

House Demolitions in East Jerusalem Report of 2017

Since the occupation of Jerusalem city, the Israeli occupation authorities with their security and political bodies are implementing a series of arbitrary procedures against the Palestinian citizens in Jerusalem. These procedures aim to disrupt citizens' lives and force them to live outside the city, and therefore Judaize the city. The most important procedure is the policy of house demolitions which the Israeli authorities have pursued since 1967 until 2017.

1. The policy of house demolitions under the international Laws and norms



Article 17 of the Universal Declaration of Human Rights states that: "Everyone has the right to own property alone as well as in association with others; No one shall be arbitrarily deprived of his property".

As well the Fourth Geneva Convention clearly prohibits the exposure to private property, house demolitions, displacements of the residents, and all the arbitrary procedures. The argument of "unauthorized construction" according to the claim of the Israeli Defense Forces "IDF" doesn't constitute, according to the International Law, an adequate reason for house demolitions, especially in the absence of compelling military reasons, which the IDF didn't mention before.

It is necessary to note that many of the international covenants signed by Israel, specifically the international covenant on civil and political rights, state that the house demolitions, displacement

of the indigenous people and making them homeless are illegal procedures which violate the international human rights and the international humanitarian law in the occupied territories.

Also, the international law imposes on Israel to provide protection to the Palestinian population, as it is pursuing its policies of land confiscations and displacement of Palestinians, while allocating the lands to Jewish settlers, who are brought to the Palestinian territories which violates all the international laws and norms.

2. House demolitions by the Israeli authorities in 2017



An image of a house demolition by the Israeli authorities in Beit Hanina- 2/Feb/2017

The MSD Data Bank gives statistics of house demolitions which had occurred in 2017, the Israeli authorities, namely the Israeli municipality in Jerusalem, the ministry of interior, the Israeli nature and parks authority and the Israeli civil administration demolished 57 residential buildings, most of them are inhabited. It also demolished 20 non-residential properties including shops, barracks and walls.

These demolitions lead to the displacement of more than 150 persons including 90 children, and since the beginning of the year; the Israeli authorities haven't hesitated to demolish houses.

Demolitions were carried out mainly in most areas in Jerusalem as the following table:

Area	Construction Type		No. of Displaced Persons		The body of Demolitions' Executions	
	No. of Residential Apartments	No. of Non-residential Facilities	Senior	Children	Self Demolitions	Demolitions by the Israeli Authorities
Al-Aisawiah	10	4	9	11	0	8
Beit Hanina	24	4	16	28	2	8
Jabal Al-Mukaber	8	8	16	22	0	5
Ras Al-Amoud	2	0	5	7	0	1
Shua'fat	2	0	0	0	0	1
Silwan	11	3	21	22	5	7
Wadi Al- Jouz	0	1	0	0	0	1
Total	57	20	67	90	7	31

It is noted that especially in Beit Hanina, 24 residential and 4 non-residential buildings were demolished, which lead to the displacement of 44 persons including 28 children.

Also, Silwan is one of the most targeted areas for demolitions, beside the projects which the Israeli municipality plans to implement in this area. In this year, 11 residential and 3 non-residential buildings were demolished, which lead to the displacement of 43 persons including 22 children.

Al-Aisawiah doesn't have a better situation than Silwan; it is also a permanent target for Israeli authorities, beside the arrests and land confiscations. During 2017, 10 residential and 4 non-residential buildings took place resulting in the displacement of 20 people including 11 children.

In Jabal Al- Mukaber, 8 residential and 8 non-residential buildings were demolished, which lead to the displacement of 38 persons including 28 children.

Other demolitions took place in Ras Al-Amoud and Shu'fat, in each area there were 2 residential buildings were demolished, which lead to the displacement of 12 people including 7 children. The last demolition was in Wadi Al- Jouz, a non-residential (Metal Container) was demolished, because his owner didn't get a permit for building a store.

3. Self demolitions in 2017



An image of a self house demolition in Silwan- 13/Nov/2017

Self demolition means that Israeli authorities force the citizen to demolish his house by himself, instead of paying massive fines for the demolition if the Israeli authorities demolish the house, so the Israeli municipality in Jerusalem gives the citizen a period of time to demolish it by himself. In 2017, 7 self demolitions took place, 2 in Beit Hanina and 5 In Silwan.

For example, Mr. A. Dweik from Al-Bustan neighborhood in Silwan had to demolish his house by himself, which consists of 2 rooms and 4 family members live in it, according to the decision of the Israeli municipality in Jerusalem, which stated that he Mr. Dweik had to demolish his house by himself, and if he didn't, he had to pay 80000 shekels as a fine. So, he emptied his house, that he had built 2 years ago, and he had tried many times to get a permit but he couldn't.

This is a racist policy that reflects the arrogance of the occupation, and it has massive psychological side effects. To force someone to demolish his house by himself, it doesn't impact just on the one who demolishes it, but also it has psychological side effects on the other members of the family, it's just like you loose what you dream to have. The refusal of the Israeli municipality in Jerusalem to give building permits compels the citizens to build without permits, and not only this, it also forces the citizen to demolish his house by himself.

4. The side effects of house demolitions

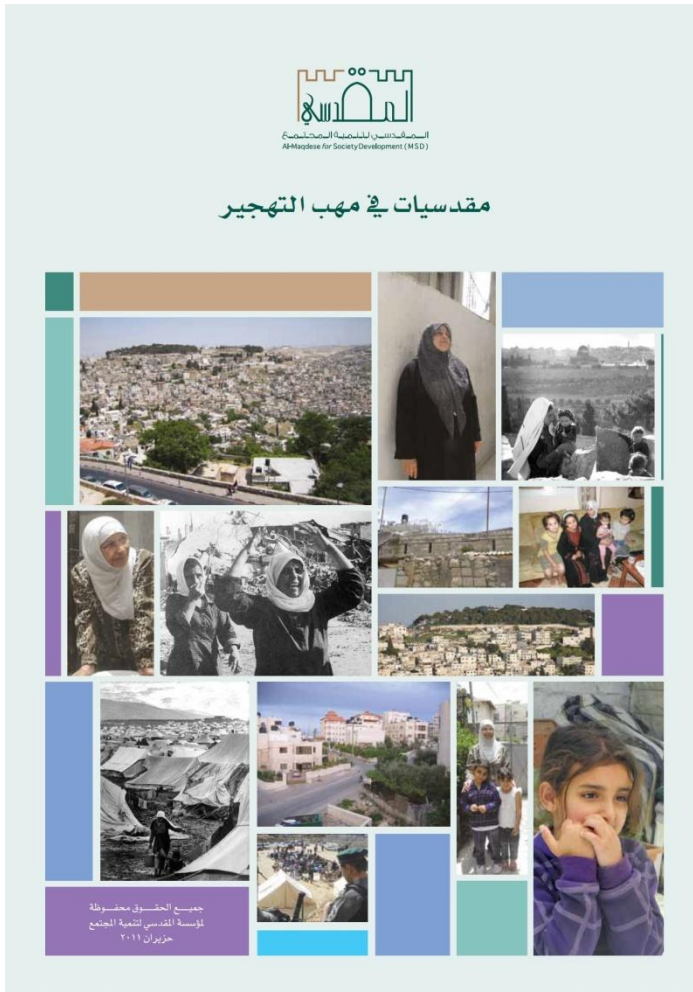


An image of an Israeli authority while they were demolishing a house in Silwan- 15/Aug/2017

House demolitions and land destructions are a flagrant violation of the human rights. This is a crime that hadn't witnessed before; it is a crime against the human being and his properties, which is a flagrant violation of international covenants and conventions, including the Universal Declaration of Human Rights, the International Covenant on Economic cultural and social rights, and the International Covenant on civil and politics rights. It also violates the Convention on the Rights of the Child, as well as an optional protocol to the Convention on the Rights of the Child which provide protection for children in armed conflict. In addition, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) also calls for the protection of women in armed conflict.

The most important of these is the international humanitarian law, there are many conventions provide protection for women and children in armed conflict. First of all, the article 53 of Fourth Geneva Convention which states 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". Also, the Hague Convention and Regulations, which stipulate that properties and houses which owned by individuals mayn't be bombed, unless they were used for military operations. But Israel claims that the Fourth Geneva Convention and the International humanitarian law don't relate to these lands, because these lands aren't part of the territories that they have public sovereignty over them.

4.1. Psychological side effects:



Al-Maqdisei Institution published a study entitled "Jerusalemite women and Displacement"¹, where the study presents factual stories in which Jerusalemite women discuss the psychological and social effects they have suffered since their houses were threatened with demolitions, and also after the demolitions took place, and how these demolitions affect their children. According to the statistics of the MSD Data Bank, since 2000 until 2017 more than 2500 Jerusalemite women and more than 5,000 children had suffered from displacement.

The common between these stories is that the Israeli authorities have used the same procedures in each, for example the Israeli municipality in Jerusalem imposed these families to pay thousands of shekels as fines, the lowest one of them were more than 50000 shekels, without any Israeli caring about the worst economic situation in Jerusalem, where the poverty rate reached 80%. These procedures aim to acquiesce the citizens to demolish their

houses. In contrast, the most demolitions' cases are for houses that were built before the occupation, but a small part was added to the house, coinciding with the high prices of real estates and the high costs of living. Moreover, the Israeli municipality in Jerusalem doesn't give building permits, which already take a very long time and money which can reach more than hundreds of thousands of shekels.

All these displaced women expressed their sufferings, their children's sufferings and the psychological side effects they suffered from as a result of their house demolitions, which severe security and safety for them. They also talked about the brutal way and oppression they had suffered from, such as arrests and beatings. One of these Jerusalemite women said that her husband suffered from a heart attack because of their house demolition.

¹. <http://www.al-maqdesei.org/files/0000/0000/000000346.pdf>

4.2.The economic side effects:



An image of an Israeli authority while they were demolishing a house in Jabal Al- Mukaber- 8/Aug/2017

It is very clearly that the economic situation in occupied Jerusalem is very hard, because of the lack of employment opportunities, the Israeli arbitrary procedures, the high costs of living in the city, especially the taxes and infractions which imposed by the Israeli municipality in Jerusalem, and the policies of the national insurance institution and the procedures' department.

The cost of construction in the Palestinian territories in general, and in Jerusalem in particular, is very high, the square meter of construction costs 1500-1800 shekels, which means that the construction of a 100 square meter building costs 150-200 thousands shekels. Also, in the case of approval the Israeli municipality in Jerusalem imposes high amount of money to get the permits, which can cost a twice of the basic costs. It is necessary to say that the Israeli municipality doesn't accept more than 10% of the building permits in occupied Jerusalem, so the citizens have to build without permits, then the Israeli municipality imposed fines and infractions on them. Moreover, the citizen goes to a lawyer to postpone the demolition, which costs money and continues for years. During these years, the citizen pays many accumulated fines and infractions, then after years he loses his house by demolition.



An image of an Israeli authority while they were demolishing a house in Al- Tour- 4/May/2017

The Israeli bulldozers demolished a residential building under the construction in Al- Tour, under the pretext of building without a permit. Also, the Israeli authorities arrested a young man during the demolition. This building is owned by two Jerusalemites men called Mr. Rami Al-Saiad and Mr.Khalil Abu-Sbitan, it was consisted of 2 floors, and they had started building it 8 months ago, but they had to stop building it after the decision of the Israeli municipality about demolition it. Mr. Al-Saiad said that “We had been trying to get the buildings’ permit for four months; we submitted the required documents by the lawyer and the engineer to the relevant departments, we got the initial approval and we paid 20000 shekels as a fine to the Israeli municipality, in addition to the fees of the lawyer and the engineer, the lawyer was able to postpone the decision of demolition until 1-5-2017, and he was tried to postpone it again but he couldn’t because of the Jewish holidays last week”. The cost of the construction of this building was 80000 shekels because it was under construction, but if it was inhabited; the cost of construction was much higher.

The total loss of these citizens were 100000 shekels during 8 months, despite all their attempts to get the permits and to postpone the decision of demolition, but all of this doesn’t intercede for them with the staff of the Israeli municipality and the Israeli police, which was consisted of hundreds of them, who cam to completely demolish this building.

5. The demolition threats chase buildings and constructions in Jerusalem



The statistics of the MSD Data Bank indicate that 22 thousand apartments are threatened by demolition at any moment, whether the orders of demolition are by the Israeli municipality, administrative, or military ones. The consequences of these demolitions can be hard, they will be as a humanitarian catastrophe in which lead to displace these citizens from their houses.

The most important decision about demolitions was the decision of the Israeli municipality in Jerusalem, in which the mayor announced his intention to demolish a residential neighborhood consisting of 138 apartments. The Hebrew newspaper “Haaretz” reported that last week the Israeli Central Court in Jerusalem rejected a petition submitted by the residents of Kufur Aqab against the administrative order of demolition which was issued by the Israeli municipality, and by this rejection the municipality was allowed to immediately demolish these buildings; because of their illegality. And if this happens, this will be the first time of house demolitions in Kufur Aqab since 2001.

Kufur Aqab is an area located behind the wall, but it is administratively related to the Israeli municipality in Jerusalem. This area suffers from huge population density, about 80000 persons, most of them live in unlicensed residential apartments; because of the abstention of the Israeli municipality from giving permits in this area, so people there have to build without permits.

The demolitions in Kufur Aqab aim to allow the opening of a transport road which connects between Al-Matar (airport) neighborhood and Qalandia checkpoint. The residents of this neighborhood, who submitted their own petition to the Supreme Court to open this road, are now claiming that this road isn't important, and it's possible to open the road without demolishing the



An image of the residential neighborhood threatened with demolition in Kufur Aqab area

buildings. The Israeli Judge Mariam loft rejected the residents' claims, and determined that the demolition order must immediately implement. During the discussion in the court, the municipality claimed that it was coordinated with the security forces and the contractors for the demolition, and it invested million of shekels for this purpose. The court accept the municipality position, which claims that the intention isn't a selective implementation, but according to the representative of the municipality "there will always be a first time to start the implementation and it isn't about discrimination"

Is it conceivable after years that the state of Israel and the municipality have ignored the area, and coming now, and in the name of the laws that they violated by themselves, to destroy the houses of dozens of families. In the first stage, Israel as a state must undertake its responsibility for the neighborhood and provide its residents with full services, which Israelis who live in the western part of Jerusalem take. It can be noted that the municipality is imposing taxes on citizens, and classifying some areas in Kufur Aqab as they are in the center of Jerusalem. Also, it doesn't provide the minimum level of primary services to the citizens; that makes many health and environmental catastrophes. About the opening of new transport roads in order to alleviate the traffic jam, the municipality and the Ministry of Transportation must talk with the inhabitants' committee to make an agreed solution, which justifies the inhabitants who had worked over the years and sold what they had like gold and savings; to buy these shelters and to live in them with their families.