

Coalition of NGOs for Defense of Palestinian Jerusalemites' Rights
Report on the Israeli Violations within Jerusalem in 2006 (January – June)

Introduction: -

The Coalition has registered the following Israeli violations within Jerusalem's "municipal boundaries", that is the areas that were annexed to Israel by force. Observations and follow up carried out by the research and documentation unit in the Coalition support this report.

Summary

The Israeli government continues to practice various forms of discrimination against Jerusalemites. This is manifest in the daily violations of the Palestinians' rights in Jerusalem. The year 2006 has witnessed an expedited completion of the Apartheid Wall in Jerusalem, in addition to the transformation of the Kalandia checkpoint into an "international terminal". Jerusalemites have suffered because of the continuous closures that have accompanied construction of the Apartheid Wall in Dhahiet alBarid and alRam in the north of Jerusalem and in Bethany, Abu Dis, and Sheikh Sa'ad and in the process of isolating the Shu'fat refugee camp from the Ras Khamis neighborhood. Additionally, the Israeli prime minister Ehud Olmert has ordered that all openings in the Wall must be blocked with barbed wire fencing in the Jerusalem area temporarily until the Apartheid Wall is completed.

The most drastic violation was cancelling four Jerusalemites' residency rights because they belong to the Hamas movement. This constitutes one of the measures against Palestinian Jerusalemites' right to political representation in Jerusalem since the preparation for the last legislative elections to date. These regulations are part of an official Israeli policy that aims at judaizing Jerusalem through terrorizing the inhabitants and preventing them from participating in Palestinian political life as Israel worked to obstruct the electoral process within Jerusalem that was annexed by force and by hindering the work of parliamentarians elected by Jerusalemites.

Table Summarizing the Violations:

Violation	Number of Cases	Victims	Results
Life threats	1	1	Murder
Persecution	5	13	Inflicting bodily harm
Demolition	20	147	House demolitions
Shooting at checkpoints	2	6	Inflicting bodily harm
Obstructing Parliamentarians' and government officials' work	12	7	- Arrest / detention - Cancelling functions

			- Prohibiting passage
Obstructing electoral campaigns of Legislative Council candidates	12	38	-arrest -Inflicting bodily harm
Seizing houses	4		Forcing 30 individuals to leave their houses
Imposing Fines	5		If fines are not paid the houses are demolished
Identity Card Confiscation	4		Prevention from residence in Jerusalem
Obstructing freedom of worship	10	Thousands of worshipers	Preventing worshipers from reaching their holy places
Obstruction of movement	23-30 cases daily	Thousands of citizens	Negative repercussions on education, health and the economy.

1. Life Threats and the Infliction of Bodily Harm:

Article 3 of the International Convention on Human Rights issued on the 10th of December 1948 stipulates that “each individual has the right to life, freedom and personal safety”, while article 5 of the same declaration prohibits the exposure of any individual to torture, punishment, cruel treatment, barbaric treatment or humiliation.

However, Israeli practices and measures are in conflict with these declarations, as the policy of tightening the closure through the checkpoints has led to killing a Palestinian and threatening the life of five others. In addition, thirteen Palestinians have been beaten and tortured in various conditions.

Death of a Palestinian beaten at a checkpoint¹

Shehadeh Ahmad Shehadeh Khanafseh (53 years old) from abu Dis fell victim to the inhumane practices of the Israeli occupying army at the checkpoints and military gateways surrounding Jerusalem. On Tuesday 23/5/2006 the occupation authorities stopped Mr. Khanafseh at the Sheikh Sa’ad checkpoint south east of Jerusalem, they assaulted him and prevented him from reaching alMakassed hospital for treatment, which led to his immediate death. The medical report issued by alJinan medical center states that the abovementioned individual was already deceased when he reached the center and bruises and injuries were evident on his body indicating that he had been beaten up. His

family also stated that he suffered from a number of ailments including high blood pressure, diabetes and heart problems.

Shooting at Checkpointsⁱⁱ

At approximately 6:30 in the evening of Sunday 26/2/2006, the Israeli soldiers stationed at the permanent military checkpoint established at the western entrance to the town of 'Anata to the north east of East Jerusalem started shooting at a number of Palestinian civilians who were protesting because an Israeli soldier had harassed a young Palestinian woman. Two of the protesters were injured by the shooting. They were – Hatem Muhammad Karshan -19 years old from 'Anata, who was hit in the stomach and his injury was described as serious. The second person was Wa'el Sami al Sirisi – 21 years old from Kalandia refugee camp, who was hit in the leg.

On 30/3/2006 three Palestinians from Shu'fat camp were injured during confrontations that broke out at the military checkpoint at the entrance of the camp. The incident was sparked by a female soldier who harassed one of the Palestinian workers – Ismael Zighari, who was passing through the checkpoint. After she swore at him people gathered around them; this resulted in more military "backup" forces being called in and shots being fired into the air, in addition to tear gas in order to disperse the crowd. Confrontations then took place and the soldiers hit the Palestinians with their batons injuring the following – Mustafa al Faqih 40 with a serious injury to the head, Mu'awiyah al Dabit 31 with a broken nose, Jamil Sandouka with injuries to his arm; they were all taken to the clinic in the camp for treatment.

Persecution of a Jerusalemite Familyⁱⁱⁱ

On Wednesday 31/5/2006 Judeh Bibers 34 and Majed Khamis 33 were injured when the immigration department employees shot at them upon raiding the Bibers household with the excuse that they had documents allowing them to confiscate the contents of the house. According to an affidavit by Nader Bibers the injured Judeh's brother, the attack on his brother and their friend Majed Khamis took place after a fist fight with three officials who had brutally barged into the house after knocking his mother down.

At approximately 12 noon on Thursday 30/3/2006 tens of Palestinians gathered in al Zahra Street in occupied East Jerusalem to commemorate Land Day. The Israeli border police immediately attacked the demonstrators and beat them up; then they arrested two of them and two journalists. The Palestinians arrested were – 'Isam Abu Libdeh 19, Nidal Ibrahim Abu Gharbieh 30, and the journalists Naser Abdul Jawad Saleh 45 and Muhammad Abu Khdeir 43. They were all taken to the detention center at al Maskobiyya in West Jerusalem and were released later.

Assault on Five Young Palestinians at the Central Court in Jerusalem

On 8/5/2006 the guards at the central court in Jerusalem attacked five young men from Shu'fat camp along with their families during a session looking into their case, as the five Palestinians had been charged with security accusations. They are Mu'taz Haron 'Anati, Muhammad Jamal Rushdi 17, Kathem Abu Sneneh 20, Muhammad Farhat 20,

Muhammad Fawwaz 16 years old. Mu'taz 'Anati's mother stated that the families were assaulted when they tried to come close to their children to greet them. Her husband was arrested and ambulances were called to treat the families!

Assaults by Settlers

Saleh Husein Dweiyat 27 from Sur Baher, who is a taxi driver was attacked by settlers in Jabal al Mukabber. This took place on the evening of 2/6/2006 when he was stopped by a number of settlers at a late hour. They started beating him up for no reason whatsoever; as a result his leg was broken and he incurred head injuries. He lay on the ground for half an hour until another Palestinian driver from the same neighborhood passed by chance and took him to Sha'areh Tsedek Hospital.

2. House Demolitions

Article 53 of the Fourth Geneva Convention declares that it is "forbidden for an occupying state to destroy any movable or immovable private property belonging to individuals, groups states, public authorities, social organizations or cooperatives unless military operations require such destruction." It is important to mention that this intervention should be limited according to security needs. Thus it is obvious that the occupying authorities do not have the right to demolish Jerusalemites' property as they are practicing their natural right to build houses to provide shelter for their families; and especially since so many Israeli measures are taken to obstruct their obtaining a building license with the aim of limiting Palestinian presence in Jerusalem.

Within the Israeli agenda of ethnic cleansing, 19 houses were demolished completely and one partially, whilst enormous fines were issued to five Palestinians with the excuse that they had built without a license and five houses in the Silwan area and two in al Tur areas in Jerusalem were confiscated and taken over by settler groups. In addition, 20 dunums were confiscated in the Ras Khamis area.

House Demolitions in Jerusalem during the Period covered by the Report^{iv} 01/01/2006 – 30/06/2006

Demolition Date	Name of House Owner	Location	Square meters	Number of family members
1/3	Ziyad Jawad al Musha'she'	Hizma road – Beit Hanina	163	6
1/3	Usama Kathem Abu Khalaf	Hizma Road – Beit Hanina	400	20
1/4	Halimeh Abu Rizek	'Ein al Juweiza – al Walajah	150	10
1/16	Ahmad Abd al Razzak Siam	Silwan – 'Ein al Lawza	60	7
1/16	Zakariyya Muhammad	Al Ashqariyyah – Beit Hanina	120	6

	Hjeij			
1/29	Husein 'Izzat al Kiswani	Hizma Road – Beit Hanina	220	10
1/31	Mahmoud Ahmad Ismael al Araj	Ein al Juweiza – al Walajah	100	6
1/31	Munther Mahmoud 'Abdul Qader Salem	Ein al Juweiza – al Walajah	130	5
January 2006			1433	70
2/3	Ibrahim Ishaq Abu Khdeir	Al Kharayeb – Beit Hanina	450	6
2/3	Khader Ishaq Abu Khdeir	Al Kharayeb – Beit Hanina	450	4
2/14	Farid Muhammad Abu al Dab'at	Al Shayyah-East Sawahreh	200	7
2/14	Naseem Lutfi Ahmad Siam	Al Farouq Neighborhood – al Mukabber	65	3
February 2006			1165	20
3/22	Mustafa Khalil Salem Abu al Teen	Al Walajah	70	8
3/22	Khader Mahmoud Thiab	Al Walajah	110	10
March 2006			180	18
4/11	Wijdan Muhammad Ubeid	Al Eiyasawiyah	80	9
4/26	Zeid Zeidan Jaber	Al Zuayyem	140	10
5/9	Muhammad 'Id al Ja'bari	Beit Hanina	150	7
5/9	Barakat Abu Sarhan	Jabal al Mukabber	90	7
5/17	Abdul Qader Abu Snehneh	Wadi al –Joz	Partial demolition	
6/20	'Ali Khalil Abu Tayr	Um Tuba	70	6
April – June 2006			450	39
Total during 6 months			3228	147

Fines Imposed due to Lack of Licensing

On Sunday 7/5/2006 the Court dealing with building licenses at the Jerusalem municipality issued a decision to fine Samia Hdeidoun a sum of 250,000 Shekels as her house in Jabal al Mukabber area was not licensed. Despite the fact that her house only has a corrugated iron roof, the court required her to issue a license within a year of imposition of the fine.

On 8/5/2006 four families consisting of 33 individuals living in the “Wadi Abu ‘Ali” area in Jabal al Mukabber received a warning to pay enormous fines or have their houses demolished:-

Name	Area of Houses	Fine in NIS
Mahmoud Omar Abu Hussein	100	40,000
Fatima Najeeb Abu Hussein	70-100	30,000
Intisar Mahmoud Abu Hussein	70-100	30,000
Aminah Naser Abu Hussein	70-100	30,000

House Confiscation

On 29/3/2006 the occupation forces confiscated three buildings in Silwan and al Tur neighborhoods. The occupation forces handed a letter to the Ghuzlan family at exactly 7:40 stating that they had to leave the five houses belonging to the heirs of Haj Ibrahim Ghuzlan al ‘Abbasi within half an hour; and after less than ten minutes they stormed into the houses by force and threw out their inhabitants (more than 30 individuals), and the furniture. The houses were then declared to be property of the “Israeli Land Department”.

Similarly on 29/3/2006 two buildings were seized in the Tur area overlooking the Old City and al Aqsa Mosque. A series of advertisements issued by individuals from East Jerusalem disclosed the fact that their property had been sold through agents living in nearby Arab countries. The two buildings were bought by a company under the name of “Lubel Investment” and then ownership was transferred to “Il’ad” settlement society. The first building is composed of four storeys and belongs to the Abul Hawa family and the second is composed of three storeys and belongs to the Kiswani family.

Land Confiscation

On 21/3/2006 the Israeli Defense Ministry handed a number of residents of the Ras Khamis and Ras Shihadeh neighborhoods in the Shu’fat refugee camp orders indicating that their lands had been confiscated (approximately 20 dunums).

3. Siege and Movement Restrictions^v

The importance of the right to freedom of movement emanates from the fact that this right is an essential condition for the achievement of other rights enshrined within the International Convention on Economic, Social and Cultural Rights, such as the right to work (article 6), the right to appropriate living conditions (article 11), the right to health (article 12), the right to education (article 13) and the right to protect family life (article 10).

The occupation forces continued, during the period covered by this report, to impose increasing restrictions on the movement of Palestinians within occupied Jerusalem. The soldiers posted at the permanent and mobile checkpoints carry out checking procedures very slowly, which causes traffic jams. Cars have to queue for hours before they are allowed to pass, so employees are unable to reach their places of work on time. Similarly, students are late for their schools and universities. Also within the framework of the closure and siege policy, the number of days during which the entrances to the holy City were closed and Palestinians' movement into it was restricted reached 30, during the six month period of this report. Worshippers were unable to reach their place of worship 11 times during the period covered by this report and 23 cases of restriction of movement into and out of Jerusalem were registered, either due to "flying" checkpoints or closure of entrances into the City. Jerusalemite Parliamentarians' and government officials' work was obstructed 12 times and 7 Palestinian officials were affected. The electoral process for the Legislative Council was hindered in Jerusalem, as candidates were prevented from launching their electoral campaigns. Many candidates and their supporters were arrested, had their movement restricted or had their functions cancelled. Electoral campaigning was obstructed 12 times and 38 people were directly affected due to arrests, beatings or detention.

4. The Wall^{vi}

The International Court of Justice in The Hague decreed in its decision issued on 9/7/2004, with a vote of 14 for and 1 against, that the Separation Wall built by Israel on Palestinian lands is against international law. It requested Israel to stop building the Wall, to pull down the parts already completed and to pay compensation to all Palestinians who have incurred losses including those living in East Jerusalem and its environs.

The Court also called upon all countries to refuse to recognize the illegal situation resulting from building the Wall. It also called upon the United Nations and the UN Security Council to look into further measures to terminate the illegal situation created by the Wall.

On 30/4/2006, the Israeli government ratified the establishment of a temporary fence around occupied East Jerusalem in the areas where the Wall has not yet been completed. The next morning, Monday 1/5/2006 the occupation authorities placed barbed wire fencing around Shu'fat refugee camp and the neighboring Ras Khamis area north of occupied East Jerusalem. The fencing which was placed around the camp to the west indicates that it will be isolated from Jerusalem even though it is considered a natural extension of the City. According to the UNRWA report issued in 2004, the number of

refugees in the above mentioned camp, which was built in 1965 and 1966, is approximately 10,290 and they carry blue (Israeli) ID cards. The isolation of the refugee camp from the City has affected their ability to reach vital facilities such as schools, universities and health centers in the City. In addition to all that it will be difficult for many inhabitants outside the refugee camp to reach many services in Shu'fat; this will also be the case concerning reaching the social rehabilitation center visited by 20% of the patients who live in areas that will be located "within" the Wall. UNRWA reports also mention that some public services that Jerusalemites benefit from will become inaccessible to inhabitants of the camp.

Observers of recent Israeli measures in Dhahiet al Barid / al Ram can sense how confused Jerusalemites have become due to work on the Wall , whereby the Dhahieh junction will undergo some developments , especially after the completion of the Wall , which has excluded the Jabal Sumud area of Dhahiet al Barid. The Wall will continue downhill to connect to the section already completed down the middle of the main road from al Ram; thus the area will be closed completely and people will be unable to reach Jerusalem except through the Hizma military checkpoint or the Kalandia "terminal", after the Beit Hanina checkpoint was closed down and does not allow anyone to pass except those carrying cards indicating that they work at one of the international organizations in the area. Passing through these checkpoints and terminals is not easy , as one could suddenly find a "flying" checkpoint near the village of Jaba' while going to the Hizma checkpoint , which means that Palestinian Jerusalemites will be exposed to harassment (bodily and document checks) twice and no consideration whatsoever is given to wasting people's time, while they are on their way to work, school or the clinic.

5. Placing Movement Restrictions on Government and PLC members^{vii}

Article 21 of the International Convention on Civic and Political Rights states that individuals have the right to peaceful congregation and that it is forbidden to place restrictions on this right; unless they are done legally and due to necessity in a democratic society, in order to maintain national security, public safety, public order, public health, public ethics or to protect other people's rights and freedoms. However, the Israeli government has targeted Palestinian political representation in Jerusalem. Whereby the number of times that Palestinian Legislative Council members and government officials' work has been impeded reached 12 and 7 Palestinian officials were affected due to detention , prevention from access, or the cancellation of functions.

6. Assaults against Institutions

Israeli policies to close down Palestinian institutions in Jerusalem and to invade others or to harass its members are in breach of article 22 of the International Convention on Civic and Political Rights which states that :

1. Each individual has the right to form societies with others, including the right to form unions and to join them to protect his/her rights.
2. It is forbidden to place restrictions on this right; unless they are done legally and due to necessity in a democratic society, in order to maintain national security, public safety, public order, public health, public ethics or to protect other people's

rights and freedoms. This article does not impede the force of implementing the convention on military personnel and policemen to uphold this right.

At approximately ten o'clock on Thursday 30/3/2006, the Israeli army, accompanied by police forces raided the town of Sur Baher to the South East of occupied Jerusalem. They stormed into The Cultural Forum and searched its premises. Witnesses stated that the Israeli forces destroyed the contents of the Forum and confiscated all the documents, files and a number of its computers. It is important to note that this society has been functioning legally since 1992 and provides cultural, educational and entertainment activities to the population.

7. Identity Card Confiscation and Deportation

Expelling members of the population in the occupied territories and deporting them to another area in the occupied territories or outside these territories is prohibited according to International Humanitarian Law.

On Friday 3/6/2006 the Israeli Minister of Interior, Roni Bar Ot revoked the Identity Cards of four Palestinian Jerusalemites from Hamas and they are: - Eng. Khaled /Abu 'Arafah, the Minister for Jerusalem Affairs, and PLC members Muhammad Abu Ter, Muhammad Totah and Ahmad 'Attoun. It should also be noted that they received threats to either resign or lose their right to reside in their city, on Monday 20/5/2006 at the Israeli Police Station – al Makobiyyah and were handed the Ministry of Interior's decision.

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- ⁱ Jerusalem Center for Democracy and Human Rights
ⁱⁱ News Agencies and Human Rights Associations
ⁱⁱⁱ Jerusalem Center for Social and Economic Rights
^{iv} Table of House Demolitions until April 2006 – The Land and Population Research Center
^v News Agencies and Human Rights Associations
^{vi} News Agencies and Human Rights Associations
^{vii} News Agencies and Human Rights Associations