Why does Israel demolish Palestinian schools in the West Bank?

- Powerful settler organizations push to demolish Palestinian construction in Area C, including schools, that lack building permits. At the forefront is Regavim, an NGO co-founded by far-right Minister Bezalel Smotrich, who effectively has become the first Israeli civilian governor of the occupied West Bank, with the Israeli Civil Administration (ICA) under his authority.
• Palestinians in Area C build essential structures without permits because it is nearly impossible to obtain them from the ICA. From 2016 to 2020, the ICA rejected 99.1 percent of Palestinian requests for building permits. There has been a consistent increase in demolitions of Palestinian structures in recent years, with 2022 having the highest number in the last six years.

• Regavim maintains that “Israel’s national lands and resources” include the West Bank and works to “protect” them by waging a “Battle for Area C” and thwarting the creation of a Palestinian “terrorist state in the Land of Israel.” (Smotrich has stated his rationale for demolishing the village of Khan al-Ahmar in the same terms.) Regavim closely monitors Palestinian building in Area C, brings it to the attention of the ICA, and pushes Israeli authorities to demolish the “illegal” construction – including through the court system.

• School construction is a Palestinian weapon in the “Battle for Area C;” in Regavim’s view. Its activities include petitioning Israeli courts to demolish unauthorized Palestinian schools, as it did successfully in the case of the Jubbet adh-Dhib elementary school.

How do Israeli demolitions of Palestinian schools violate international law?

• It is illegal for an occupying power to demolish the property of the population it occupies in most cases. Per Article 53 of the Fourth Geneva Convention (GC IV): “Any destruction by the Occupying Power of real or personal property...is prohibited, except where such destruction is rendered absolutely necessary by military operations.”

• International law also defines an occupying power’s obligations toward children in the territory it occupies. Article 50 (GC IV) states that it must “facilitate the proper working of all institutions devoted to the care and education of children.” Schools “are to be protected” and the occupier must “facilitate the proper working of children’s institutions ... not only to avoid interfering with their activities, but also to support them actively…”

• Israel is a signatory to the Convention on the Rights of the Child. The International Court of Justice has ruled that the Convention applies to children in the West Bank, obligating Israel to respect the right to education and ensure that primary and secondary education are available and accessible to every child there. In its last review of Israeli compliance with the Convention, the UN Committee on the Rights of the Child called on Israel to “cease attacks against schools ... and immediately declare a moratorium on the destruction of schools in the OPT [Occupied Palestinian Territory] and in the Negev.”
What steps should the Biden Administration take?

- Support European donor countries’ [claims for compensation](#) from Israel for Israeli demolition of schools and other foreign aid-funded structures.

- Make clear that within international fora, the United States will not block accurate criticism of Israel for demolishing schools, homes, and other Palestinian structures, and for other acts of de facto annexation in the West Bank.

- Investigate whether any US-origin military equipment has been used in connection with demolitions of schools and other Palestinian structures in the West Bank and — if so — determine whether such use constitutes a violation of US arms export control law.