheless, we have the information on other demolitions or sealings of houses of suspects who did not cause any damage by throwing stones.

On February 12, 1989, the newspapers reported that the IDF intended to demolish and seal houses rented by persons suspected of perpetrating attacks, even if the owners had no link to the pretext for the demolition or sealing.⁵⁴ According to information in B'Tselem's possession, the IDF demolished a rented house as early as June 1988, and to this day, continues to demolish rented houses periodically.⁵⁵

On March 17, 1989, the media reported that the IDF had for the first time demolished the homes of "wanted" persons in the village of Burqin in the Jenin district. **Ha'aretz** quoted official army sources as saying "this sort of step - demolition of the home of a suspect who is not yet in custody - is unique, and is employed only in especially severe cases."⁵⁶

On March 22, 1989, **Ha'aretz** reported that, according to official sources, "the

* According to the IDF Spokesperson, an average of seven houses was demolished or sealed in the Gaza Strip each month.

homes of wanted persons were demolished because of especially serious crimes in

which they were involved, and to prove that fleeing and hiding from the authorities does not grant them immunity from house demolition.”⁵⁷

According to B'Tselem's information, this was not the first time that the IDF demolished the homes of wanted suspects. We know of several sealings and demolitions which occurred over the course of 1988, when the suspect, whose alleged crime formed the grounds for the sealing or demolition, was still being sought.⁵⁸

In April 1989, it was decided to discontinue demolitions and sealings for the period of one month, as a gesture of goodwill for the month Ramadan. Needless to say, the demolition orders were not cancelled. They were merely put off until the month of May, in which at least 33 homes were sealed or demolished,

In a parliamentary interpellation directed by MK Haim Ramon to the Minister of Defence on April 17 1989, Ramon asked: "What are the reasons for which the defense authorities demolish houses?"⁵⁹

In his response of July 13, 1989, the Minister answered a question which was not exactly the one intended by MK Ramon: "House demolitions are carried out for two distinct reasons. The first is illegal construction, that is, construction not in accordance with planning and construction ordinances, and the second is as an administrative sanction under Defence (Emergency) Regulation 119 of 1945, applied to a resident who has committed a serious security offense or when firearms are used from within the house."⁶⁰

From the above description, it becomes clear that the policy changes from time to time. Sometimes a policy is adopted for a long period, while at other times a new policy is implemented only once or twice. Thus, the declared policy, as presented by the security authorities to the media, is not always carried out in the field.

From the Minister of Defence's response to MK Haim Ramon, we can see how difficult it is to elicit a response from the defense authorities regarding house demolition and sealing, whether because they have no clear policy or because they do not want to define their policy or make it public.

A comparison of the various figures, pretexts, and methods of house demolition in the West Bank and the Gaza Strip reveals that there are no set guidelines for the decision to implement this punitive measure.

The same crime, including murder, can result in demolition in one case, sealing in another, and partial demolition or sealing in a third. For crimes such as throwing Molotov cocktails, the home of one suspect may be sealed or destroyed, while that of another suffers no harm.

There is no escaping the conclusion that the decision to seal or demolish a house is arbitrary, lacks clear guidelines, and is largely dependent on the individuals involved, including local and regional commanders, regional legal advisors, and so on.

THE DETERRENT ARGUMENT

Throughout the years, deterrence was put forward as a justification for the demolition or sealing of houses whenever debate arose as to the legality or prudence of applying such punitive measures.

The Honorable Judge Aharon Barak also remarked in High Court of Justice Case 126/38 that the application of Regulation 119 aims “to deter disturbances of the peace, by those who by their conduct cause severe and fatal injuries to other people.”⁶¹ In another case, 437/79, it was stated that “the aforementioned Regulation 119 calls for an extraordinary punitive measure whose main purpose is deterring similar actions.”⁶²

When it was decided in March 1988 to broaden the use of demolition and sealing of houses as punitive measures, the defense authorities believed that this was one of the steps that would put an end to the uprising.⁶³

On November 8, 1988, the Chief of Staff, Lieutenant-General Dan Shomron, stated before the Knesset's Security and Foreign Affairs Committee that “despite the long range damage caused by the blowing up of houses, we cannot allow the Intifada to 'run wild' without end. Nor can the significance of this measure as a deterrent be overlooked.”⁶⁴

Similarly, Minister of Defence Yitzhak Rabin has announced from time to time that the level of violence has dropped as a result of the demolition of houses. On January 24, 1989, Mr. Rabin stated: “The phenomenon of Molotov cocktail throwing has recently declined as a result of the punitive policy we have applied, which took the form of house demolition.”⁶⁵

In an affidavit to the High Court of Justice, OC of the Central Command, Amram Mitzna, stated inter alia:

18 (b) According to the data available to us, this policy, [i.e., applying the sanction in Regulation 119] has resulted in a significant decrease in the number of Molotov cocktail throwing incidents (since it was introduced). Thus, for instance, during July and the first half of August ‘only’ 113 incidents of Molotov cocktail throwing were recorded in the Judea and Samaria area. In my estimation, a significant component of this decrease, which we hope will continue in the coming months, can be attributed to the influence of Regulation 119, in its full severity and immediacy, against the houses of those who throw Molotov cocktails.⁶⁶

Attorney Joshua Schoffman, of the Association for Civil Rights in Israel, responded to General Mitzna's affidavit and demanded further details concerning his appeal to the Supreme Court. In a letter dated September 5, 1988, to attorney Nili Arad, who heads the High Court's Cases Department in the State Attorney's Office, Schoffman asked:

1. a. What data do the respondents have, as mentioned in section 18 (b) of the affidavit of respondent no. i which prove, in their opinion, that the policy of applying Regulation 119 has caused a decrease in the number of Molotov cocktail throwing incidents?
- b. Do they have data which proves that the speed by which this measure was

applied has brought about a decrease in the number of Molotov cocktail throwing incidents? If so, where are they?⁶⁷

In her response, dated November 16, 1988, Attorney Arad wrote:

Regarding questions i (a) and (b):

What is written in section 18 of the affidavit is the conclusion of a professional military assessment based, inter alia, on the data detailed in the section.⁶⁸

Attorney Schoffman asked further:

2. a. What data do the respondents have which, in their opinion, proves that sealing a house deters less than its demolition?

b. What data do the respondents have which, in their opinion, prove that the immediate sealing of a house and its subsequent demolition after a certain time lapse deters less than the immediate demolition?

Attorney Arad responded:

Regarding questions 2(a)-(b): What is written in section 16(b) of the respondents' affidavit - according to which the greatest deterrence is achieved by the immediate demolition of a house as opposed to sealing it - is based on a professional military assessment of those in charge of security operations in the territories.

The responses of the High Court of Justice department head in the Attorney General's office do not include any data which strengthen the "deterrence" argument, which is defined very generally as a "professional military assessment." To the best of our knowledge, no effort or attempt has been made to examine the questions of whether the demolition of houses does indeed deter security offenses, or whether this measure even makes the security authorities' operations more efficacious.

The facts are that after the demolition or sealing of over 300 homes, which has rendered approximately 4,000 people homeless, the Intifada - in all its forms, including Molotov cocktail throwing - continues. Assuming that the number of fatalities is an indication of the level of violence, one should note that during the month of July, 1989, 31 residents of the territories were killed by security forces in violent incidents; in August, 28 were killed in such incidents.

Furthermore, the demolition of three houses belonging to men suspected of an attempt on the life of a collaborator in the village of Bidya in March 1988, did not deter five inhabitants of the same village from assassinating the Mukhtar (village leader) in October of that same year. Their houses were demolished on October 14, 1988.

Similarly, in the refugee camp of Jilazun, the authorities resorted to a series of demolitions: in June 1988, in the beginning of August 1988, and at the end of the same month. A total of eight houses were demolished in Jilazun before two of the

inhabitants threw a Molotov cocktail at a bus. Their houses were destroyed in November, 1988.

We know of many other cases of recurring demolitions in the same village, and can thus safely assume that even on the level of an individual village, the demolition of a house does not deter further active participation in the Intifada.



Photo: Alex Levac

ILLEGAL CONSTRUCTION

In addition to houses demolished as a means of punishing criminal suspects, hundreds of houses have been destroyed for having been built illegally, the vast majority of them in the West Bank. Figures on these demolitions are also hard to acquire, and it seems that in this case as well there is no source capable of producing the exact numbers.

We do not intend to cover this topic, which is quite complex and deserves its own discussion. Rather, we would simply like to raise the possibility that the demolition of houses for violation of planning and construction ordinances also serves as a form of punishment.

The Minister of Defence, in his response to MK Haim Ramon's parliamentary interpellation, stated that in 1986, 197 homes that were built without permission were demolished; in 1987, 196 such homes were demolished; and in 1988, the first year of the Intifada, 505 houses that had been illegally built were demolished.⁶⁹

On November 8, 1988, the IDF demolished the home of Hussein Bisharat in the village of Tamun. Bisharat's son had stabbed soldier David Daniel in Moshav Mesuah, and was killed by a local resident.

The poorer residents of Tamun work in the Jiftlik district and live in all sorts of structures, many of them simple shanties, which are built nearby without permission. Several days after the soldier was killed by a resident of Tamun, security forces demolished dozens of these shelters in the Jiftlik district, and forced the residents back to their village.

Without going into the difficulty of acquiring building permits in the West Bank, these figures - which indicate a marked increase in demolitions since the beginning of the Intifada - raise the suspicion that defense authorities use the pretext of illegal construction to demolish homes as a punitive measure and as an instrument for cracking down on the Palestinian population during the Intifada.

CONCLUSIONS

A. Data

1. Since there are discrepancies between the data given by the IDF Spokesperson's Office, and those given by the Ministry of Defence, since neither office will reveal detailed information, and since in most cases their data contradict our information, we cannot but conclude that the data we received from both the IDF Spokesperson and the Ministry of Defence are neither accurate nor credible.
2. The defence authorities disregard the gravity of the issue and the right of the public to receive accurate and credible information. They do not adhere to the principle of the public's right to know and of the right of freedom of information.
3. It is our view that there is no Israeli or Palestinian source capable of providing accurate and updated numbers of houses demolished and sealed as a punitive measure in the occupied territories

B. Implementation in the West Bank as Compared to the Gaza Strip

1. In the Gaza Strip, the suspicion of a serious offense, such as murder, manslaughter, attempted murder, or other life-threatening acts, was required as the pretext for demolition or sealing. In the West Bank, homes of suspected stone throwers, people suspected of incitement, and people who forcefully resisted arrest, were also demolished or sealed.
2. In the Gaza Strip, the demolished or sealed houses always belonged to the suspect or to his parents. In the West Bank, houses which belonged to other relatives, such a brother, and houses that were rented to or rented from suspects were also demolished or sealed. In all cases, neither the house owners nor the inhabitants had any connection to the crime for which the houses were demolished or sealed.
3. In only approximately 1% of the demolition cases in the West Bank had the suspect been convicted prior to the demolition. In the Gaza Strip about 10% of the demolitions were carried out after a conviction.
4. There are no partial demolitions in the West Bank and we know of only five partial sealings. In the Gaza Strip, some one third of the demolitions and some two thirds of the sealings are partial.
5. Almost all reports of incidental damage come from the West Bank.
6. Relative to the size of the population and assuming that the number of Palestinians killed indicates the level of violence, the use of demolition and sealing as punitive measures was more common in the West Bank than in the Gaza Strip.

C. Incidental Damage

1. We have no doubt that the IDF possesses both the knowledge and the means to blow up a house without damaging neighboring houses. The fact that so many nearby houses have been damaged in so many cases can only indicate disregard for

human beings and their property.

2. The sums paid by the Ministry of Defence as compensation for damages are unrealistic, and do not cover the cost of the repairs.

D. Policy

1. The policy occasionally changes. Sometimes the new policy remains in effect for a long period of time, and other times it is carried out only once or twice.
2. The policy as announced to the media by security officials does not always correspond to its actual implementation in the field.
3. It is difficult to receive an answer from the defense establishment as to its policy concerning house demolition and sealing, whether because it has no clear policy or because the establishment does not wish to publicize its policy.
4. There are no definite and clear criteria upon which to base the decision to carry out a demolition or a sealing. The decision is apparently quite arbitrary and is left, for the most part, to the discretion of field commanders.

E. The Deterrent Argument

1. To the best of our knowledge, no serious attempt has been made to determine whether house demolition is an effective deterrent against security offenses, or whether this measure is effective even from the point of view of the defense authorities.
2. After the demolition and sealing of over 300 houses, the Intifada continues.
3. We know of many villages in which demolitions were carried out more than once; we can therefore assume that even at the village level, the sight of a house demolition does not deter active participation in the Intifada.
4. Even if the defense authorities could show a correlation between house demolitions and declining levels of violence, it could not justify such a violation of both human rights and international law.

F. Demolitions for Reasons of Illegal Construction

In view of the steep rise in house demolitions on the grounds of illegal constructions since the beginning of the Intifada and without going into the problems of acquiring a construction permit in the occupied territories, it can be assumed that the defense authorities demolish houses on the grounds of illegal construction as an additional form of punishing the Palestinian population.

NOTES

¹ MK Dedi Zucker, Ref. 2579, July 19, 1989.

² H. Yisraeli, Office of the Minister of Defence, Ref. 9802/p, September 1, 1989.

³ Lieutenant Liat Menahmi, Office of the IDF Spokesperson, Ref. 2846-2-18, August 7, 1989. The data appear in their entirety on page 14.

⁴ See, for example, Oron Meiri, **Hadashot**, July 7, 1989:

“Yesterday the IDF sealed and demolished the houses of people suspected of attacking suspected collaborators on the West Bank. Among the demolished houses was that of 'Atyeh Na'asan in the village of al-Maghayir near Ramallah... Also destroyed were the houses of two residents of the village of Kufr Thulth near Qalqilya . . . The IDF Spokesperson reported the demolishing of house of a resident of the village of Qasra and those of two residents of Jenin.”

⁵ See 2 above.

⁶ High Court of Justice 358/88, the Association of Civil Rights in Israel v. Commanders of the Central and Southern Commands.

⁷ **Yitzhak Rabin**, Minister of Defence, Ref. 10073/p, September 2, 1988.

⁸ On March 7, 1988, two houses were demolished in Qabatiya and two in the village of Bidu. On August 24, 1988, three houses were demolished in Jilazun.

⁹ MK Haim Ramon, Parliamentary Interpellation to the Minister of Defence, April 15, 1989.

¹⁰ Yitzhak Rabin, Minister of Defence, Ref. 7843/p, July 13, 1989. '

¹¹ Baruch Meiri, Ma'ariv, May 19, 1989.

¹² The Palestinian Human Rights Information Center (PHRIC) sends representatives to gather testimonies for every case of sealing or demolition, so their figures are the most accurate of those available. However, for technical reasons, because of the great numbers of houses and the pace of events in the occupied territories, PHRIC was unable to provide us with updated figures before we went to press.

¹³ High Court of Justice, 897/86, PD 41(2), 522, 525.

¹⁴ High Court of Justice, 274/82, PD 36(2), 755-6.

¹⁵ M. Shamgar, “The Observance of International Law in the Administered Territories,” **Israel Yearbook on Human Rights** (Tel Aviv University, 1971) (1) 262, 266.

¹⁶ High Court of Justice 698/85, PD 40(3) 44.

¹⁷ See 7 above.

¹⁸ See affidavits in Appendices B and C.

¹⁹ See "Incidental Damage," p. 24, and Appendices D, F, and G.

²⁰ Dedi Zucker, Avner Halperin, et al, **Human Rights in the Territories Administered by the IDF, 1979-1983** (Hebrew) (International Center for Peace in the Middle East, 1983).

²¹ PHRIC's figures for the years before the beginning of the Intifada are based on secondary sources.

²² **Punishing a Nation: Human Rights Violations During the Palestinian Uprising, December 1987 - December 1988**,(al-Haq, 1988).

²³ See 10 above.

²⁴ April 5, 1988, Yamun.

See, for example, Pinhas Inbari, **Al Hamishmar**, April 6, 1988: "The IDF is broadening its guidelines for house demolitions. Yesterday in Yamun, near Jenin, three houses belonging to people suspected of incitement were demolished. Until now the army has only demolished the houses of actual terrorists."

²⁵ January 17, 1989, Qalqilya.

See, for example, Ori Nir and Eitan Rabin, **Ha'aretz**, January 18, 1989: "Yesterday at dawn the IDF demolished the houses of families of three young men from Qalqilya who are accused of involvement in several incidents in which stones were thrown at Israeli vehicles near Qalqilya. This is the first time the IDF has demolished the homes of families of suspected stone-throwers in the territories." Also Yossi Verter, **Hadashot**, January 25, 1989, in reporting the remarks of the Minister of Defence to the Knesset Security and Foreign Affairs Committee: "'We demolish the homes of anyone who confesses to throwing a stone. If they do not confess, we do not demolish,' explained the Minister."

²⁶ May 19, 1989, Surif.

See, for example, David Regev et al, **Yediot Aharonot**, May 21, 1989: "At dawn on Friday, security forces demolished two houses belonging to residents of the village of Surif in the Bethlehem district. One house belonged to a family whose sons threw cinder blocks at IDF troops and prevented them from approaching the house to carry out arrests. The other house belonged to a young man wanted for arrest who, using a hatchet, had tried to attack an IDF officer who was trying to arrest him. This was the first time the IDF has demolished the houses of people who had forcefully resisted arrest or attempted to attack troops."

²⁷ On October 31, 1988, a house in Jericho which belonged to the grandmother of a suspected Molotov cocktail thrower was demolished. On May 3, 1989, a house in

'Irtas, belonging to the son of someone suspected of killing a collaborator was demolished.

²⁸ On June 15, 1988, a house in Jenin whose owner lived in Saudi Arabia was demolished because the renter's son was suspected of murder.

On October 31, 1988, a house in Jericho which was rented to the father of suspected rock throwers was demolished. High Court of Justice ruling 45/89 approved the demolition of rented houses for acts of the renters.

²⁹ On April 7, 1988, a house in Beita was demolished which belonged to the father of Musa Bani-Shamseh, who was killed by Romem Aldubi's gunfire in what was known as "the Beita affair."

On November 7, 1988, a house in Tammun was demolished which belonged to the father of Ahmad Hussein Basharat, who had stabbed soldier David Daniel on Moshav Masu'ah and had been shot dead by a local resident.

On December 14, 1988, a house in Burqin was demolished which belonged to the father of Hamdan a-Najar, who had killed Ya'akov Parag of Har Bracha and IDF soldier Arthur Herstig, before being killed by another soldier.

On May 19, 1989, two houses in Edna were demolished along with one in Nuba. They belonged to the families of three members of a terrorist group killed in a confrontation with IDF troops on Mt. Hebron in which Sgt. Yitzhak Ravah was also killed.

³⁰ March 7, 1988 - Qabatiya; March 11, 1988 - Bidhya; April 5, 1988 - Yamun; May 1, 1988 - 'Idna; June 16, 1988 - Salfit; August 24, 1988 - Jilazun; March 13, 1989 - 4 houses in Burqin; May 3, 1989 - 'Irtas.

³¹ Ori Nir, **Ha'aretz**, December 2, 1988.

³² On June 26, 1989, a house in Rafah was demolished which belonged to Muhammad al-Jamal who, in August 1987, killed Capt. Ron Tal and was killed in a confrontation with security forces in October 1987. In the same incident, GSS agent Victor Arajwan was killed.

³³ January 17, 1989 - Qalqilya. See 25 above.

³⁴ June 23, 1988 – Halhul.

³⁵ June 13, 1989 - Askar refugee camp.

See, for example, Eitan Rabin, **Ha'aretz**, June 14, 1989: "The IDF acted yesterday in unprecedented fashion when it sealed the home of the family of Ahmed Jabar of the 'Askar refugee camp. The IDF Spokesperson announced that the house was sealed after cinder blocks were thrown from its roof."

³⁶ See, for example, Zvi Singer and David Regev, **Yediot Aharonot**, February 10, 1989: "A house in Bireh was sealed which belonged to a suspect in the planting of explosives near Sharon's home."

Also, Uriel Ben-Ami, **Al Hamishmar**, February 10, 1989: "Police and security forces yesterday sealed the house of a prisoner. . . who was accused of planting explosives

which exploded at the entrance to Sharon's house. . . .It should be pointed out that, in conformity with the request of Jerusalem Mayor Teddy Kollek, the houses of terrorists suspected of planting explosives are not demolished, as is done in the territories. Rather, they are simply sealed.”

³⁷ July 4, 1988, two houses in the village of Sinjil.

³⁸ On March 12, 1989, a house was sealed in Bethlehem which belonged to the Maslama family who had bought the house ten days earlier from the Harmas family, one of whose sons, Rami Harmas, had stabbed a soldier. The buyers presented an officer of the Civil Administration with all of the purchase documents, but the house was nevertheless sealed. See also, Yizhar Be'er, **Kol Ha'ir**, March 24, 1989.

³⁹ In his letter of September 1, 1989, (Ref. 9802/פ), H. Yisraeli, of the Office of the Minister of Defence, states that in the Gaza Strip, 12 rooms/structures have been demolished and 37 rooms/structures have been sealed. This is in addition to complete demolitions and sealings.

⁴⁰ February 14, 1988 - Qalandiya May 24, 1988 - Ein Dineq; May 29, 1988 - Qalandiya; June 1, 1988 - Deir Dibwan.

⁴¹ February 14, 1988 - Qalandiya; May 29, 1988 - Qalandiya.

⁴² See 29 and 32 above.

⁴³ MK Shulamit Aloni, Ref. 587- טו, May 23, 1989. See Appendix F as well.

⁴⁴ See Appendix G.

⁴⁵ See 9 above.

⁴⁶ See 10 above.

⁴⁷ Attorney Dan Simon, the Association for Civil Rights in Israel, July 12, 1989.

⁴⁸ Staff Officer for Claims in the Civil Administration in Judea and Samaria, July 27, 1989.

⁴⁹ See for example, Avi Benayahu, **Al Hamishmar**, March 17, 1989: “Collective punishment as an experiment in preventing an ‘institutionalized’ civil rebellion.” Also, Dan Sagir, **Ha'aretz**, March 20, 1988: “The Chief of Staff approved a new version of the Administrative Detention Order for the Occupied Territories . . . according to which these detentions will not face judicial review.”

⁵⁰ Ori Nir and Eitan Rabin, **Ha'aretz**, March 21, 1988: “As part of the toughening of policies affecting Molotov cocktail throwers, security forces yesterday demolished the homes of three young residents of the village of Silat al-Harhiya in Samaria who are

suspected of throwing Molotov cocktails at soldiers.”

Also, Oren Cohen and Shimon Alkavetz, **Hadashot**, March 21, 1988: “House Demolition Policies Broadened.”

And Avi Benayahu, Dalia Shahori, **Yediot Aharonot**, March 21, 1989: “Last night security forces demolished nine houses in Judea and Samaria, three of them belonging to Molotov cocktail throwers. Itim [press service] reports that this is the first time the houses of Molotov cocktail throwers have been demolished, as part of a toughening of defense policy in Judea and Samaria.”

⁵¹ Ori Nir and Eitan Rabin, **Ha'aretz**, January 17, 1989. Also, Pinhas 'Inbari, **Al Hamishmar**, January 15, 1989: “Defense authorities are considering broadening the criteria for house demolition and sealing to include the houses of stone-throwers.”

⁵² January 17, 1989 - Qalqilya.

See, for example, Avinoam Bar Yosef, **Ma'ariv**, January 18, 1989: “Yesterday morning in Qalqilya the IDF demolished three houses in which stone-throwers lived, and sealed two others. This action was taken as part of a plan to deter the throwing of stones at Israeli vehicles. It came in the wake of the discovery of a local gang, 15 of whose members are suspected of throwing stones at vehicles.”

Also, Ori Nir and Eitan Rabin, **Ha'aretz**, January 18, 1989: “Yesterday at dawn the IDF demolished three houses belonging to the families of three youths, residents of Qalqilya, who are accused of involvement in several incidents in which stones were thrown at Israeli vehicles near Qalqilya. This is the first time the IDF has demolished houses belonging to the families of suspected stone-throwers in the occupied territories. The IDF also sealed two other houses belonging to suspected stone-throwers in Qalqilya.”

⁵³ Yossi Verter, **Hadashot**, January 25, 1989.

⁵⁴ See, for example, **Ha'aretz**, February 12, 1989: “The ID intends to seal or demolish houses rented to suspects in attacks.” (By a **Ha'aretz** correspondent in the occupied territories).

⁵⁵ See 28 above.

⁵⁶ Ori Nir and Eitan Rabin, **Ha'aretz**, March 17, 1989.

⁵⁷ Ori Nir, **Ha'aretz**, March 22, 1989. Also, see Appendices D and E.

⁵⁸ See 30 above.

⁵⁹ See 9 above.

⁶⁰ See 10 above.

⁶¹ High Court Of Justice, 126/83, PD 37(2), 169-173.

⁶² High Court of Justice, 434/79, PD 34(1), 464-466.

⁶³ See, for example, Nitza Aviram, **Yediot Aharonot**, March 17 1989: “Rabin: Calm will be achieved. It will not take years, nor will it take many months.”

⁶⁴ Bezalel Amikam, **Al Hamishmar**, November 9, 1988.

⁶⁵ Yossi Verter, **Hadashot**, January 25, 1989.

⁶⁶ See 6 above.

⁶⁷ Attorney Joshua Schoffman, Association for Civil Rights 11 Israel, Ref. 22/תתז, September 5, 1988.

⁶⁸ Attorney Nili Arad, Office of the State Attorney, in High Court of Justice 358/88, November 16, 1988.

⁶⁹ See 10 above.

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APPENDIX A

ISRAEL DEFENCE FORCES

DEFENCE (EMERGENCY) REGULATIONS, 1945

SEIZURE AND DEMOLITION ORDER

By the power vested in me by Regulation 119 of the Defence (Emergency) Regulations, 1945, and since I am convinced that the occupants of the structure described below have committed an infraction of these regulations involving violence or intimidation, and since military requirements demand it, I hereby order the seizure by the IDF of the structure described below and of claims of the structure's owner to lands adjacent to said structure, as well as the demolition of said structure.

Description of the Structure:

A two-storey building in al-Deheishe refugee camp (first floor has four rooms; second is still under construction), in which lives 'Ali Ishaq Mahmud Hamadah, ID no. 953683893, with his family.

Grounds for the Order:

The above mentioned 'Ali Ishaq Mahmud Hamadah headed a group whose members took upon themselves the task of injuring persons suspected by them of collaborating with the authorities. In the framework of these activities they took part in a number of incidents in which persons were attacked, as in the latest incident which took place in 'Irtas on April 20, 1989, in which he and his companions caused the death of Muslim Shahin.

-----1989

(signature)

Brigadier-General Gabi Ofir
Military Commander for the
Judea and Samaria Region

APPENDIX B

On May 27, 1988, Bahiyeh Mandil Bani Shamseh gave the following affidavit to Attorney Yaffa Rothschild:

AFFIDAVIT TRANSCRIPT

I, the undersigned, Bahiyeh Mandil Bani Shamseh, ID no. 946975323, being warned to tell the truth or face the criminal prosecution specified by the law if I do not, hereby declare as follows:

1. On April 7, 1988, at about 9:00 a.m., the village Mukhtar, along with military personnel, came and informed me that they wanted to demolish my house.
2. They did not give a reason.
3. They did not show me a decree.
4. I am a widow and the mother of two sons, one aged 17 and the other 12. They were not present at the time of the demolition.
5. Four days later, when the army had already left the village, the uncle of my son Khaled took the boy to the Mukhtar, and the Mukhtar took the boy to the army. He has been under arrest until now.
6. Until this day I do not know why he was arrested.
7. They did not give me any time to remove things from the house
8. They demanded the key and I gave it to them.
9. In great haste, I removed sacks of produce and some oil from the house, but the troops who were present returned them to the house and demolished the house on top of all of its contents.
10. I saved only the oil and some of our clothes.
11. The entire incident, from when they arrived to when they blew up the house, took two hours, perhaps even less.
12. I was not given an opportunity, nor was I offered an opportunity, to contact any other authority, such as an attorney, for advice.
13. I am illiterate and a widow, and everything came as a surprise. I was unable to do anything besides remove a small portion of the contents of the house.
14. The village was closed off and there was a curfew within the village and not

even my relatives could reach me. I was also unable to inform them because the soldiers did not allow anyone to leave their homes.

15. I declare that this is my name, that this is my signature, and that everything written here has been translated into English for me by attorney Jawad Bulus, and that I signed after he translated everything written above for me.

Signature of Affiant
ID no. 94697532-3

CERTIFICATION

I, Advocate Yaffa Rothschild, hereby certify that on May 27, 1988, Mrs. Bahiyeh Mandil Bani Shamseh appeared before me and identified herself by ID no. 946975323 and, after I warned her that she must state the truth or face criminal prosecution specified by the law, confirmed to me the correctness of the aforementioned affidavit and signed it in my presence.

Yaffa Rothschild
Attorney at Law

APPENDIX C

On February 15, 1989, a representative of the Association for Civil Rights in Israel visited the Jarar family in the village of Burqin, and recorded the following testimony:

House Demolition in the Village of Burqin

A representative of the Association for Civil Rights in Israel visited the village of Burqin on February 15, 1989, and heard the following facts from members of the Jarar family of 12, whose home; had been demolished.

On February 10, 1989, around 10:00 p.m., a large number of military forces, accompanied by civil administration personnel entered the village of Burqin and put it under curfew.

At the same time a group of soldiers approached the home of Hanifa Mahmud Razi Jarar (age 50) and informed her and her family that they had instructions (not a military order) to demolish their house. When Jamal Mahmud Jarar (24), one of the family members living in the house, asked why they were not informed of the demolition in advance, as was the usual practice, Captain Majed, of the civil administration, answered:

Had we informed you in advance, as is usual, you would have won the affair, and we would not have been able to demolish the house. However, this is an order from the Muhabaraat (the Israeli General Security Service), and we are just following orders.

When the captain finished speaking, IDF troops took Jamal's ID card and until today have yet to return it.

When the village had been put under curfew and the army had gathered near the home of Hanifa Jarar, several IDF troops entered the house and beat Hanifa cruelly, breaking her right hand. The visiting Association of Civil Rights in Israel worker saw signs of beating on her face and below her eyes. Her sister Linda Jarar (age 17) was also beaten. At this point the soldiers ordered the family to empty the house quickly of its contents in order to get on with the demolition.

The house covers an area of 400 square meters and has two storeys. The first floor is an oil press belonging to Walid Jarar Larad, Rada Jarar, and other family members. The second floor is divided into two apartments, one of which has eight rooms and the other six. The second apartment is registered to Mahmud Razi Jarar.

At about 3:00 a.m. on February 11, 1989, the troops ordered the family to stop emptying the house because they wanted to get on with the demolition. As a result, the family was unable to empty the house completely, and many of their belongings

remained inside the house and the oil-press, where there was equipment that was too heavy to be removed by the people available.

The house was blown up at 3:20 a.m. with dynamite, and several nearby houses were damaged. These houses belonged to: (1) Dib Saleh (2) Abdel 'Aziz Saleh, (3) Lutfi Saleh, (4) Saleh al-Musa, and (5) Hajah Fatma Ahmed Salaamah.

At 4:00 a.m., after the demolition had been completed, IDF forces left the village without announcing that the curfew was lifted.

Grounds for the Demolition:

One of the family members, 'Abd al-Salam Mahmoud Razi, 23, had been wanted by the authorities for ten months. He had been arrested on January 2, 1989, and taken to a military interrogation center in Jenin. He was not allowed to meet with an attorney or family members, and he has yet to stand trial. On February 14, 1989, the family was told by the Red Cross that he was still in solitary confinement for interrogation and was not allowed to receive visitors.

The family's questions are:

1. If he is guilty and as a result it was decided to demolish the house, why was he not allowed to speak with an attorney who could handle his case, and why was the family not given a chance to appeal the demolition to the High court of Justice or IDF authorities?
2. Why are the families whose houses were damaged by the blast to blame, and why is the owner of the oil-press to blame?

The family of Hanifa Jarar (the detainee's sister) calls upon the Association for Civil Rights in Israel to intervene from a legal perspective on behalf of the twelve family members left without shelter.

APPENDIX D

On March 18, 1989, the West Bank team of the Haifa branch of the Association for Civil Rights in Israel visited the village of Burqin. The team recorded the following testimonies.

March 18, 1989

West Bank Team, Association for Civil Rights in Israel, Haifa Branch, and Wihabi Badarnah, Rami and Irit Mandelzweig.

House Demolition in the Village of Burqin

The suspect: 'Abd al-Naser Yasin Subah, 18.

Father's name: Yasin Muhammad Subah, 60.

Brother's name: Hasan Yasin Muhammad Subah, 30.

On Thursday, March 16, 1989, at 3:00 p.m., IDF forces entered the village of Burqin, approached the families, and gave them a half hour to empty their houses before they were demolished. The troops ordered the men out of the house and beat the women and children. A poor relative, Tawfiq Muhammad Saleh 'Aqel (70), who was living with them, was taken and thrown from the house. In the morning he was found dead.

Demolition of the house began at 5:30 p.m. and ended at 11:00 p.m. Twenty-five people lived in the father's house. There were four bedrooms, a large guest room, two porches, a kitchen, and a washroom.

The son's house was brand new, and its construction had recently been completed. Six people who were supposed to live there were temporarily living in the father's house. This house had two storeys. The lower one, which filled the entire area of the house, had a storeroom for produce, agricultural equipment, and livestock - some 70 sheep and goats which escaped and have yet to be found. The second floor included three bedrooms, a large guest room, two porches, a kitchen, and a washroom.

As a result of the explosion, several neighboring houses were damaged - panes were broken in windows and cabinets, and cracks were formed in the walls.

This was the second time the brother's house had been demolished. Two years earlier his house had been demolished for unlicensed construction after he had requested a construction permit for a year and had not received it. After not being granted a permit, he built the house anyway, and so it was demolished.

The suspect has been "wanted" for eleven months and has yet to be found.

March 18, 1989

West Bank Team, Association for Civil Rights in Israel, Haifa Branch, Wihabi Badarnah, Rami and Irit Mandelsweig

House Demolition in the Village of Burqin

1) The home of Fawzi Muhammad 'Abd Masad. 52.

At 3:30 a.m. troops arrived and gave the family a half hour to empty the house. They requested more time but were refused. Thus, most of the furniture in the house was destroyed.

There was no advance warning and no demolition order was presented. Fifteen people lived in the house.

The family had been warned several days earlier that if 'Issam, a 22 year old suspect, did not turn himself in, the house would be demolished. 'Issam had been wanted for six months. This house had been built with a construction permit in 1965, during the period, of Jordanian rule.

The house had two storeys. The first had four rooms and a porch, second had two rooms and a porch. The house's owner was a farmer.

The troops did not use explosives. Rather, they imploded the house, Even so, the houses of Jamil Masad and Najib 'Abd al-Fatah were damaged.

2) The home of Jaled Masad. 60.

The above is a mentally ill person with no income. The house has three rooms inhabited by ten people. There was no advance warning and no demolition order was presented. After the soldiers entered the house, they beat all of the family members and forced them all, including the children, into one room, made them kneel on the floor, beat them again, and threw a tear gas grenade into the closed room. Four children were injured by the gas.

The family was given five minutes to remove their belongings. During these five minutes the troops continued to beat them. They explained to the family that their house was being destroyed because their son, 'Abd al-Fatah Muhammad Masad, 23, had been wanted by the authorities for eight months.

The homes of Mahmud Sahmud Ahmed Samur, Jesar a-Sa'adah, and Sufian Jareh were also damaged (cracks in the walls).

APPENDIX E

On March 16, 1989, Bassem 'Eid of B'Tselem visited the Qalandiya refugee camp and recorded the story of 'Ali Muhammad 'Edwi.

On March 12, 1989, at 11:40 p.m., security forces arrived at the homes of two families in order to search for children of theirs wanted for security interrogations. 'Ali Muhammad 'Edwi, 60 years old and father of six, who lives in the Qalandiya refugee camp, relates:

Sunday at midnight I woke up to the noise of people in our yard. I got out of bed and opened the door. All of a sudden I was facing soldiers. I asked them, "What are you doing here?" A certain Captain Zaki (who is well known by residents of Ramallah and its surrounding villages for his repressive methods) came up to me and asked me about my son Nasser: "Where is he?" I told him that he worked outside of the village and that we hadn't seen him for a month and a half.

Captain Zaki said to me, "If you do not turn your son in at the Ramallah police station by 8:00 tomorrow morning, we will blow up your house." Zaki called one of the soldiers and said to him in Arabic, "Ta'al ya muhandis," which means "come here, engineer." The engineer, who was also in uniform, approached the walls of the house, took out a tape measure, and began to measure and write on a piece of paper, and to make red markings. He made three marks on the wall (see picture).

After the engineer finished working, the troops left, and Captain Zaki told me he would send soldiers to blow up the house in the morning.

This testimony was recorded by Bassem 'Eid, B'Tselem, March 16, 1989.

APPENDIX F

Appendix to MK Shulamit Aloni's letter to the Minister of Defence (Ref. 587-טו, May 23, 1989).

Photo: Rafi Kotz

Al-'Arub Camp, May 23, 1989.

According to residents' testimony given to MKs Shulamit Aloni and Dedi Zucker, IDF troops arrived at 4:00 a.m. on May 15, 1989, and announced that residents must evacuate their homes because the army intended to demolish the house of a neighbor, Saleh al-Badawi, who was in prison, where he had been for the past year and a half.

The neighbors:

Samir Abu Hiran and his family (total of 10 people)

'Eiyah Abu Hiran (6 people)

The father and his family (3 people)

Samir Abu Hiran asked the officer in charge to let him remove new furniture and other items from the apartment adjacent to the house before it was blown up, but his pleas were to no avail. Except for their clothes, they were not allowed to remove anything and were assured that nothing would befall their house.

In our visit to the site we saw that:

The living room, porch, bedroom, and washroom were completely destroyed. Window panes were shattered in the rest of the house, banisters were uprooted, the plumbing and solar water heater were damaged, as was the electrical system in a significant portion of the house.

The piles of rubble, exposed metal bars, the plumbing, the wiring, the cracked walls and glass all greatly endangered the lives of the families, especially the children, who are still living in the ruins of their house, which was not to have been harmed at all by the IDF.

Additional neighbors:

Ghassem Ra'i (13 people)

Shaaban Ra'i (11 people)

In these two houses, which are near the house "intended for demolition," the bedroom and washroom were utterly destroyed, and there were severe cracks in the walls. These neighbors also asked to remove things from their apartments. The troops promised them there would be no damage.

Hassan Ra'i (14 people)

Na'if Hassan Ra'i (2 people - married two weeks earlier)

In Na'if's house one room was destroyed. There are severe cracks in both houses.

In the house of Ziyaneh Basabtian, an elderly neighbor, the asbestos ceiling fell.

In the house of Ahmed Abdallah a-Dib, the ceiling was destroyed.

A more distant neighbor, Ahmed Kemal 'Abd al-Rahman Harbiyah (8 people) approached an IDF officer and asked to leave his house with his family. He was

prohibited from leaving the building because, according to the officer, a building ten meters away from the house being demolished would not be damaged. The officer even threatened him not to leave. Despite the threat, the man and his family left for his father's house.

We witnessed the severe damage to the house. Its roof fell in, its walls collapsed, and it was a miracle that the family was saved.

In all of these houses, the plumbing and the solar water heaters were damaged.

The prisoner's house, which was blown up and upon whose ruins stands an UNRWA tent, housed nine people.

APPENDIX G

On Monday, June 17, 1989, attorney Dan Simon of the Association for Civil Rights in

Israel, Bassem 'Eid of B'Tselem, and engineer Gavriel Shen'ar of Kibbutz Yagur went to examine the three houses damaged by the demolitions of adjacent houses in the al-'Ayzariya neighborhood in the Bethlehem district. Demolition of the houses had taken place on the evening of May 22, 1989. Following is the opinion and assessment of damage caused to one of these houses, as written by the engineer.

The home of Subhi 'Abd al-Razeq Na'tsheh

Estimate of Repair Costs

Type of Structure: One-storey house, walls are part stone, part cinder block, concrete partitions, concrete roof.

Condition of Structure: Following the demolition of the adjacent house, as a result of the blast and collapse of large sections of concrete, cracks were formed in the walls and ceiling, some of them severe, the roof parapet was damaged, as were the roof seal and window frames and panes.

Renovation work:

1. Wall repairs

a. Dismantling and removing a severely damaged wall (the wall adjacent to the demolished house), construction of a new wall in its place, including interior plastering. This work must be done with extreme caution, with roof supports to prevent further damage. Total of 20 sq. m. , NIS 1500.

b. Repairing interior cracks by widening them to a width of 1 cm., cleaning the interior of the cracks, filling with elastic sealing putty, and spackling with interior plaster. Total of 40 lin. m. , NIS 600.

c. Repairing exterior cracks as in item (b) above, but using exterior plaster. Total of 40 lin. m. , NIS 640.

d. Painting walls with latex paint. Total of 100 sq. m. , NIS 600.

2. Ceiling and roof repairs

a. Repairing interior cracks. Total of 40 lin. m. , NIS 600.

b. Repairing exterior cracks, identical to repair of wall cracks, but without plaster. Total of 40 lin. m. , NIS 560.

c. Painting ceiling with latex paint. Total of 50 sq. m. , NIS 300.

d. Sealing roof by pouring a 4 cm. layer of concrete over a 3/4" galvanized screen and covering it with PVC sheeting. Resting semi-independently on the sheeting should be

a geotechnical sheet and on that a 5 cm. layer of gravel to protect the seal. Total of 55 sq. m., NIS 2750.

e. Repairing fallen roof parapet. Total of 15 lin. m., NIS 375.

3. Window repairs

- a. Opening skylight, 40 x 40 cm., should be dismantled and replaced with a new one of the same type. Total of NIS 300.
- b. Upper window, 200 x 60 cm. Needs broken panes replaced. Total of 1.2 sq. m., NIS 150.
- c. Double-winged window, 100 x 100 cm. Should be removed and replaced with a new one. Total of NIS 300.

4. Drainage Adjustment

a. As a result of the demolition of the adjacent house which blocked run-off (rainfall that is not absorbed into the ground) and directed it to a ditch, there is now a tangible risk of water seeping into the house. Therefore, the rubble from the demolished house should be removed and a sealed drainage channel should be poured which will collect run-off water and channel it to an appropriate drainage point. Total of NIS 1500.

5. Unforeseen

Work as yet unforeseen, 20% of total cost.

Summary of costs

1. Walls	Nis 3340
2. Ceiling and roof	Nis 4585
3. Windows	Nis 750
4. Drainage	Nis 1500
Subtotal	Nis 10175
5. Unforseen	Nis 2035
	Nis 12210
15 % VAT	Nis 1831.5
TOTAL COST	NIS 14041.5

Gabriel Shen'ar
Building Engineer