EAPPI UK/Ireland Opening Statement to the Oireachtas Committee on European Union Affairs

Wednesday 18th January 2017

Demolitions and Confiscations of EU Humanitarian Aid in Area C of the West Bank, 2016
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Chairman, members of the committee, I want to thank you for affording us the opportunity to present before you today on an issue of direct relevance and concern to this committee, the European Union and indeed the international community as a whole. The issue is the dramatic increase in the destruction and confiscation of Palestinian dwelling and livelihood structures by the Israeli army in the West Bank and East Jerusalem in 2016.

Beginning with an overview of all demolitions in Area C and East Jerusalem, today we will focus on the specific issue of the destruction and confiscation of EU funded Humanitarian Aid by the Israeli army. Critically, we will also outline what positive steps this committee can take to pursue a cessation of - and accountability for – this destruction and confiscation of EU funded assets.

My name is Patrick Costello and I am a returned Ecumenical Accompanier, or Human Rights Monitor, who was based in the occupied West Bank as part of the EAPPI programme in 2014. I am joined today by two fellow Ecumenical Accompaniers or EAs, Ms. Jenny Derbyshire and Mr. Alex Dunne both of whom have been most recently based in the West Bank; serving as Human Rights monitors in 2015 and 2016 respectively.

Principally, today we recommend that this committee calls upon Minister Flanagan to raise the issue of the dramatic increase in the destruction of EU funded humanitarian aid at the next EU Foreign Affairs Council meeting and that this committee also requests to be updated on a regular basis on the efforts being made by Ireland to push for a cessation of such breaches of International law in the West Bank and East Jerusalem.

Background

But first, and by way of background, the Ecumenical Accompaniment Programme in Palestine and Israel, or EAPPI, was founded in 2002 after a call by the heads of Christian Churches in Jerusalem for support from the international community. In response the World Council of Churches set up a worldwide programme which brings people of different backgrounds, professions, ages and faiths to Israel and Palestine to serve as Ecumenical Accompaniers, or EAs.

EAs are Human Rights monitors that form part of the United Nations protection cluster and monitor human rights violations; including access to land and livelihood for Palestinian farmers, access to education for children and access to movement for Palestinians across the numerous internal military checkpoints dotted through the occupied West Bank.

The vision of the programme is a future in which the occupation of the West Bank, East Jerusalem and Gaza has ended and both Palestinians and Israelis enjoy a just peace, with freedom and security, based on international law.

Our mission is to witness life under occupation, engage with local Palestinians and Israelis pursuing a just peace, and work to change the international community's involvement with the conflict, urging them to act against injustice in the region.
Our philosophy is one of non-violence. **We are not pro-Israeli or pro-Palestinian** and we do not take sides in the conflict. However, we are pro-human rights and international humanitarian law. We do not discriminate against anyone and stand faithfully with the poor, the oppressed, and the marginalised.

Since 2002, the programme has brought over 1,500 EAs to the West Bank and East Jerusalem from all over the world.

In the UK and Ireland, EAs are volunteers and the programme is run by the Quakers in Britain and supported by Trócaire and Christian Aid in Ireland.

My colleague Alex Dunne will now walk you through the reality on the ground concerning demolitions by way of the latest statistics gathered by the United Nations, the European Union and indeed the EAPPI ourselves.

**DEMOILITIONS IN AREA C - OVERVIEW**

To understand the context in which these demolitions are taking place, we need to look at the map on page 2. This is a map of the West Bank and clearly marks out Areas A, B and C as created in the Oslo Accords of the early 1990s. It is worth highlighting that those areas A, B and C were only meant to be in existence for 5 years ahead of the formation of an independent Palestinian state. However, over 20 years later this arrangement is still in place.

In areas A and B, the Palestinian Authority has limited authority over policing and civic services. Those are the yellow and beige areas on the map. The **BLUE** area of this map (**60 percent**) is known as Area C. In Area C, Palestinians are subject to Israeli military law and need to apply to the Israeli military for a permit to build any structure, even on privately owned land.

Area C is also the part of the West Bank where the majority of Israeli settlements and outposts can be found. Israeli settlers in Area C are not subject to military law but civil Israeli law instead. These numerous settlements, illegal under international law, can be seen in **PURPLE** on this map.

According to the **preliminary data** collected by United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) and the EAPPI, as of Dec 28 2016, the Israeli Authorities have demolished or confiscated 1,089 Palestinian owned structures in the West Bank that has displaced 1,593 Palestinians and has affected the livelihood of another 7,101.

These structures were demolished or confiscated because they were deemed **illegal** as they had been built without a permit from the Israeli army (Israel Civil Administration).

It is important to note that this time last year, the former UN secretary general, Ban Ki-Moon, remarked that this Israeli zoning and planning policy in the West Bank is **QUOTE “…restrictive, discriminatory and incompatible with requirements under international law…the planning system favors Israeli settlement interests over the needs of the protected population and makes it practically impossible for Palestinians living in Area...to obtain building permits”**.
Official figures from the Israeli Civil Administration show that between 2010 and 2014 only **1.5 percent** of permits applied for by Palestinians to build anything in all of Area C were approved. **Zero permits were approved in 2015.**

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Demolitions in Area C 2009 - 2016
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During roughly the same period, over 30,000 settlement units were advanced by the Israeli authorities in the same area.

These new figures from the United Nations Organisation for the Coordination of Humanitarian Affairs (UNOCHA) show that there has been an approximate **96 percent increase in demolitions** by the Israeli military of Palestinian structures in 2016 against 2015’s total; with 2016 the highest number on record.

It is also important to note that figures for the first week of 2017 show that the Israeli army has demolished over 70 Palestinian structures in Area C since New Year’s Day. That is 6.5 percent of 2016’s total. If this weekly average continues throughout the year, demolitions in 2017 will be up 338 percent on 2016’s historic total.

Under international humanitarian law, Israel as the occupying power has the obligation to protect Palestinian civilians and to administer the territory for their benefit.

- “**Individual or mass forcible transfers, as well as deportations of protected persons [...] are prohibited, regardless of their motive.**” (Art. 49 of the 4th Geneva Convention (GCIV) and is considered a grave breach under Article 147 GCIV).

- “**Any destruction by the Occupying power of real or personal property belonging individually or collectively to private persons...is prohibited, except where such destruction is rendered absolutely necessary by military operations.**” (Art. 53 GCIV)
This trend has been highlighted many times throughout 2016 in international fora. In the latest United Nations Security Council Resolution 2334 of December 23rd 2016, the international community reaffirmed its condemnation of;

“...all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions.”

DEMOLITION AND CONFISCATION OF EU FUNDED HUMANITARIAN AID IN AREA C

The figures above are inclusive but are not descriptive of the number and value of the EU funded humanitarian aid structures that have been demolished in the same period.

According to the recently released EU Delegation in Jerusalem’s Six-Month report on Demolitions and Confiscations of EU funded structures in Area C March – August 2016, from January to August 8th 2016 the Israeli military has demolished or confiscated up to 115 EU funded humanitarian aid structures. Now, the latest figures we have received from the European External Action Service show that as of the end of 2016, 180 EU-Member state structures were demolished or confiscated. This is a staggering 140 percent increase on 2015’s total and amounted to a material loss of €600,000.
The summary of that report notes that:

“The upsurge in demolitions in 2016 can be attributed to an overarching Israeli policy aimed at asserting control over strategic areas together with increased pressure from various Israeli settler groups on the Israeli Civil Administration. Demolitions are predicted to continue during the next six months...of particular concern are developments related to Israeli plans for the relocation of Bedouins and herders in Area C...and the overall coercive environment in Area C that communities are facing.”

In May 2016, the EU’s Foreign Affairs Chief, Federica Morgherini, told members of the European Parliament that since 2009, EU funded structures to the value of approximately €329,000 have been demolished or confiscated by the Israeli army and that around 600 structures, worth almost €2.4 million, have been subject to orders for demolition, stop work, or eviction by the Israeli army and are therefore under threat.

**EXAMPLES OF DEMOLISHED EU/MS FUNDED STRUCTURES**

Demolitions in **Khirbet Tana**, Nablus (AREA C) in March 2016 and **Jabal Al Baba**, Jerusalem in February 2016. In both examples, a mix of Palestinian dwelling and livelihood structures that have been destroyed by the Israeli military.
Photo: 2 Khirbet Tana Boys School, Feb 2016 A.Dunne EAPPI

Photo: 3 Demolitions Khirbet Tana School, March 2016 M.Stopfer EAPPI
Photo: 4 Close up of the ECHO plaque on the demolished Khirbet Tana School, Feb 2016 A.Dunne EAPPI

Photo: 5 EU funded aid, Jerusalem, February 2016 F. Barretto EAPPI
Photo: 6 Destroyed EU Aid, Jabal Al Baba, East Jerusalem, Jan 2016 M.Andren EAPPI
COMMITTEE RECOMMENDATIONS

On the basis of the data and eyewitness testimony presented to the committee today, I will now in detail outline a set of recommended steps that this committee can take to alleviate this destruction and, in line with international law, re-affirm Ireland’s commitment to a just and lasting settlement of this conflict.

The EAPPI now recommends that:

- This Committee calls on the Minister for Foreign Affairs, Charlie Flanagan T.D. to attend a meeting of this EU Affairs Committee ahead of the next meeting of the EU Foreign Affairs Council. And makes the recommendation that the Minister raises the need to ensure accountability for the forcible transfer of protected persons and the destruction of EU funded Humanitarian Aid in the West Bank and draws attention to the creeping annexation of Area C;

- That this Joint Committee request to be informed on the status of the destruction of EU Humanitarian Aid in the West Bank, and the progress being made at the EU Foreign Affairs Council to counter this, on a regular basis by both the Minister for Foreign Affairs Charlie Flanagan TD and Minister of State for European Affairs, Minister Dara Murphy TD;

- That this Joint Committee would request a debate in the Dáil chamber to be held on this issue as a matter of urgency and ahead of the next meeting of the EU foreign affairs council;

- That this Joint Committee would indeed travel, in an official capacity to the occupied West Bank, to see the destruction and confiscation of this EU funded Humanitarian Aid as it is being demolished;