The impact of life’s difficulties resulting from the occupation in undermining mutual trust and support for the Palestinian-Israeli peace process:

_A case study on_

**Home Demolition and Denial of Building Permits in Area C**

Jehad Harb, Alaa Lahluh, and Walid Ladadweh
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Introduction

Palestinians in Area C face many difficulties to obtain adequate housing for themselves and their families, whether this is through their inability to obtain the necessary building permits or the constant fear of having their homes or the residential areas in which they reside demolished. The Palestinian Authority (PA) does not protect them or provide assistance in facing the Israeli authorities when they are threatened by demolishing their homes, compared to the rest of the other areas in the West Bank. These difficulties relate mainly to the place of residence, which the PA does not have control over.

These difficulties in life for the Palestinians are evident through the multiplicity of bureaucratic systems that deal with it, including the legal system. The difficulties are more evident in obtaining building permits, as the Israeli authorities use the Israeli planning system in the West Bank to prevent Palestinian development and allow the theft of Palestinian lands.

The Israeli authorities alter planning and building laws and planning procedures in the West Bank to serve to prevent development, halt future planning and implement demolition orders; It does all of this as part of a political plan that aims to enable Israel to harness the maximum possible area of West Bank land for its needs, and in return it does everything in its power to reduce the land resources allocated to serve the needs of the Palestinian population.\(^1\)

This case study examines the impact of the Israeli policies in denying Palestinian’s housing improvement. It aims to examine the impact of the difficulties in obtaining building permits and the policy of house demolition in Area C on the level of Palestinians’ trust in the Israeli side, and the extent of its impact on the level of support for the peace process with the Israelis.

The paper relies on the results of two public opinion polls conducted by the Palestinian Center for Policy and Survey Research on trust in the other side. The first survey was conducted in August 2020 among a representative sample of 1,200 Palestinians in the West Bank and Gaza Strip in 120 population locations, while the second survey was conducted at the end of October and early

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November 2020, among a representative sample of 1,560 Palestinians in the West Bank and Gaza Strip. It also relies on the results of survey experiments conducted in January 2021 among a sample of 243 individuals, including 162 who suffer daily hardships in the H2 area, in addition to areas suffering from house demolitions, denial of building permits, and areas close to the wall that are subject to land confiscation, and 81 Individuals who were chosen from areas of less suffering that are more remote from the areas of friction. For the purposes of this paper, two focus groups were held to discuss the results of the two surveys and survey experiences and the extent of the difficulties and hardships that citizens face in these areas. Interviews were conducted with public officials and activists in civil society organizations. It has also relied on studies issued by the UN Women in the Occupied Palestinian Territories and by Israeli human rights institutions and Palestinian NGOs.

**Background: Israeli measures to prevent construction in Area C**

The Israeli authorities use the planning apparatus in the West Bank to prevent Palestinian development and to steal Palestinian lands, using laws, military regulations, and procedures to stop future planning and to implement demolition orders. The Israeli authorities exploit their complete control in the field of planning and construction to almost prevent Palestinians completely from building in Area C in the West Bank. In approximately 60% of this area, about 36% of the total area of the West Bank, Israel imposes this prohibition by defining large areas as "state land", "survey land", "firing zones", "nature reserves" and "national parks". This is done by including them within the spheres of influence of the settlements and the regional councils, or through the restrictions enforced on the lands seized by Israel between the separation wall and the Green Line.²

It also implements a policy that almost completely bans Palestinian construction in the remaining 40% of Area C, either by almost outright refusal of all applications for building permits of any kind - whether building homes, agricultural buildings, public buildings, or infrastructure facilities. The Civil Administration refuses the preparation of or the approval of structural maps for most of the Palestinian towns in Area C. Of the 240 villages in Area C, only 27 have master plans, that constitute 0.5% of the surface-area of all "C" areas, most of which are originally urban areas.³ These maps were prepared without the participation of the residents and without regard to any of the planning standards agreed upon in the world: Its borders are adjacent to the current urban limits in the villages, so that there is no room for agricultural space, pastures, or land reserves for future development.⁴

Since 2011, dozens of Palestinian communities have prepared master plans for their areas - in cooperation with Palestinian and international institutions, as well as the Palestinian Authority - after the Civil Administration refrained from preparing master plans after being asked to do so. Part of the plans dealt with areas of population gatherings and villages, all of whose areas fall within “C” areas, and others with a part of their area located in them. Until September 2018, 102 structural plans were submitted for approval by the planning authorities in the Civil Administration. However, until the end of the same year, only five of them were approved, which apply to an area of about one thousand dunums and constitute 0.03% of “C” areas.⁵

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² See: Planning Policy in the West Bank. [Planning Policy in the West Bank | B'Tselem](https://btselem.org)
⁴ See: Planning Policy in the West Bank. [Planning Policy in the West Bank | B'Tselem](https://btselem.org)
⁵ Previous source.
Table No. (1) Percentage of Built-up Areas in Area “C” 6

<table>
<thead>
<tr>
<th>Building size</th>
<th>Residential area</th>
<th>Estimated population</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>241</td>
<td>67,102</td>
</tr>
<tr>
<td>50%- 99%</td>
<td>51</td>
<td>55,018</td>
</tr>
<tr>
<td>Less than 50%</td>
<td>240</td>
<td>175,866</td>
</tr>
<tr>
<td>Total</td>
<td>532</td>
<td>297,986</td>
</tr>
</tbody>
</table>

The possibility of a Palestinian obtaining a building permit... is zero.

Civil Administration data show that between the beginning of 2000 and 2018, Palestinians submitted 6,532 applications for building permits, of which 210 applications were approved, i.e., about 3.2% only. According to Civil Administration statements, these were applications for obtaining permits for existing buildings against which demolition orders were issued. The Civil Administration indicated that it approved only 21 applications submitted by Palestinians to obtain building permits in Area C, out of 1,485 applications; that is, 98.6% were rejected in the years 2016-2018. On the other hand, the occupation authorities issued 2,147 orders to demolish Palestinian buildings in the same area.

Walid Assaf, head of the Commission against the Wall and Settlements in the Palestinian Authority, says, "The Israeli occupation refuses to establish permanent infrastructure in Area C and refuses to grant licenses to build water networks, roads, health clinics and electricity networks with the aim of displacing the population from these areas completely, and it is part of the policy of ethnic cleansing and annexation of these areas to Israel. The occupation does not want any construction in these areas, and this matter has been decided in the Allon Plan since the occupation of the West Bank." 7

Survey experiments conducted by PSR in the year 2021 show that 98% of the citizens went through the process of submitting an application for a building permit for a house or workplace in Area C.

6See Under Threat: Demolition orders in the area (c (in the West Bank, the United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territories, p1.
https://reliefweb.int/sites/reliefweb.int/files/resources/demolition_orders_in_area_c_of_the_west_bank_ar.pdf

7 An interview conducted by the researcher with Walid Assaf, head of the Commission against the Wall and Settlements in the Palestinian Authority, on 25/5/2021.
The restrictive planning system that Israel applies in Area C makes it virtually impossible to obtain building permits, impeding the development of adequate housing, infrastructure networks and livelihoods. Public land (also known as “state land”) was automatically allocated to Israeli settlements or for military training, while most private Palestinian land was designated as agricultural land, on which construction is severely restricted. This system, along with other restrictions, contributes to creating a coercive environment that places the population at risk of forcible transfer.

Source: Area C Main Humanitarian Concerns, United Nations Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territory. https://www.ochaopt.org/sites/default/files/area_c_key_humanitarian_concerns_arabic.pdf

Figure (1): Application for a building permit for a “house or workplace”: did you apply?

![Figure 1: Application for a building permit for a “house or workplace”](chart.png)

All residents who applied for building permits say that their application has been rejected by the Israeli authorities more than once. Issam Aruri, director of the Jerusalem Center for Legal Aid, points out that "the Israeli authorities use technicalities in the Jordanian Building Law of 1966 to serve political purposes. They do not act as a temporary colonial occupying power, but rather are guided by the principle of the whole of the Land of Israel, as it was expressed in the Nationality Law approved by the Israeli Knesset in 2018, restricting the Biblical Land of Israel to the Jews."

89% of respondents who applied in the past year to obtain a building permit from the Israeli authorities said that they were unable to obtain such a permit. The following figure shows the inability of Palestinian citizens to obtain a building permit.

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8 An interview conducted by the researcher with Mr. Issam Aruri, Director of Al-Quds Center for Legal Aid, on 30/5/2021.
Figure (2): I was unable to obtain a building permit from the Israeli side in the past year

The restrictive planning system implemented by Israel in Area C makes it virtually impossible for Palestinians to obtain building permits, infrastructure networks and livelihoods. This policy of Israel affects not only the Palestinian residents of Area C, but also the residents of hundreds of Palestinian towns, of which all or part are located in Areas A and B. Most of the land reserves for many of these towns are located within the boundaries of Area C, and restrictions imposed by Israel in that area apply to it.

Therefore, many Palestinians refrain from submitting such requests, knowing that there is no hope of approval. As the Palestinian residents remain without any possibility of obtaining a building permit and due to their various needs, they are forced to expand their towns and build their homes without a permit, which forces them to live under constant threat of demolishing their homes and interests.

**Home demolitions are a restrictive policy on Palestinians**

Palestinian citizens living in Area C are facing a dangerous Israeli escalation in the demolition plans for their villages, homes, and facilities since the year 2000. Between 1967-2014, the number of homes that have been demolished in the Palestinian territories has reached nearly 48,000. 37% of the citizens in the areas near the wall (as indicated by the survey conducted by PSR) say that facilities pertaining to their work and source of livelihood have been demolished.

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8See the report of the Office for the Coordination of Humanitarian Affairs, in the spotlight: Area C Vulnerabilities Brief. 2014. https://www.ochaopt.org/en/content/spotlight-area-c-vulnerability-profile-0
Statistics and reports of the Office for the Coordination of Humanitarian Affairs of the United Nations (OCHA) indicate that the occupation authorities continue to demolish Palestinian homes, especially in areas classified as "C" and in Jerusalem. The number of demolished buildings, most of which are in Area C, has reached 7,202, and the number of displaced persons has reached 10,899, including Palestinians from 2009 until the beginning of December 2020. Palestinian homes, animal pens, water basins and infrastructure networks needed to provide services, which were built without the required permits in Area C, are destroyed or confiscated, displacing vulnerable families, and disrupting their livelihoods.

The targeting of humanitarian aid provided in Area C, some of which comes in response to demolitions/confiscations, has increased significantly over the past few years. The demolitions and displacement exacerbated poverty and increased dependency on aid among the residents of the affected communities. The psychosocial impact of demolition and displacement measures on children is disproportionately high.

"The demolitions are part of a systematic policy to drive Palestinians out of Area C and to control their lands. This policy has been practiced for a long time, but the Israeli government began moving from individual demolitions to collective service operations for population centers in Area C. In addition, evacuations are carried out under the pretext of military training, so that some spend 30 to 60 days a year with their families outside their homes and living areas, to create a state of instability in order to force them to leave the West Bank, in addition to refusal to deliver services to these areas.

In the policy of demolition, the occupation also focuses on the Jerusalem area, where it demolished 5,000 facilities, with about 17,000 unlicensed facilities that are subject to demolition.

Source: An interview conducted by the researcher with Professor Walid Assaf, head of the Commission against the Wall and Settlements in the Palestinian Authority, on 25/5/2021.
The director of the Jerusalem Legal Aid Center stresses that the increase in demolitions does not only harm the citizens when it occurs, but also affects the awareness of citizens and limits the construction process for fear of demolition. The citizen has become afraid to proceed to build in areas "C" in fear of demolition. It also affects the volume of investment in Area C, to the point that donor countries stop funding until they obtain licenses from the occupation, that is, they adapt to the procedures set by the occupation authorities.

Residents of the areas behind the wall or close to the wall suffer from different concerns, more than others, such as worrying about the family, and fear of displacement. The results of the survey experiments showed that 78% are worried that they or their families will be attacked in daily life by the Israeli army, and 50% are afraid of being displaced from their places of residence. The following figure illustrates this.

**Figure (4): Manifestations of worry among the Palestinian citizens**

This situation hinders the achievement of development in the housing, infrastructure, and livelihoods sectors in the Palestinian communities in Area C and has profound repercussions on all residents of the West Bank. For example, a recent World Bank report estimated that “if commercial interests and farms were allowed to develop in Area C, this would add up to 35 % of GDP.”

Aruri believes that these difficulties, "the Israeli refusal of permit applications submitted by Palestinian citizens and the demolition of their homes," lead to limiting Palestinian expansion in Area C and create a coercive environment that makes life almost impossible in these areas, forcing its

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12 Palestinian Center for Policy and Survey Research, Survey Experiments Survey, previously mentioned source.
13 Area C Main Humanitarian Concern, United Nations Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territory.
residents to search for alternatives. Therefore, the population growth rate in Area C is much lower than the rate of population increases in other Palestinian areas due to migration to areas of less suffering.”

One of the participants in the focus groups conducted by the center said that “the desire to move from Area C to other areas in the West Bank is linked to harassment, settlement, lack of safety for families and children, and instability as a result of the practices of the occupation and settlers.” Another participant adds that “there are barriers that impede movement from the place of residence to work and the children’s school, which pushes individuals to move to the city “Areas A” where there are no such inconveniences and difficulties in daily life,” while a third participant says, “This thinking does not exist among the elderly, while young people have the idea of emigrating or moving in order to overcome difficulties they face in their daily lives.

**Difficulties and loss of trust**

The results of the survey experiment conducted by PSR indicate that there are no significant differences in the levels of trust in the Israelis among Palestinians who were refused a building permit or had their homes demolished compared to Palestinians who were not. However, about 78% of those who were refused building permits or had their homes demolished say that they have experienced high difficulties, compared to 40% of those who live in areas that do not experience difficulties in obtaining building permits from the Israeli authorities or demolishing homes.

Walid Assaf, head of the Commission against the Wall and Settlements in the Palestinian Authority, says that "there is a comprehensive position among the Palestinians that they do not trust the Israelis, especially Palestinians who are exposed to difficulties because of Israel's settlement and occupation policy, and the more these aggressive policies against the Palestinians increase, the more they lose trust in the possibility of achieving peace." The participants in the first focus group, who are "elderly", have a pessimistic view and a lack of trust in the Israelis. One of the participants says that "the Jews are trying to drive us out of the villages and group us in one area to take our land." Another adds, "their goal of the procedures is in Area C is to deport us to the cities and seize our land, they will expel the Palestinians and replace them with the Jews.”

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14 An interview conducted by the researcher with Walid Assaf, head of the Commission against the Wall and Settlements in the Palestinian Authority, on 25/5/2021.
The poll conducted by PSR in August 2020, as shown in the following figure, showed that the greater the difficulties that citizens face, the lower their trust in the Israelis. About 78% of those facing high difficulties indicated that their trust was low, while 74% among those facing less difficulties, said they had lack of trust.

**Figure (5): Trust according to the variable nature of the difficulties**

One of the participants in the first focus group says, “Hate, anger and lack of trust are directed towards the occupying Israeli, not the Jewish religion,” while another participant believes, “There are Israelis who reject the occupation and want peace, while the army and the government want to maintain the occupation,” and a third participant adds, “The Israelis do not want peace for us. For 25 years we have been negotiating with the Israelis, but they are seizing what is left for the Palestinians during this period.”

While 22% of youth (18-29) say that they experience high difficulties in Area C, according to the results of an opinion poll conducted by the Palestinian Center for Policy Research in October 2020, 87% of them say that trust is low in Israelis, compared to 84% for the age group over 30 years old.\(^\text{15}\) See the following figure.

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\(^{15}\)The Palestinian Center for Policy and Survey Research, the results of the joint opinion poll, The Street Pulse, http://pcpsr.org/sites/default/files/Table%20of%20findings_Arabic%20Joint%20Poll%20%20Oct%202020.pdf
One of the participants in the second focus group recalled, "We used to live in the town of Beitunia during the second intifada, and the Israeli army would come to the building in which we lived at night, and the men would be gathered and detained under the building, and they would put handcuffs in their hands and “crucify” them, then they would search the apartments in which the women were, and in the morning the army would leave, while the men remain “crucified” under the building. This is an indelible fear in my memory, so how can the Israelis be described except as violent.” The opinions of the participants in the second group were unanimous in their distrust of the Israelis.

The difficulties of preventing construction and demolishing facilities that the citizens of Area C suffer from, affect trust in the Israelis, leading to a loss of trust in the possibility of reaching an agreed upon negotiated solution. These difficulties also exacerbate tensions and confrontation with the occupation authorities.16

In a question for the participants in the second focus group regarding the possibility of a real peace process between the Palestinians and the Israelis, most of the participants indicated that they do not believe this, and one of the participants, whose opinion was supported by other participants, said: “I do not trust the Israeli Jews, they have broken the covenants and all peace agreements. They use language in the text of agreements that carries more than one meaning and they have exploited those agreements for their own benefit.”

The results of the surveys among young people (18-29) also showed that there is a close relationship between difficulties and trust. The greater the difficulties, the lower the trust. The same applies to the

16 An interview conducted by the researcher with Mr. Issam Aruri, Director of Al-Quds Center for Legal Aid, on 30/5/2021.
older age group (30 and more), but to a lesser degree, and the following figure illustrates this, as the results showed that 92% between young people who faced high difficulties had low trust in the other party, and 88% of the older ones who faced high difficulties had low trust in the other party.

**Figure (7):** The relationship between difficulties and trust and support for the peace process, by age groups

![Graph showing the relationship between difficulties and trust/support for peace process by age groups](image)

Figure (7) shows the relationship between the difficulties faced by young people as a result of the practices and policies of the occupation and the support for the peace process. The greater the difficulties, the lower the support for the peace process among the youth. This applies to the older age group but to a lesser extent, as 85% of young people, compared to 74% of the older group, among those who encountered high difficulties, show low support for the peace process.

**The relationship between exposure to violence and loss of trust**

Survey experiments conducted by PSR in January 2021 indicate that trust in Israelis decreases among those who are exposed the most to Israeli violence. Distrust (or low trust) stands at 87% among those exposed to a high level of violence compared to 82% among those exposed to less violence. It is worth noting that while trust in the Israelis in general is low among all Palestinians, it becomes lower among those who face difficulties in life or subjected to violence by the occupation. See the following figure for further details.
The relationship between loss of trust and support for the peace process

A clear correlation emerges between trust in the other side and support for the peace process, as evidenced by the survey experiments. The greater the trust in the other party, the greater the support for the peace process, and the lower the trust, the lower the support for the peace process. An opinion poll conducted by PSR on a representative sample of Palestinians in the West Bank and the Gaza Strip showed that 50% of those who have low trust in the other side also have low score of support for the peace process, 26% have medium score of support for the peace process, and only 24% have high score. On the other hand, the score of support for the peace process increases among those who have the highest trust, reaching 42% while only 29% of those with high trust have a low score of support for the peace process.\(^{17}\)

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\(^{17}\) Survey Experiments, January 2021.
On the other hand, findings show that youth with low score of trust are more opposed to the peace process than the older age group with the same low trust score. Findings show that young people with low trust score are the most opposed to the peace process, with a score of 59% opposition, as shown in the following figure. The older age group with a low trust score show a 50% opposition. Moreover, only 15% of youth with low trust score, compared to 23% of the older age group, with the same low trust score, support the peace process.18

![Figure (10): Support for the peace process by age and level of trust](image)

Issam Aruri, director of the Jerusalem Legal Aid Center, says that despite the ability of Palestinians to adapt in order to maintain their livelihood, these difficulties lead to explosions. It also increases people's opposition to the political process because it does not lead to solutions to their lives and reduces support among Palestinians for the two-state solution.19

**Recommendations:**

Without prejudice to the right of the Palestinian people to self-determination or detracting from their right to a sovereign state on the occupied territories in 1967, addressing the priority life issues of Palestinian citizens -- especially living in housing worthy of human dignity, building the facilities necessary for their work, and continuing to live in the areas in which they grew up and developed their lifestyle and social structure—is a vital need for the residents of Area C. Reducing the burdens

18 Ibid.
19 An interview conducted by the researcher with Mr. Issam Aruri, Director of Al-Quds Center for Legal Aid, on 30/5/2021.
on the population contributes to ending their fear of forced displacement and helps build trust in the Israelis by diminishing the conviction that the Israeli military occupation is permanent. Such change contributes positively to the creation of conditions conducive to greater support for a peaceful political process.

In the context of rebuilding trust and providing the basis for restoring support for the peace process, this paper proposes to all those relevant parties involved in the conflict a set of recommendations that alleviate the difficulties Palestinians suffer in the field of construction in Area C:

**Palestinian government:**

- The Palestinian government should abide by the promises it made to consider Area C as development areas, provide the necessary budgets for the development process, and translate these promises into programs and policies to address the social and economic problems in these communities, and provide basic services, including the provision of mobile health clinics, to enhance resilience in these areas.
- The PA should enhance the sense of citizens in “C” areas that they are part of the local community close to their places of residence.
- It should provide direct legal interventions to protect citizens from demolitions and other Israeli measures related to housing.
- It should provide financial aid to help residents with licensing procedures such as survey fees, building permits fees, resort to courts, and other requirements that burden the residents of these areas.
- It should adopt awareness programs for citizens about the procedures to be taken in the event of exposure to the practices of the occupation authorities regarding the procedures for building permits and confronting demolition through various programs on television and radio, and communication with the population centers in Area C.
- It should strengthen production and marketing inputs of these areas by providing a package of exemptions for some materials that are included in the economic activities of the population centers in these areas, and providing mechanisms and means to market their products in fair ways in order to enhance the resilience of Palestinian citizens in Area C.
- It should continue the diplomatic effort to explain the difficulties experienced by the citizens in these areas, especially by providing adequate housing in a way that preserves the human dignity of the residents.
- It should develop popular campaigns to resist demolitions by alerting citizens to vulnerable areas threatened with demolition.
- It should develop the use of media outlets and social media in explaining and clarifying the processes of forced displacement and racial discrimination.

**Civil society organizations and the private sector:** these Palestinian actors should work jointly to developing interventions on many levels:

- Providing assistance to facilitate life for citizens, such as providing water and electricity networks, and developing social and economic life as a matter of social responsibility.
✓ Developing coordination between civil society organizations to make a map of interventions in order to develop civil society interventions and coordinate their efforts and legal, health and educational services.

✓ Providing legal assistance to protect the right of citizens to obtain building permits for their facilities and protect them from demolition and occupation measures aimed at forced displacement.

The international community:

✓ The EU and the EU countries should use leverage to pressure the Israeli government to respect international law including the legal basis for the facts that existed prior to the occupation, and rescind amendments to the Jordanian Construction Law that restrict construction in Area C.

✓ The international community should put pressure on the Israeli government to accept the building and development committees' requests for building permits in Area C for Palestinian citizens wishing to build and to refraining from demolishing Palestinian facilities, whether private or publicly owned as well as infrastructure aimed at developing life in these areas.

✓ It should pressur the Israeli government to approve master plans for the population centers to expand the areas available for construction in the communities in Area C.

Israeli authorities:

✓ The Israeli government should respect the facts that existed before the occupation on June 5, 1967, and cancel the amendments to the Jordanian building law that restrict construction in Area C.

✓ The Israeli construction and development committees should accept applications for building permits in Area C for Palestinian citizens wishing to build personal and public facilities and infrastructure, and allow the extension of water, electricity, and communications networks to these areas.

✓ Israeli authorities should refrain from demolishing Palestinian facilities, whether private or public, and infrastructure aimed at developing life in these areas.

✓ The Israeli government should approve the master plans for the population centers to expand the areas available for construction in the communities in “C” area.
This report is part of a joint Palestinian-Israeli Project on “Mapping Sources of Mutual Distrust in Palestinian-Israeli Relations” funded by the European Union (EU). The content do not necessarily reflect the views of the European Union.