



للارشاد القانوني والاجتماعي

مرکز المرأة

Women's Centre for Legal Aid and Counselling

FORCED EVICTIONS

Assessing the Impact on Palestinian Women
in East Jerusalem



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The Women's Centre for Legal Aid and Counselling

The Women's Centre for Legal Aid and Counselling (WCLAC) was established by a small group of women in Jerusalem in 1991 as a Palestinian, independent, non-governmental, non-profit organisation. The Women's Centre for Legal Aid and Counselling aims to address the causes and consequences of gender-based violence within the community as well as the gender-specific effects of the occupation.

WCLAC provides social and legal counselling, awareness raising programmes, offers legal and social support and training, proposes bills and law amendments, and participates in the organization of advocacy and pressure campaigns nationally and internationally on behalf of Palestinian women and the community.

WCLAC's International Humanitarian and Human Rights Law programme was established to monitor and document Israel's violations of human rights and the impact of these violations on women. WCLAC documents women's testimonies using the frame-work of international law and human rights, combined with a feminist vision of equality and social justice. WCLAC is working with the Centre on Housing Rights and Evictions (COHRE) to ensure that housing rights violations and their impact on Palestinian women are comprehensively documented.

The programme seeks to ensure that Palestinian women's rights violations are effectively monitored, then collected through a process of documentation. The documentation is used to advocate on behalf of women in Palestine, to promote awareness of human rights violations and to work towards accountability for those responsible. The documentation also provides testimony to women's experiences of war and occupation.



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Table of Contents

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Assessing the Impact on Palestinian Women in East Jerusalem

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1.Introduction	5
2.East Jerusalem: Occupied City	6
3.International Law and Forced Evictions	9
4.Research and Methodology	11
5.The Impact of Forced Evictions on Women	12
5.1 Pre Eviction	12
a) Threats and Intimidation	12
b) Housing Conditions	14
c) Psychological and Emotional Impact	16
d) Economic Impact	17
5.2 The Eviction Process	19
a) Destruction of Property and Physical Injury	19
b) Economic Loss	22
5.3 Post Eviction	22
a) Living Conditions	22
b) Poverty and Economic Hardship	24
c) Emotional and Psychological Impact	24
6. Conclusion and Findings	26
7. Recommendations	28
8. Endnotes	30
9. Map of East Jerusalem	33

1. Introduction

The home is the centre of most women's lives in the occupied Palestinian territory (oPt). The home not only provides basic shelter but is a place where women participate in social activities with friends and family, where they can create a safe and secure environment for their children, and can also be a location for economic activity. The particular relationship that women have with their homes means that forced eviction or the threat of being forced from their home has an acute and distinct impact on their lives.

This report focuses on East Jerusalem, where many Palestinian women are affected by forced evictions and displacement, and in many cases by the subsequent demolition of their home. The report analyses the short and medium term impact of these events on women. International humanitarian law and international human rights law provide the framework for the report, and substantiate the fact that these issues are violations of human rights, and of women's human rights in particular. The testimonies also illustrate the cross-cutting nature of many of the issues and rights violations. While housing rights are the dominant issue, many other rights are affected: the right to family life; residency rights; the right to freedom of movement and many other economic and social rights.

This report begins with an overview of the situation in East Jerusalem, the area's legal status and the overall housing and planning context within it. This is followed by a short overview of the relevant international human rights law and international humanitarian law principles. The following section analyses the impact of forced evictions on women. The next section of the report focuses on the experiences of the women that WCLAC has interviewed, from whom we have gathered the detailed testimony provided in this report. Through these testimonies we highlight the impact of the incident of forced eviction, before, during and after its occurrence, discussing its economic and social impact and its emotional and psychological consequences on women. The report concludes with some recommendations for future action.¹

2. East Jerusalem: Occupied City

Since 1967, the entire West Bank including East Jerusalem has been under Israeli belligerent occupation. Unlike the West Bank and the Gaza Strip, the Israeli government moved quickly to declare its intention to include East Jerusalem as part of the state of Israel and on 27 June 1967, the Israeli government passed legislation unilaterally annexing East Jerusalem.²

Both the UN Security Council and the General Assembly have declared invalid all measures taken by Israel to change the status of Jerusalem. On 4 July 1967, the General Assembly declared all “measures taken by Israel to change the status of the city to be invalid.”³ The UN Security Council through resolution 252, adopted on 21 May 1968, called on Israel to immediately and unconditionally “rescind all such measures already taken and to desist forthwith from taking any further actions which tends to change the status of Jerusalem.” Israel however, continued to consolidate its plans through the passing of the Basic Law in 1980, which declared that “Jerusalem, complete and united is the capital of Israel.”

The unilateral annexation is a manifest violation of international law⁴ and in direct contravention of the statements made by the General Assembly and the Security Council. Both these bodies have confirmed that East Jerusalem is occupied territory and that all legislative and administrative measures taken by Israel which alter the character or status of Jerusalem are null and void and must be rescinded.⁵ The International Court of Justice (ICJ), the highest international judicial authority has also confirmed that East Jerusalem, together with the West Bank and Gaza Strip is occupied Palestinian territory.⁶ The ICJ further confirmed the applicability of international human rights law to the oPt, including East Jerusalem.⁷

Israel’s annexation of East Jerusalem is manifestly an act based on colonial intent according to a recent report by Israeli, Palestinians and international scholars and practitioners.⁸ The report describes a situation as colonial when: “the acts of states have the cumulative outcome that it annexes or otherwise unlawfully retains control over territory and thus denies the indigenous population the exercise of its right to self-determination.” The report adds that the annexation is unlawful in itself “as annexation breaches the principle underpinning the law of occupation: that occupation is only a temporary situation that does not vest sovereignty in the Occupying Power. Annexation also breaches the legal prohibition on the acquisition of territory through the threat or use of force.”⁹

Throughout its occupation, Israel has significantly restricted Palestinian development in East Jerusalem. Over one third of East Jerusalem has been expropriated for the construction of illegal Israeli settlements, while only 13 percent

is currently zoned by the Israeli authorities for Palestinian construction.¹⁰ The Israeli Planning and Building Law which regulates all construction in East Jerusalem and is thus responsible for the authorization of the settlements acts in violation of Article 49(6) of the Fourth Geneva Convention which prohibits the occupying power from transferring parts of its civilian population into the territory it occupies. The Israeli Planning and Building Law is also responsible for the prohibition of Palestinian construction and authorizes the destruction of Palestinian homes constructed without a building permit. The Fourth Geneva Convention of 1949 regarding occupied territories prohibits the occupying power from destroying private property unless such destruction is «rendered absolutely necessary by military operations.»¹¹

The Israeli municipality demolished 89 structures in East Jerusalem in 2008 and 80 in 2009.¹² As of July 2010, at least 230 Palestinian structures have been demolished in East Jerusalem and the West Bank in over 40 separate incidents since the beginning of the year. As a result, more than 1100 Palestinians, including over 400 children, have been forcibly displaced or otherwise affected owing to extensive damage of property or destruction of livelihoods. This includes an incident on 13 July 2010 when 7 Palestinian homes, were demolished in East Jerusalem, leaving 25 people, including 14 children - one of them only 2 months old – forcibly displaced.¹³

In August 2009, 53 Palestinian refugees were forcibly evicted from their homes in the Sheikh Jarrah neighbourhood after an Israeli court issued a judgement in favour of an Israeli settler organization claiming ownership of the buildings in the area. Estimates from UNOCHA suggest a further 475 Palestinians in Sheikh Jarrah are at risk of forced eviction and displacement as a result of ongoing settler activities in the area.¹⁴ In the Silwan/Bustan neighbourhood, where there are plans to build a Jewish archaeological park, the Jerusalem municipality has approved a plan to demolish 22 of the 88 houses in the area to make way for it.¹⁵ In addition, at least 28 percent of Palestinian homes in East Jerusalem have been built in violation of Israeli zoning and planning requirements, meaning that a further 60,000 Palestinians are at risk of forced eviction and having their homes demolished.¹⁶

The demolition of Palestinian homes is usually for administrative reasons, that is, because a permit has not been obtained. However, while the acquisition of a building permit for construction is not in itself unusual in terms of urban planning, for Palestinian residents of East Jerusalem, the complex and multifaceted application process coupled with exceptionally high associated fees make obtaining a building permit effectively impossible.¹⁷ Even those who go through this process, will commonly be refused. As a result there is a serious housing shortage caused by Israel's failure to provide adequate housing and many Palestinians risk building on their land without a permit and face forced eviction and the demolition of their homes. Others live in overcrowded, unsuitable and unsanitary conditions, unable to build larger accommodation, to build extensions to existing homes or even in many cases,

to make any structural repairs or improvements to their homes.

The contrasts are stark: since 1967 the Israeli authorities have constructed approximately 50,000 residential units in Israeli settlements in East Jerusalem, while constructing only 600 residential units for Palestinian residents – the last of which were built over 30 years ago.¹⁸ According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA):

Since 1967, Israel has failed to provide Palestinian residents of East Jerusalem with adequate planning to meet natural population growth. While Palestinians face significant obstacles to legal building on the 13 percent of East Jerusalem designated for Palestinian construction, Israeli settlements have flourished on the 35 per cent of land expropriated for them, in contravention of international law.¹⁹

These practices and policies are in keeping with official Israeli policy which aims to achieve and maintain a calculated “demographic balance” between the Jewish and Palestinian population of the city.²⁰ This is re-iterated in the section of the Jerusalem Master Plan which deals with the goals of the plan: one of which is “preserving a firm Jewish majority in the City”: that is, 70 percent Jews and 30 percent Arabs.²¹



3. International Law and Forced Evictions

In many cases in East Jerusalem, forced eviction of Palestinian families takes place prior to the demolition of their home. In other cases, such as those in Sheikh Jarrah, families are forcibly evicted in order to make way for Israeli settlers to move into their homes. Both situations usually involve the presence of armed soldiers and police and the use of violence. Therefore, in this study, we use the term ‘forced evictions’ to apply to both these situations. The term “forced evictions” as used throughout this report, is defined as the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.

The rights at stake include the right to adequate housing, the right to freedom from unlawful and arbitrary interference with the home, and to be free from discrimination in the exercise of these rights. These rights are protected under International Human Rights Law (IHRL). Article 17 of the International Covenant on Civil and Political Rights (ICCPR) provides for the right of everyone to freedom from unlawful and arbitrary interference with the home. This means that any interference with a person’s home life must not be arbitrary, that is, it must be based on clear law, be non-discriminatory, and must give the person a fair hearing to challenge any interference with these rights. The Human Rights Committee, which monitors States’ compliance with the ICCPR, has stated in relation to forced evictions that the relevant domestic legislation on interference with the right to a home “must specify in detail the precise circumstances in which such interferences may be permitted.”²³ Any interference must be for legitimate reasons and must be strictly proportional - that is, the least restrictive means of obtaining that aim. Human Rights Watch clarifies this by stating: “eviction and destruction of a family’s home requires very strong justification.”²⁴

Housing rights are also specifically protected by Article 11 of the International Covenant on Economic, Cultural and Social Rights (ICECSR)²⁵ which provides that State Parties must recognise the right of everyone to an adequate standard of living and this includes housing.²⁶ The Committee on Economic, Social and Cultural Rights, which monitors the compliance of states parties to the ICESCR, has stated unequivocally that instances of forced eviction are *prima facie* incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances and in accordance with the relevant principles of international law.²⁷ In its General Comment 4, the Committee stated that “the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in

security, peace, and dignity.” The Committee’s General Comment 7 found that where otherwise lawful, such evictions should be carried out only on the basis of clear laws, should not leave people homeless, and should use force only as a last resort. Unlawful forcible evictions should be punished.²⁸ The Committee also noted that women suffer disproportionately from the practice of forced eviction and are particularly vulnerable when rendered homeless.²⁹ Forced eviction also violates other rights protected in the ICECSR such as rights to health and education.

The prohibition against discrimination is spelled out in Article 2 of the Universal Declaration of Human Rights and codified in the major human rights treaties that Israel has ratified, including the ICCPR, the ICESCR, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the Convention on the Rights of the Child (CRC). Discrimination is defined as resulting from laws, policies, or practices that treat persons in similar situations differently due to, among other criteria, race, ethnic background, or religion, without adequate justification. The Human Rights Committee, after reviewing Israel’s compliance with the ICCPR in July 2010 stated:

[T]he Committee is concerned at frequent administrative demolition of property, homes, as well as schools in the West Bank and East Jerusalem due to the absence of construction permits, their issuance being frequently denied to Palestinians... *The State party should further review its housing policy and issuance of construction permits with a view to implementing the principle of non-discrimination regarding minorities, in particular Palestinians and to increasing construction on a legal basis for minorities of the West Bank and East Jerusalem. It should further ensure that municipal planning systems are not discriminatory.*³⁰

Residents of East Jerusalem should also benefit from the protection of International Humanitarian Law (IHL), which places detailed obligations upon Israel. Protected Persons must be treated ‘humanely’ at all times, without adverse distinction based on race, religion or political opinion and be protected against “all acts of violence or threats thereof...”³¹ Article 46 of the 1907 Hague Regulations states that the occupying power must respect private property, which cannot be “confiscated.” Article 53 of the Fourth Geneva Convention (GCIV) says “destruction” by the Occupying Power of private property is prohibited unless “absolutely necessary” in military operations.³² Furthermore, Article 49(1) GCIV, prohibits the forcible transfer of the local population in or outside of the occupied territory. Article 147 GCIV specifically categorizes “unlawful deportation or transfer” of protected persons as a grave breach of the GCIV while Article 8 of the Rome Statute of the International Criminal Court (ICC Statute) provides for individual criminal responsibility for the war crime of forcible transfer.³³

A black and white photograph showing a makeshift settlement. In the foreground, a person is sitting on the ground, possibly a child. The background shows various structures, including what appears to be a metal frame and some fabric coverings, suggesting a temporary or informal housing arrangement. The overall scene is one of poverty and displacement.

4. Research and Methodology

During 2009 and the first half of 2010, WCLAC has conducted in depth interviews with women in East Jerusalem whose housing rights have been violated. We have selected from these cases, 13 case studies which demonstrate the different types of forced evictions in East Jerusalem. The case studies from Bustan/Silwan and the Old City of Jerusalem highlight the stress and anxiety of living with the threat of home demolition. The case studies from Al-Ashkariya, Jabbal al-Mukabber and Al-Isawiya are all actual home demolitions, but are from different time periods and through these the short, medium and longer term impact of forced evictions can be assessed. In Sheikh Jarrah, the affected women have been victims of forced eviction or are awaiting eviction and also suffer from harassment and violence from settlers.

We have not singled out a particular area of East Jerusalem to study, but rather we have deliberately selected women from different areas. Bustan/Silwan and Sheikh Jarrah are perhaps the better known areas affected by forced eviction that have been included in this study. In addition to these well publicised cases, this report also highlights the lesser known cases of forced eviction in Al-Ashkariya, Jabbal Al-Mukabber, the Old City of Jerusalem and Al-Isawiya. The cases are from very different areas of East Jerusalem, and yet the women face the same sort of problems, thus highlighting how Israeli policies target the whole of East Jerusalem.

All the women were interviewed in depth about their experience, by WCLAC staff and fieldworkers and their stories have been written in the form of statements which they were shown and they signed to signify their agreement with the contents. Some of the women were interviewed a second or third time, when either follow up was required or a new event occurred and they contacted us, wanting to talk about their experience. Not all of the women are happy to have their full names made public, and in these cases we have used a pseudonym or initials. In all cases, we have consulted with the women and fully respected their wishes.



5. The Impact of Forced Evictions on Women

In this section we assess the impact of forced eviction in three stages: pre-eviction, during the eviction process itself and post eviction.

5.1 Pre-Eviction

The women interviewed had often waited years with the threat of demolition or eviction hanging over them. Some of them had experienced demolition or eviction, others were still waiting, not knowing when or whether it would happen.

Our interviews charted this process. The women told us about threats and intimidation that they suffered from either Israeli police and soldiers or from settlers. They told us about the fear and anxiety they felt, some of them experiencing physical symptoms as a result. The women also talked about the financial and economic consequences of costly, long and drawn-out court proceedings and the impact of the fines and fees on their family life.

a) Threats and Intimidation

The women’s testimonies record threats and night time visits from armed soldiers and police. They talk of their young sons being arrested and of their fear for their children’s safety. The women from Sheikh Jarrah also describe the violence, insults and aggression from Israeli settlers and the lack of protection by the police.



Maisa Al Kurd *lives in Sheikh Jarrah and is facing the threat of eviction from her home. Meanwhile, she lives with threats and intimidation from Israeli settlers who want to take over her home:*

“On 24th November [2009] which was the night of Eid Al-Adha, a Muslim holiday, I was up late after my son Munjad came back after his late shift at the hotel. It was around 1am when I heard the sound of moving furniture in the extension and I went outside with my mobiles. It was lit up outside from the lights from the settler house opposite and I could see that there were four settlers inside the house and one of them standing outside the house. As I approached the settler stood outside, he pushed me away towards the wall in

my chest. I could see him clearly, he had ginger hair. My son M came out of the house and saw the settler push me and said: 'what are you doing to my mother' but then the settler put his hands around M's neck. I was frightened of what was going to happen and phoned the police while I was still stood with my back against the wall.

On another day – December 1st [2009], I was attacked by a settler who hit me with a metal bar. My sons tried to defend me but when the police arrived they arrested my sons because the settlers accused them of attacking them. Always, they believe what the settlers say even though it is them attacking us and them coming onto our property and trying to take it from us. My sons were then ordered to stay away from the house and from Sheikh Jarrah for 47 days. Once this expired, M was arrested again and banned for another two months meaning that he couldn't work because the hotel he works in is in Sheikh Jarrah. Even now the orders have expired, my sons are too scared to come back here in case they are arrested."



Aida Risheik lives in the Bustan neighbourhood of Silwan. She and her husband built their home on their land in 2005 and live there with their seven children:

"[N]othing happened until February 2007, although all the time we were living in fear of the police or the army coming and demolishing the house. Then one day, in February 2007 they arrived early in the morning. The children were all at home because there wasn't school and we were still in our pyjamas. It was the army together with men from the municipality, when the door was opened they pushed through the door. There were soldiers, special unit officers as well as the men from the Jerusalem municipality and the soldiers were carrying big guns.

The children were terrified and hid behind my back. My husband argued with them and said talk to me can't you see how frightened the children are?

[We were] then handed a paper that stated if we didn't leave the house in 21 days then the house would be demolished and we would have to pay 70,000 shekels.

I'm also worried about my son; there have been lots of children arrested recently by the Israelis, children as young as 10 or 12 years. My son will be 10 years old this month and I worry that he will also be arrested and that I won't be able to stop them taking him. It is the worst feeling not being able to protect your children. Two nights ago, the Israelis arrested a boy who was 12 years old and a friend of my son. I now can't sleep worrying about my son and fear that he will be arrested."

IA is from Silwan and has lived in her current home in the Bustan neighbourhood of Silwan in East Jerusalem since 1989. She received a demolition order for her home in June 2009. On 8th December 2009, twenty days after a house was demolished in Silwan, the police and army came to her home in the early hours of the morning:

“...it was 3 am and I with all my family were sleeping. I woke, startled, by banging on the door. It was not a polite knock, it was loud and terrifying. My oldest son Mahmoud got up and looked out and saw that it was the Israeli police at the door. He told me and his father that it was the police at the door and I told him to go back to bed. I got dressed and my husband went to answer the door, he asked “Who is it?”. They shouted back: “It’s the police – open up.” My husband opened the door and I stood behind him. Four policeman came through the door and I could see more police and army behind them outside the house. The Israeli soldiers had green uniform and were carrying large guns, the police had blue uniforms and were carrying smaller guns, pistols... One of the police asked my husband for his identification and for the children’s names. He named the children, and when he said the name ‘Khaled’, the policeman stopped him and repeated Khaled’s name. I then felt like I was losing my mind – “What do you need from Khaled” I said. He said: “We need him for interrogation at the Maskobiya”. This is a police station in Jerusalem. I then told them that Khaled was only young, he’s only 12 years old. I told them that I wouldn’t let him go with them because he’s young and sick (he suffers from ADHD) and it’s the middle of the night. They said that I should bring him to the Maskobiya tomorrow.”

b) Housing Conditions

Most of the women explained in their interviews why they had built homes, often without permits. Often, having to share homes with extended family, the women lived in overcrowded houses, with little or no privacy, they were therefore anxious to improve their circumstances. But not only is permission denied for the building of new homes, it is also denied for extensions to homes and even for improvements or renovations. Therefore, another reason for building without permits was in order to improve the poor conditions of their home. This particularly affects Palestinian homes in the Old City of Jerusalem, where housing conditions are often poor but permission is rarely granted for improvements or extensions.

MD was living with her parents-in-law in the neighbourhood of Al-Isawiya, but described why she wanted to move into her own home:

“I wanted to have some privacy and not to be in such a crowded space. This is normal especially for an educated woman, to want my own independent home. I also wanted more space for the sake of my children and to allow them some more privacy and space. So over the years, I with my husband tried slowly to save some money to build our own house.”

IA, Bustan: “When I was first married I lived in a small room in the home of my husband’s family but it was totally unsuitable once we had children as it was too small and was also damp. I used to have to move the closet away from the wall because the damp from the wall would make the clothes damp also. I and my husband then started to build our home in the late 1980s on land that belonged to my husband’s family, the land belonged to his grandfather and had been passed down. It was marked out by two fig trees.”

WN lives in the Old City of Jerusalem and has found herself unable to make even the most basic improvements to her home:

“In 1997-1998, we rented a small house in the Christian Quarter from the Greek Orthodox Church. When we first moved the house was really little more than a shack with a zinc roof, on a deserted bit of land that was being used as a rubbish dump. So, we tried to improve the house, with the permission of the Greek’ Orthodox Patriarch and also extended it so that there was some additional space. Soon after we started building, some workers from the Municipality came and told us that we couldn’t do the building work and we were given a demolition order for the house.”



MK grew up in the Old City of Jerusalem. After moving into an almost uninhabitable house, she and her husband made necessary improvements with the approval of the landowner, the Greek Orthodox Church.

“The roof had to be replaced anyway and so we put in a second floor, without having to extend the height of the building by much. This gave a lot more space – it meant we had two bedrooms and a bathroom upstairs and the kitchen and sitting room downstairs. The Greek Orthodox Church approved our plans to renovate and extend, they had rules regarding the height of the building so that it did not go over the height of the wall to the church, but it didn’t so they were happy with what we were doing and the Patriarch gave us a permit.... But a few months after we moved in, we received a demolition order for the upper floor of the house. We were taken to court and the demolition order was postponed and we were fined 25,000 shekels for building without a permit.”

c) Psychological and Emotional Impact

The psychological and emotional impact is often noted in respect of how people are affected after a forced eviction. What our interviews revealed is that there is an enormous emotional impact on women during the, often lengthy, process leading up to an eviction. The sense of being unsettled, of not knowing what is going to happen, and where they will go, manifests itself in both psychological and physical symptoms. Women described anxiety, depression, pain, and difficulties in their relationships with their husbands and with their children, all a consequence of facing the prospect of losing their homes.

IA: “I have no sense of security, I am living constantly with this feeling of not knowing what is going to happen to my home. I also feel insecure in my relationship with my husband and towards my children. I try and make things feel normal but it is so difficult – I feel tense and nervous and take out these feelings on my husband and on the children. When the kids are doing their homework and ask me for help I’m irritable and tell them to go away. The whole situation is making me feel and behave this way. I can’t think about the future and don’t allow myself to think about it as it would be too much, too upsetting... My health is affected by the situation, when I start to think about what the future holds for me and my family, I feel that I have high blood pressure. In 2005, when the problems started, I started to take tablets for anxiety because I was so tense. I also get headaches which normal painkillers couldn’t control. I’m now prescribed painkillers by my doctor for the headaches. I am so stressed, and because of the stress and tension I also get chest pains.”

IR is from Bustan, and received a demolition order soon after she moved into the home she and her husband had built on her land in 1996:

“It’s difficult for me to talk about the situation, which has been going on now since 1996. I am always thinking about it, but can’t really talk about it to anyone. I am living with no sense of security, and can’t seem to enjoy anything anymore. Basically, I am chronically depressed. I also get stomach cramps and chest pains and the pills I was taking were not effective. I now have to go to the doctor to have medication by way of injection that the doctor has prescribed to me. But he tells me that my symptoms are psychological, that they are because of ‘sadness’, rather than being a physical problem.”

WN: “I have to live with the threat of the demolition of my home hanging over me - on one occasion a small bulldozer actually came to the house. It affects my ability to live my life normally, it is so unsettling.”

Yet, the women from Sheikh Jarrah described mixed feelings. One woman described feeling empowered by the struggle to resist being evicted and talked of changes in herself as she engaged with community activism, she found she was no longer interested in the same things as before.

Maisa Al-Kurd: “What is happening has empowered me. Before all of this, I was like a child. It has given me strength and changed my personality. The situation has taken over my life, I used to spend time doing my hair and make up and going out to restaurants. Now this no longer interests me, other things feel so meaningless when I have so much to worry about.”

d) Economic Impact

Within Palestinian society, women are responsible for running the household, making sure that there is food on the table and that their children are provided with clothes and school books. When much of the household income is taken up by court fines, legal costs and building permit payments, there is often little money left over. The women interviewed talked about having to deprive themselves of basic necessities and about their children suffering because of the additional expenses. The case studies also highlight how forced evictions and their economic impact lead to additional and multiple violations of the human rights of the women and their families, including: rights to food, education and health care.

RJ lives in Al-Ashkariya. Her home was demolished in 2006, and she is now paying rent for a house in the same neighbourhood. But for six years prior to that her family spent money on ultimately futile legal proceedings.

“We ended up with a fine of 48,000 shekels which we paid in installments of 800 shekels a month. The fine was to give us time to apply for a permit for the house but this was impossible. We made some inquiries about getting a permit - an engineer visited our home but said that there was no point making a full application: our house was built in a green zone and therefore we would not be granted a permit.

It was disastrous for our family having to pay 800 shekels a month. The children were still young and we had very little money. But we thought that by paying the fine we would keep the house. We deprived ourselves of lots of things to pay the fine. We borrowed money at times and paid it back to try and keep on top of the fine we had to pay. This was a very difficult time for us all. My children suffered from the lack of money, from our poverty.”

Aida Risheik, Bustan: “There have been a number of court hearings since this first time, but nothing has been resolved. The first hearing was on the 9 July 2007, and then adjourned until December 2007. Then there was a hearing in February 2008, which was adjourned again until 25 February 2009. The next hearing is on 9 April 2009. We have the same lawyer as others in Bustan who have demolition orders, but still have to pay 500 shekels for each court session and so have paid 2000 shekels in legal fees and there’s still no end in sight.”

Maisa Al-Kurd, Sheikh Jarrah: “Financially, the situation is disastrous, I don’t want to talk about it we have debts from the court fees and fines and the arrests.”

WN, Old City: “Our case was in court in August 1998, and they imposed a fine on us of 45,000 shekels which was a huge amount so we appealed against it. After the appeal, the fine was reduced but we had to pay for lawyers and court fees and so after all that the amount that we had to pay was not so different [from the original fine]. We were given a second fine, sometime later, I can’t remember when, for 16,000 shekels which we have finished paying, but the demolition order is still hanging over us.

We had to pay the fine in monthly installments of 500 shekels from almost the time we moved into the house until 2008. It has been very hard on us financially. We always had to pay on time and prioritise paying it or they double the amount and could put my husband in prison. It has been very hard for us financially, I had to cut back on food in order to make sure that we could pay the fines every month and would in fact not buy food rather than not pay the fine.”

MK, Old City: This was really hard for us, but we always paid – if we missed a month we would have to pay double the amount. My husband is working, he works for a hotel in the Old City but he doesn’t earn a lot and we had to take money from what we would spend on basics – electricity, food, milk, diapers - to pay the fine. It was particularly hard for me because I had to try and make sure

there was enough food and that the children had clothes. We couldn't afford to buy furniture and borrowed a couch from my parents house... Just before we were due to pay off the fine, 3 years later the court imposed another fine on us. This time it was for 10,000 shekels and again we had to pay it each month."

5.2 The Eviction Process

a) Destruction of Property and Physical Injury

On the day of the demolition or eviction, the women interviewed described the brutality of the process itself. Most of them talked about the presence of armed Israeli soldiers and police. One woman described her nephew being beaten by the soldiers as he attempted to protect their home. Others describe being dragged out of their homes by masked uniformed officers and others being beaten and assaulted. One woman interviewed spoke of the family having to make the agonizing decision to demolish their own home after being told if they did not, they would have to pay the full cost of the demolition process.

Manal Zeitoun lives in Silwan with her six children. Her husband's family unification application was rejected and he therefore does not have Jerusalem identification and cannot live with the family. Her rented home was demolished while she was out visiting her family:

"It was November 2008 and I was just settling into living in the house which was in the Bustan neighbourhood of Silwan when it was demolished. I was six months pregnant with my youngest child. On that morning I was having breakfast at my parents house and my daughters except my youngest daughter were at school. I received a phone call at about 10am from one of my neighbours saying "Come home! They're about to demolish your house." I didn't believe her but left my mother's house and ran back to the house. On the way back, I saw many police and soldiers around the house. There were perhaps five jeeps and about 30 police and soldiers standing around the house. The owner of the house was arguing with them saying that he was waiting for the paper to stop the demolition. But then after about an hour of waiting, two bulldozers that were there started to demolish the house. I had known nothing about a demolition order on the house; it came as a complete shock to me.... It took about an hour and a half for the Israelis and their bulldozers to destroy the house. The whole house collapsed on top of our things, so we couldn't get anything else out. All our things were lost. "



FD lives in the Al-Isawiya neighbourhood and had built a new home together with her sister and family; it was demolished on 18 November 2009:

“The Israeli soldiers and police were positioned around the house...There were so many soldiers around, I had many of them around me, preventing me from going any nearer to the house. I had guns aimed at me and my children. I was trying to keep my son Mohamed and my sister Maisa’s son Khalil from going near to the soldiers. They wanted to do something and I was trying to hold them back. The soldiers were also taking pictures of us, including the boys as we stood there watching them. My son started shouting and cursing at the soldiers, he was so angry. He wanted to do something to stop them but I was holding him back to stop him from running at the soldiers or the house. I couldn’t hold onto Maisa’s son and he was able to free himself and went running into the middle of the soldiers and got into a fist fight with one of them who started beating him....

Then, about an hour after I had arrived, they started to demolish the house with a huge bulldozer. They even destroyed the wall that separated the house from the neighbour’s land. It was all over by 12.30. The house was

completely destroyed, left in a huge pile of rubble. “

Amani S lives in the Jabal Al-Mukkaber area of Jerusalem. The family first received a demolition order on their home in 2005, and spent four years contesting the order through the courts. In May 2009, the court made a final decision that either the municipality would demolish the house and the family would have to pay the costs or they could demolish the house themselves.

“The night before our home was demolished, my husband told me that he was going to demolish the house before the municipality came to do it and charge us for it. I went to bed feeling very sad.

My husband started demolishing our home on 26 June 2009. It was a Friday.

On the first day, he removed the zinc roof from the house and the next day, Saturday, he used a heavy hammer to break down the walls of our house. While he was doing it, the children were asking me why – why is our dad demolishing the house? While he was doing it, I went back and forth between our room in the other house and outside where my husband was demolishing the house. The children were also going backwards and forwards between him and their grandparents house watching what their father was doing.”



Khawla Hanoun *was forcibly evicted from her home in Sheikh Jarrah on 2 August 2009:*

“I was up for most of the night and it was only at 4.30am that I put my head down to get some sleep. It was only moments afterwards when I heard shouting and screaming and the sounds of glass breaking and I knew what was happening. Suddenly I saw five soldiers standing over me screaming and shouting, I was half asleep and couldn’t respond straight away to what I was seeing although I had been prepared....

The soldiers didn’t let me put my slippers on and they were pushing and punching me all over as I was getting out – it felt like I was at the front line of a war. The soldiers were wearing black uniforms and had masks on their faces and then gas masks over the top of them. I fled outside of the house, and was shouting ‘Where is my husband? Where are my children?’ ... Outside on the street I could see the soldiers opening up the door of my brother in law’s house with what sounded like explosives.

I think there were about five or six hundred soldiers around the house that night – they looked like ravens in their black uniforms. I saw a soldier grab the hair of one of the foreign solidarity activists and shake her. Then, I saw them grab another one and beat him and then take him away with lots of the other solidarity people.”



Maysoon Ghawi *was also forcibly evicted from her home in Sheikh Jarrah:*

“Tens of heavily armed Israeli police broke into our house at 4:30 in the morning on August 2nd, 2009. It felt like a whole battalion had broken into our house. They were dressed in black uniforms and were wearing masks on their faces. They even had metal protection on their legs. I was still in bed sleeping at that time. One of the policemen grabbed me from my arm. I was terrified. I was very worried about the children. He then let go of my arm and I quickly grabbed my son Adam and my daughter Sara who were sleeping next to me and held in my arms. A group of policemen then pushed me out of the house to the neighbor’s house. I was shivering from fear. I didn’t know where my other children were. I was separated from them. Four hours later I realized that my other son was injured and was bleeding. My son later told me he was kicked on the buttocks very hard and the next thing he knew is he was on the street. He broke my heart.”

b) Economic Loss

The women talked about what they had lost in their homes. Sometimes, the Israeli authorities do not even allow enough time for the family to take their possessions out of the house.

Manal Zeitoun, who was living in rented accommodation in Bustan

described what she lost:

“Everything that I owned was in the house, my clothes and the girls’ clothes, school books, kitchen things and most importantly medical records and equipment for my daughter, Hayat who suffers from a heart condition.

I begged the soldiers to allow them to let me take my personal possessions out of the house, I said that I didn’t care about the house, that I only wanted to get my things out of the house. They refused to let me into the house, but they sent some men into the house who took out a few things – a couple of couch beds, a refrigerator and the TV which were the first things they would have seen when they walked into the house. They just threw them out of the house – breaking the legs on the couch beds.”

5.3 Post Eviction

a) Living conditions

The loss of a home means much more than the loss of a place to live. The women interviewed described having to live in over-crowded conditions usually with their husband’s family. They feel a loss of privacy and a loss of private space. They also describe the impact on their children: without space and quiet, children misbehave and their schoolwork suffers. Some women spoke of other consequences of having to move in with extended family. Within Palestinian society, tradition often means that women have to cover their heads in front of men who are not part of their immediate family. Consequently, moving in with extended family means women lose the freedom to be uncovered in their homes.

Manal Zeitoun, Bustan: “After our rented home was demolished, we moved back to my parents house. It was very crowded and my husband didn’t want to come and visit us there because there was no space. My parents live there with two of my sisters, a brother and another married brother, his wife and their three children. Me and my daughters all slept in one room, the living room. It was very difficult. My children’s school performance suffered, they couldn’t study because there was no space and too much noise with so many people. The only person working in the house was my brother who supported all of us.”

Amani S, Jabal Al-Mukabber: “So I am living in one small room in my parents-in-law’s home. We share a kitchen and a bathroom with them and my husband’s brothers and their families live in an apartment upstairs and are often downstairs with us. They are four adults and five children living up there and they also usually eat and spend their time down here with us. I’ve lost my independence and I’ve lost my privacy. I used to wear short sleeves in the house and go without my headscarf. Now I always have to worry about what I am wearing because I’m living with other people. I used to cook for my family, cook meals for them all. Now I don’t do this, others in the house do the cooking. I have no privacy or time or space to myself at all. Its also hard for the children to sleep at the times they need to because there is so much noise.”

Manal S’s home in Jabal Al-Mukabber was demolished by the Israeli authorities in 2005. She is still living with her parents-in-law in their home:

“...we’ve been living in the apartment upstairs, there’s not enough space for me, my husband and our three children. My parents-in-law have moved downstairs but the brother-in-law who was living with us has got married too now and has two children of his own. So we share the kitchen and bathroom with them as well. Really, try to imagine what it’s like. We have three young children and we’re living on top of another family of two adults and two young children. I’m in despair and don’t have any thoughts or plans for how to change the situation. We’re still paying back the debts from the house and so there’s no hope of changing anything soon.”

Khawla Hanoun, Sheikh Jarrah: “During the Muslim festival of Ramadan, we would sit out on the street with solidarity activists and break our fast with them and with our neighbours on the pavement. We still sit there to tell the world what has happened to us and that I want my home back. It is my right, and we will continue to demand it back. What right do they have to the house? What motive do they have for driving us out? We don’t have anywhere else to go; sometimes we stay with my sister, sometimes with my mother, but her house is in the West Bank and behind the checkpoint.”

Maysoon Ghawi, Sheikh Jarrah: “After the eviction we received some financial help to rent a hotel room. We all had to stay in one small room. It was better than being on the street but it was very difficult to cope. I had no privacy. My children did not have enough space to play and do their homework. After repeatedly asking for more help, we are now having the rent of an apartment paid for one year.”

RJ’s home in Al-Ashkariya was demolished in 2006 and she has been in unsettled living conditions ever since: “A friend of my sister’s husband said that we could use his house and so we moved to this rented house which was in Hizma in East Jerusalem. It was a small house, with two small rooms, a

kitchen and a bathroom. All of us moved in there, about thirteen of us I think it was. We moved there on the same day as our home was demolished.

We stayed there for two years, but it was expensive, \$400 a month, and it was also too small for us. So in April 2008 we moved back to Al-Ashkariya. We moved into another rented house that has more space than the other place. I don't know whether the house has a permit or not."

b) Poverty and Economic Hardship

Economic hardship is an almost inevitable consequence of forced eviction. The pre eviction costs have been described above. After eviction, the women not only have lost their home but also face poverty and the realization that the money they have spent has been for nothing.

Manal S, Jabal Al-Mukabber: "We are both very worried about our financial situation. My husband had borrowed money to build the house and so had debt from this. We had been trying to save money and I didn't mind going without things because it was all going into the house. But all turned out for nothing. I deprived myself and my family of things for nothing and a huge debt."

MD and her sister's home in Al-Isawiya was demolished in November 2009: "I and my family are now back living with my husbands' parents. We're lucky that we have somewhere else to go. But it's back to the same situation and now all the money and effort that we have put into building a new home has been reduced to rubble."

Khawla Hanoun, Sheikh Jarrah: "Another unbelievable thing was that we have been charged for them removing our furniture from our home. We received a bill for 13,086 shekels and the Israeli authorities told us that if we didn't pay they would impose further fines. Our financial situation is terrible, my husband is unemployed and has health problems. We have nothing but we survive."

Maysoon Ghawi, Sheikh Jarrah: "A modest apartment in Jerusalem costs at least \$800 a month. I have no idea how we will manage. We are slowly buying new furniture and other things that we need for the new house. We have very little income."

c) Emotional and Psychological Impact

Women often take responsibility for the well being of others around them, particularly their children. They take on the burden of others' emotional confusion and try and heal the wounds of the loss. Our interviews with Palestinian women reflected this: they focused on their concern for their children after the eviction and loss of their home and also their worry for their husbands. The interviews reveal the women experiencing changes

in their children's behaviour and sometimes a deterioration in their relationship with them. They also describe their own feelings of loss and confusion. Khawla from Sheikh Jarrah while worrying about her children, also describes the strength she has gained from becoming politically engaged in the campaign to claim her rights.

Maysoon Ghawi, Sheikh Jarrah: "I am very worried about my children. They are not doing well at school. They are unable to concentrate on homework. My son Abdullah, who is in third grade, went to school without doing his homework on the day the police destroyed our tent. My son Muhammad is refusing to go to school unless we go back to live in our house. Adam spends a lot of time in school crying. He wants to be alone and does not cooperate with the teacher. He was recently moved to a class for children with special needs because he could not cope in a regular class. Life is very hard and I don't know what the future will bring but I don't want anybody to pity me. All I want is to be able to go back and live in my own house."

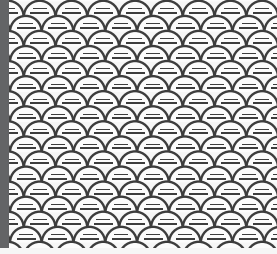
FD, Al Isawiya: "I feel anxious and worried, and I'm not eating properly. I'm also really worried about my children and the effect on them."

MD, Al Isawiya: "I'm having a really hard time, I don't know how to cope or what to do. I haven't been eating properly. What I'm most worried about though is my oldest son Khaled. I have a really good relationship with all my children, including Khaled and I can talk about everything with him. Normally he stays around the house or around Isawiya and I know where he is. He's changed since the house was demolished. He won't talk to me and I don't know where he is, he doesn't tell me where he's going or what he's doing. He comes back really late and I can't sleep until he returns back. He used to always call to say where he was but since then, he's not been doing this.... I feel lost now, like I'm in the middle of the ocean and don't know where to go and what to do."

Khawla Hanoun, Sheikh Jarrah: "I am 46 years old and the mother of three children. Before this happened I was a housewife and not political but now I feel strong; that I have an inner strength from claiming back my rights. But I still feel weak in front of my children when my son blames me for what we're going through and asks me 'when, when are we going back home?' and I'm unable to answer him."

Amani S, Jabal al-Mukabber: "I feel in a bad state psychologically. I feel sad about what has happened, the home we lost and I worry about my husband and the children. It has affected the children as well. My oldest child is in first grade and can't do his homework with all the noise and the lack of space. They fight amongst themselves and with their cousins and I'm unable to control their behaviour. Before they could have spent time in our own home with some privacy to get away from the other children but now there is no private space and there's nothing I feel I can do."

6. Conclusion and Findings



This report seeks to highlight the impact of forced evictions on women living in East Jerusalem. Across the city, women have been victims of forced eviction or are living with the threat of eviction, whether due to a pending house demolition or the claims of settler groups over their homes.

Our interviews confirm the known data which testifies to the severe lack of housing for Palestinians in East Jerusalem and the near impossibility of obtaining a building permit.³⁴ Women are therefore forced into poor living conditions, particularly as a result of overcrowding as their families grow. Women have described the difficulties of moving in with their parents-in-law and the consequent lack of privacy and private space and the impact this has had on their state of mind. Faced with no available alternative accommodation, and in order to improve their living conditions, women described channeling all their economic resources into improving their housing situation and building new homes.

This report testifies to the trauma experienced by women in the period prior to a demolition or eviction. The process of waiting: sometimes for many years with the threat of demolition or eviction hanging over them leads to anxiety, depression and trauma. This distress can also manifest itself in physical symptoms with some women describing stomach cramps, chest pains and high blood pressure. The study also documents the additional trauma caused by ongoing threats and intimidation from Israeli soldiers, police and settlers. One woman living in Bustan described Israeli soldiers coming for her 12 year old son in the middle of the night, and another described her fear of that happening to her son. The women, seeking to maintain normality for their children, against the backdrop of the threat of forced eviction and intimidation, face a daunting reality.

Our report testifies to the disproportionate force used in the process itself: demolitions and forced evictions being carried out by tens sometimes hundreds of armed Israeli soldiers and police. The brutality of the process can result in injury or arrest, adding to the trauma of losing a home.

The psychological and emotional impact of a forced eviction on women is documented in this report: the women describe anxiety and distress.³⁵ The women interviewed expressed particular concern about the impact on their children, who they saw as being disturbed and unsettled by the eviction and by the consequent move into overcrowded living conditions. Women are often the emotional centre and stabilising force in the family, and so they find themselves having to cope with their own anxiety whilst caring for others as well. If they are not able to overcome the trauma, their children will also suffer.

Our findings are supported by a study by Save the Children UK, which concluded that children's psychological health is closely associated with the parents' health.³⁶

Economic hardship is an almost inevitable consequence of forced eviction. This study reveals the enormous costs that families have to incur during often long and drawn out administrative and legal procedures, depriving themselves in order to secure a better home and life for their families. After eviction, the women have not only lost their home but also face poverty and the realization that the money they have spent has been for nothing.

The women interviewed testified to losing much more than a place to live. They have lost their privacy and personal space, their freedom and security. None of the women interviewed spoke of being provided with any alternative accommodation by the Israeli authorities after the forced eviction or of any services being provided to them. Many of the women moved in with their extended family, usually their husband's family, others into rented and often inadequate housing. Many spoke of overcrowded conditions and the effect of this on their own state of mind.

It is also important to mention the women who talked about being strengthened by their experiences. While two of the women from Sheikh Jarrah were deeply affected, economically, psychologically and even physically, they also spoke of being empowered and strengthened by becoming involved in the community resistance to the forced evictions. Some of the women in Bustan had also become involved in the community's public activities against the demolitions. This testifies to women's multifaceted role as mothers, wives and strong and resilient actors in political and community struggles.

The personal stories and experiences discussed in this report highlight the human effect of forcible eviction. They also illustrate the reality of Israeli policies over many decades which have created an acute housing deficiency for Palestinian residents. In order to meet the needs of their growing families, Palestinians are left with no option but to build homes without a permit or else leave Jerusalem altogether. Most refuse the latter option and consequently live with the threat of eviction, demolition and displacement.

Fundamental guarantees under international human rights law regarding adequate housing are routinely neglected and ignored by Israel. Displacement as a consequence of severe overcrowding or deprivation, or as a result of forced eviction, both amount to the grave breach of unlawful forcible transfer under international humanitarian law.³⁷ This report which highlights the particular impact of such issues on women, calls for urgent and concerted action by the international community to bring such practices to an end and to hold Israel accountable.

7. Recommendations

The findings and analysis in this study reveal serious violations of international law and enormous humanitarian consequences for the affected families. In light of these findings, we make the following recommendations:

Israeli Authorities

- Respect and implement the provisions of international humanitarian law and international human rights law to the Palestinian population of the oPt; particularly in respect of ceasing forced evictions and ensuring the fulfillment of the right to adequate housing
- Halt the forced evictions of Palestinians from their homes and re-instate those already evicted;
- Halt the demolition of Palestinian homes and compensate and re-house those already affected;
- Investigate and, where necessary, prosecute, settlers and soldiers committing acts of violence, including harassment, against families under threat of eviction or who have been recently evicted.

Palestinian Authority

- Advocate for the cessation of home demolitions in East Jerusalem and the oPt;
- Provide support for legal intervention and legal aid to assist families threatened with forced eviction;
- Monitor and document cases of forced eviction in the oPt including East Jerusalem;
- Ensure that financial support is given to families who have been evicted and ensure that they are provided with shelter in the aftermath of an eviction. Provide the necessary assistance to those affected by forced evictions through ensuring the provision of support and psycho-social counseling where necessary.

International Community

- Advocate for the cessation of forced evictions in East Jerusalem;
- Raise the issue with the Special Rapporteurs and otherwise within the UN System including with the Secretary General, at the Human Rights Council and the Security Council;
- Raise the issue with the High Contracting Parties to the Geneva Convention to compel Israel to comply with its obligations ensuing from the Fourth Geneva Convention.

International and local NGOs and Women's Organisations

- Provide training and education to local communities, particularly women, on their right to secure tenure and their rights in relation to eviction;
- Develop and provide programs for the rehabilitation of communities, particularly focusing on providing emotional and psychological counseling for affected families;
- Provide financial assistance to families affected by forced eviction, particularly to women, to counter poverty caused and exacerbated by forced eviction.
- Utilise international human rights mechanisms such as CEDAW and the Special Rapporteurs to raise the issues in this report and their impact on women.



Home demolition in Khirbet Tana
Photo: EAPPI

8. Endnotes

¹ COHRE, “Violence: the impact of forced evictions on women in Palestine, India and Nigeria”, p.4 available at <http://www.cohre.org/store/attachments/COHRE%20Women%20Forced%20Evictions%202002.pdf>

² The Law and Administration Ordinance (Amendment No.11) Law and the Municipalities Ordinance (Amendment No.6) Law, authorised the extension of Israeli law and administration to East Jerusalem and empowered the Interior Ministry to unilaterally enlarge the municipal boundaries of East Jerusalem.

³ UN General Assembly, *Resolution 2253 (ES-V)*, July 4th, 1967.

⁴ For example, it is a violation of Article 2(4) of the United Nations Charter which prohibits the acquisition of territory through military conquest. This is a peremptory norm of international law, the violation of which would be a ‘serious breach’ entailing third party responsibility.

⁵ UN Security Council, Resolution 478 (1980). Adopted 20 August 1980, S/RES/478(1980) and Security Council Resolution 672 (1990). Adopted 12 October 1990, S/RES/672 (1990).

⁶ Advisory Opinion Concerning the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, International Court of Justice (ICJ), 9 July 2004, para. 78

⁷ *Ibid*, para. 77

⁸ Human Science Research Council, *Occupation, Colonialism, Apartheid?: A re-assessment of Israel’s practices in the occupied Palestinian territories under international law, May 2009*

⁹ *Ibid*, p.150

¹⁰ UNOCHA, “The Planning Crisis in East Jerusalem: Understanding the phenomena of “Illegal” construction” in Special Focus, (April 2009), p.2.

¹¹ Article 53, Fourth Geneva Convention

¹² Displacement Working Group, Demolition Summary Table, 2009.

¹³ UNOCHA, “Sharp Increase in Demolitions and Displacement in the West Bank”, update July 2010.

¹⁴ UNOCHA, ‘Sheikh Jarrah’. August 2009, p 1, available at http://www.ochaopt.org/documents/ocha_opt_shiekh_jarrah_english_2009_08_15.pdf

¹⁵ B'tselem, 'Jerusalem Municipality plans to demolish 22 houses in Silwan', 28 June 2010, http://www.btselem.org/English/Jerusalem/20100628_JM_Municipality_plans_to_demolish_22_houses_in_Silwan.asp

¹⁶ UNOCHA, "The Planning Crisis in East Jerusalem: Understanding the Phenomenon of "illegal" construction', p2

¹⁷ The Civic Coalition for Defending Palestinian Rights in Jerusalem, "Aggressive Urbanism: Urban Planning and the Displacement of Palestinians from within and from Occupied East Jerusalem", December 2009. A detailed description of the process can be found on p13-23. Also see CCDPRJ, "42 Years of Occupation: Jerusalem File" which estimates the cost of obtaining a permit and associated costs at \$109,492. (p.99)

¹⁸ Ir Amin, State of Affairs – Jerusalem 2008, December 2008, p.30.

¹⁹ UNOCHA, "The Planning Crisis in East Jerusalem: Understanding the Phenomenon of "illegal" construction", p18

²⁰ For example, the Gafni Committee which determined that the "demographic balance of Jews and Arabs must be maintained at what it was at the end of 1972L 73.5% Jews and 26.5% Arabs." This was cited in B'tselem. "A Policy of Discrimination: land expropriation, planning and building in East Jerusalem". May 1995, p 31.

²¹ See M.Margalit, "The New Jerusalem Master Plan", Palestine-Israel Journal of Politics, Economics and Culture, Vol.12, No.1, 2005.

²² Committee on Economic, Social and Cultural Rights, General Comment 7, The Right to Adequate Housing (article 11(1): Forced Evictions, 05/20/1997, para.3

²³ UN Human Rights Committee, General Comment 16, (Twenty third session, 1988), The right to respect of privacy, family, home and correspondence, and protection of honour and reputation (Article 17), 08/04/88, para.8

²⁴ Human Rights Watch, "Israel: New Peak in Arbitrary Razing of Palestinian Homes", August 19,2010 available at <http://www.hrw.org/en/news/2010/08/19/israel-new-peak-arbitrary-razing-palestinian-homes?tr=y&auid=6892590>

²⁵ Ratified by Israel on 3 January 1992

²⁶ Article 11: "The State Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of his living conditions. The State Parties will take appropriate steps to ensure the realisation of this right, recognising to this effect the essential importance of international co-operation based on free consent."

²⁷Committee on Economic, Social and Cultural Rights, *General Comment 4 - The Right to Adequate Housing (article 11(1), 13/12/91 at paragraph.18*

²⁸ Committee on Economic, Social and Cultural Rights, *General Comment 7 -The Right to Adequate Housing (article 11(1)): Forced Evictions*, 20/05/1997, para.11

²⁹ Committee on Economic, Social and Cultural Rights, *General Comment 7- The Right to Adequate Housing (article 11(1)): Forced Evictions*, 20/05/1997, para.10

³⁰ Concluding Observations of the Human Rights Committee, 99th Session, 12-30 July 2010, CCPR/C/ISR/CO/3, para.17

³¹Convention IV relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949, Article 27.

³² Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part) Geneva, 12 August 1949, Article 53

<http://www2.ohchr.org/english/law/civilianpersons.htm>

³³ See further on this, Expert Opinion by Dr Yukata Arai, Amicus Brief on the Direct or Indirect Transfer of Palestinians within the Occupied Territories, 1 July 2010 available at <http://www.hamoked.org/files/2010/110528.pdf>

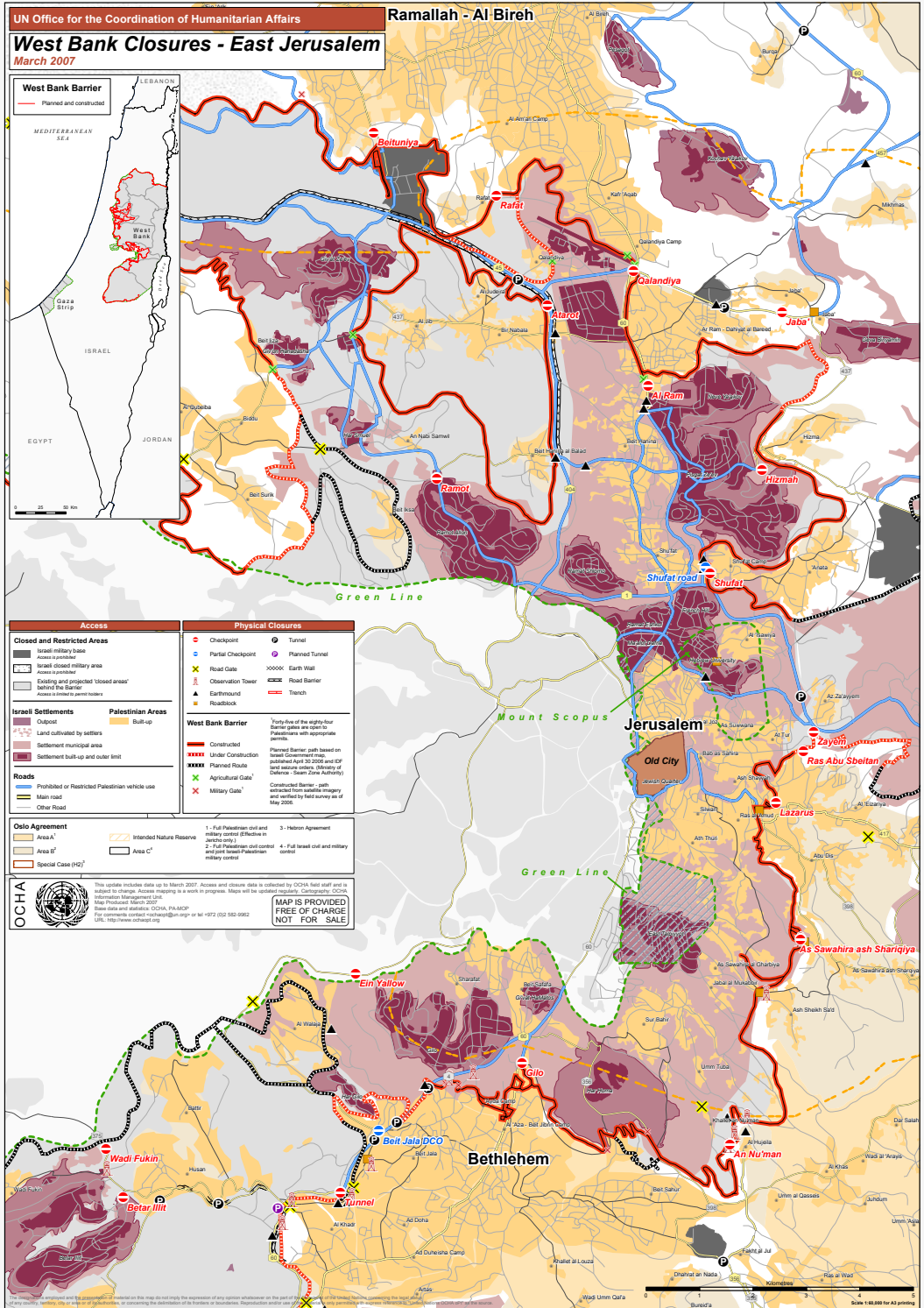
³⁴ See The Civic Coalition for Defending Palestinian Rights in Jerusalem, “Aggressive Urbanism: Urban Planning and the Displacement of Palestinians from within and from Occupied East Jerusalem”, December 2009 and UNOCHA, “The Planning Crisis in East Jerusalem: Understanding the phenomena of “Illegal” construction. Special Focus, (April 2009)

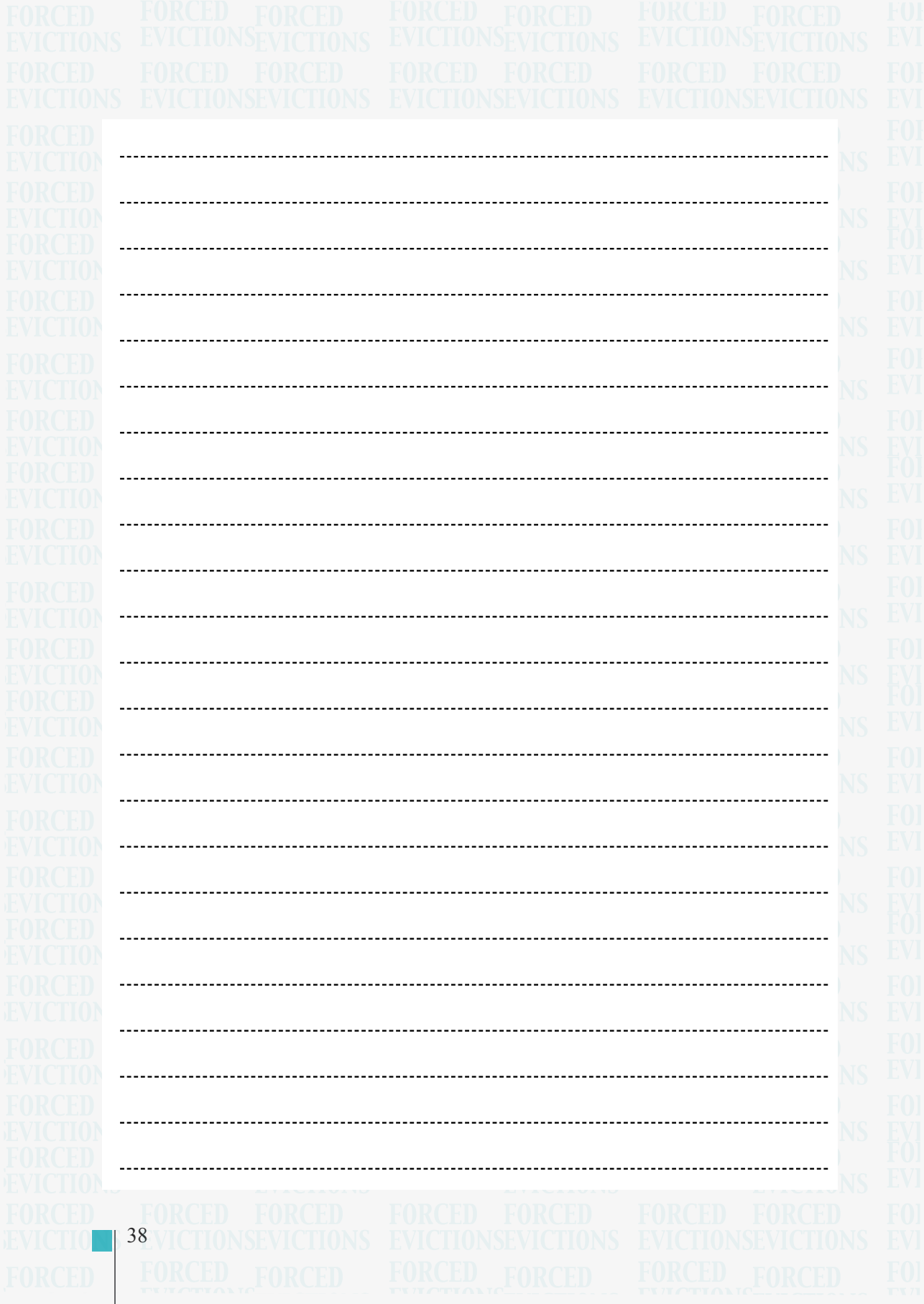
³⁵ A study by Save the Children UK, “Broken Homes”, 2009 found trauma related deterioration in parents’ mental health, while one-third of the parents interviewed for the study were in danger of consequentially developing mental health disorders. (p38)

³⁶ Ibid, p.39

³⁷ The Civic Coalition for Defending Palestinian Rights in Jerusalem, “Aggressive Urbanism: Urban Planning and the Displacement of Palestinians from within and from Occupied East Jerusalem”, December 2009, p.58-59

9. Map of East Jerusalem





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