

Jerusalem: A City on Edge

Women's Centre for Legal Aid and Counselling



May
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**Women's Centre for Legal Aid and Counselling
(WCLAC)**

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“All measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel’s policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention...and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.”

United Nations Security Council resolution 465
Adopted 1 March 1980

A. Introduction	8
B. Overview	11
C. Some facts and figures	13
D. Day-to-day realities arising from the annexation of East Jerusalem	17
Family re-unification and residency rights	20
Building permits and home demolitions	22
Settler violence and encroachment	26
Police violence, night raids and arrests	32
Restrictions on freedom of worship	38
E. Concluding words	39
Annexure A – Evidence schedule	42
Annexure B – Testimonies (Family re-unification and residency rights)	46
Annexure C – Testimonies (Building permits and demolitions)	54
Annexure D – Testimonies (Settler violence and encroachment)	64
Annexure E – Testimonies (Police violence and arrests)	70
Annexure F – Testimonies (Night raids)	79
Annexure G – Testimonies (Restrictions on freedom of worship)	86
End notes	92

Note on language: This report uses historic Palestine to refer to the area between the Jordan River and the Mediterranean Sea prior to 1948. After 1948 and the establishment of the state of Israel, this area is referred to as the State of Israel, and Palestine. Palestine refers to the West Bank, the Gaza Strip and East Jerusalem, also known as occupied Palestinian territory. The General Assembly of the United Nations accorded Palestine non-member observer State status in November 2012. After that date the report refers to Palestine as State of Palestine.







A. Introduction



Marwan Hamad

The Women's Centre for Legal Aid and Counselling (WCLAC) was established in Jerusalem in 1991 with the aim of developing a democratic Palestinian society based on the principles of gender equality and social justice. WCLAC aims to address the causes and consequences of gender-based violence within the community as well as the gender-specific effects of prolonged military occupation. WCLAC provides legal aid and counselling services, offers emergency shelter, builds capacity for better services to women, works on legal reform and policy developments, and monitors and documents violations of human rights as a consequence of the conflict.

In 2012, the European Union (EU) and Oxfam joined forces with WCLAC and five other Palestinian organisations to establish the Jerusalem Project (the Project) to protect the rights and improve the resilience of vulnerable communities in East Jerusalem.¹ The purpose of this three-year project is to strengthen some of the most vulnerable communities in East Jerusalem. Between the Wall, checkpoints, police brutality, closures and administrative hurdles, communities in East Jerusalem have become more fragmented than ever. Tension in the city is high, and Israeli settlements in the heart of Palestinian communities have put residents at an increased risk of violence. City services in Palestinian communities are often lacking, leaving many residents without adequate rubbish collection, clean water or sanitation, leading to public health concerns and contributing to a low quality of life.

In order to improve residents' day-to-day lives, the Project aims to mobilise communities and empower them to better meet their own needs. The Project holds workshops on emergency preparedness and first aid so communities are better prepared for violent outbreaks, closures and other emergencies. To help residents avoid displacement, the project offers information on residency rights, including legal assistance that empowers them to claim their right to live in Jerusalem.

This report is one part of the Project. This is the second in a series of reports under the Project, the first being: *Jerusalem: A City Divided*, published in September 2014, which focused on some of the historical aspects of the conflict in relation to Jerusalem.² This, the second report, focuses on some of the current pressures facing Palestinian communities in Jerusalem as seen through the eyes of women. The report is based on testimonial evidence collected by WCLAC from women living in East Jerusalem with a focus on: family reunification and residency rights; building permits and demolitions; settler violence and encroachment; police violence, night raids and arrests; and freedom of worship. The aim of the report is give voice to Palestinian women living in East Jerusalem and shed light on some of the personal stories behind the headlines.

In June 1967, the temporary ceasefire agreements that followed the 1948 war collapsed. Within six days Israeli forces had occupied East Jerusalem, the West Bank and the Gaza strip, effectively gaining control over all of historic Palestine.³ Regardless of the causes of the war and who may have been at fault, international law precludes the acquisition of sovereignty over conquered or occupied territory in such circumstances.⁴ In accordance with this principle, the Security Council passed a binding resolution in November 1967 calling for the “withdrawal of Israeli forces from territories occupied in the recent conflict.”⁵

However, instead of withdrawing from the recently occupied territory as required under international law, the Israeli government sought to cement its control over East Jerusalem by further expanding the eastern boundaries of the city by approximately 71 square kilometres; applying its civilian legal system to these areas; and encouraging Israeli civilians to settle there. In 1980, Israel took further steps to formalise this process of unlawful annexation when the Knesset passed the Basic Law: Jerusalem, Capital of Israel – declaring all of Jerusalem to be the “complete and united” capital of Israel.

The Security Council immediately responded to this unilateral move by passing a binding resolution declaring that “all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel’s policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention ... and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East”⁶

Since 1967, the legal status of East Jerusalem as occupied territory has been authoritatively confirmed on multiple occasions by the UN Security Council⁷, the International Court of

“The continuation of negative trends into 2015 is likely to increase frustration and tensions and trigger new rounds of violence, especially in the absence of a political resolution on the horizon to end the occupation and conflict.” – (UN Office for the Coordination of Humanitarian Affairs – Dec 2014)

Justice (ICJ)⁸ and the International Committee of the Red Cross (ICRC).⁹ Further, no state currently maintains an embassy in Jerusalem consistent with a policy of non-recognition of Israel’s unilateral annexation of East Jerusalem in accordance with the well established principles of international law and the non-acquisition of territory through aggression.

Be that as it may, successive governments continue to cement Israel’s control over East Jerusalem in a process that is making the resolution of the conflict based on a two state solution impossible and condemning future generations to a continuous cycle of violence.

A faint, stylized illustration in a light orange color serves as a background. It depicts a building with a prominent clock tower on the left side. To the right of the building, there is a large, leafy tree. The entire scene is rendered in a simple, graphic style with clean lines and flat colors.

C. Some facts and figures

East Jerusalem currently includes the old city and an additional 71 square kilometres of land which was designated as part of Jerusalem by the Israeli authorities in 1967. The area has a population of approximately 500,000 of which 60 per cent are Palestinians. The remaining 40 per cent are Israeli citizens living in settlements constructed after 1967 in violation of international law.¹⁰

Following 1967, the majority of Palestinians within the expanded boundaries of the city were given conditional residency status by the Israeli authorities which is capable of being revoked. Evidence collected by WCLAC indicates that this lack of permanent status adds to the general sense of insecurity that pervades Palestinian society living in the city.

As permanent residents of Israel, Palestinians in East Jerusalem are required to pay Israeli taxes and are in theory entitled to all the rights and services provided to Israeli citizens, except the right to vote in general elections. In reality however, evidence suggests that Palestinians in the city receive a smaller

“For the past three years our water has been regularly cut off. We then have to buy bottled water for drinking and cooking which is expensive for us. Sometimes I feel frustrated and tired of all this, but then everyone is going through the same thing so I must be strong and patient until there is a solution.”

- (D.S. – 13 March 2014) (Shu’fat refugee camp)

proportion of municipal public spending resulting in inferior services in East Jerusalem. So, for example, it has recently been reported that only 64 per cent of households in East Jerusalem are officially connected to the water infrastructure; there is a shortage of approximately 30 kilometres of sewage pipes; and whilst there are 40 post offices in West Jerusalem there are only 8 in East Jerusalem servicing Palestinian neighbourhoods. Perhaps most disturbingly, 75 per cent of the residents in East Jerusalem are living below the poverty line, including 84 per cent of children.¹¹

Whilst the population in East Jerusalem has grown significantly since 1967, only a small proportion of the land is zoned for Palestinian construction, much of which is already built on. This leaves very little opportunity for orderly and planned growth in Palestinian neighbourhoods and Israeli issued building permits are difficult to obtain. The result is a significant level of “unauthorised” construction in order to accommodate natural growth in the Palestinian neighbourhoods with the constant threat that these homes will be demolished by the Israeli authorities for lack of permits.

Another factor that contributes to a sense of insecurity and rising tension relates to restrictions on the right of Palestinians to move freely in and out of East Jerusalem. Palestinians with Jerusalem IDs must navigate a system of checkpoints if they wish

to visit the West Bank and in some cases are separated from the urban centre of the city by the Wall. This in turn leads to the fragmentation of Palestinian society and a sense of isolation.

Inevitably these issues contribute to the sense of insecurity and tension in the city. This, in turn, explodes periodically into civil unrest and violence. Further, the policy of successive Israeli governments to settle Israeli citizens in East Jerusalem in violation of international law is a highly provocative act and a major contributing factor to the outbreak of violence, resentment and a general sense of injustice. In response to the rising tension, Palestinian women frequently report an increase in Israeli police brutality including night-time raids on family homes and the arrest of young men and minors.

In recent times, both the UN and EU have warned that if these trends continue, and there is little reason to suggest that they will not, the city is likely to experience further periods of unrest and violence. It is generally accepted that only a political solution based on accepted international legal principles is likely to avert this reality although the opportunity for this to occur is diminishing on a daily basis.

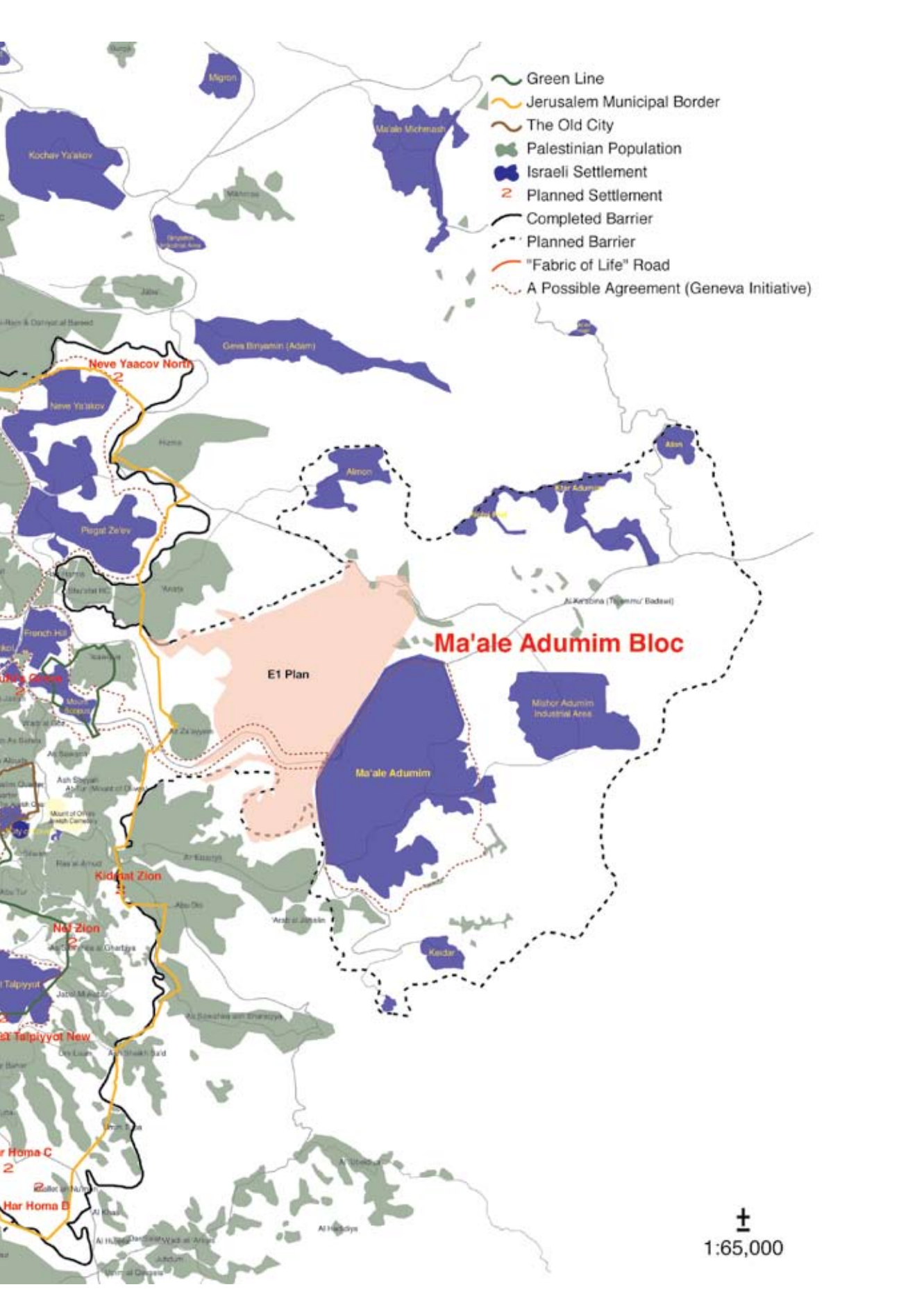
Under the Project, WCLAC field researchers have collected representative samples of testimonies from women living in the city focussing on the issues that most concern them. These issues include: family re-unification and residency rights; building permits and house demolitions; settler violence and encroachment; police violence, night raids and arrests; and restrictions on the freedom of worship. Under the Project, WCLAC has collected 105 testimonies from women living in East Jerusalem and the common themes running through each one is a sense of insecurity and injustice arising out of the lack of accountability and the absence of a political solution.



Marwan Hamad



*D. Day-to-day realities arising
from the annexation of East
Jerusalem*



Family re-unification and residency rights

Following 1967, the majority of Palestinians within the expanded boundaries of the city were given conditional residency status capable of being rescinded by the Israeli authorities. During the intervening period it is estimated that at least 14,000 Palestinians have had their Jerusalem residency status revoked including 107 individuals during the past year.¹² Evidence collected by WCLAC under the Project indicates that this lack of permanent status adds to a general sense of insecurity that pervades Palestinian society living in the city.

Another factor that contributes to the sense of insecurity and raises tension relates to restrictions on the right of Palestinians to move freely in and out of East Jerusalem. Access to the city from the West Bank is controlled by a combination of physical (military checkpoints and the Wall) and administrative obstacles (Israeli issued permits and ID cards). Palestinians from the West Bank who are able to obtain permits can only use four of the 13 checkpoints along the Wall. Further, approximately one quarter of Palestinian residents of East Jerusalem (75,000 people) are physically separated from the urban centre by the Wall; they must cross crowded checkpoints to access health, education and other services to which they are entitled as residents of Jerusalem.¹³

One consequence of this permit system is the fragmentation of Palestinian society along geographical lines, between Gaza, East Jerusalem and the West Bank. For example, if a Palestinian resident of East Jerusalem wishes to marry somebody from the West Bank,

“I am becoming more and more worried as my daughter grows up as sooner or later she needs to get a Jerusalem ID card. If she doesn’t get one her life will be difficult, for example, she needs the ID card to go to university. My lawyer has shown the Ministry of Interior Tala’s school certificates that prove she lives in Jerusalem, but they still have not issued her with a permanent ID card. It seems to me that the Israeli authorities have little concern for Palestinians with Jerusalem ID cards.”

– (T.A. – May 2014)

“Under Israeli law it is forbidden for a Palestinian resident of Jerusalem with a Jerusalem ID card to live in the West Bank. Similarly, it is forbidden for a Palestinian with a West Bank ID card to live in Jerusalem unless they have a permit from the Israeli authorities.”

– (S.F. – 14 April 2015)

even though both areas are considered as one non-severable occupied territory under international law, the couple will hold different ID cards making it difficult for them to live together. Under an Israeli law passed in 2003, in order for a Palestinian spouse from the West Bank to legally live in East Jerusalem with their partner, women over 25 and men over 35 must apply for a temporary military permit.¹⁴ Persons below these ages must apply to a special committee based on “exceptional humanitarian considerations”. Since 2008, this special committee has only approved applications in 5.5 per cent of cases.¹⁵ On the other hand, if a Palestinian resident of East Jerusalem moves to the West Bank to be with his or her spouse, they risk having their residency status in the city revoked.

The result of these provisions is that thousands of Palestinians are unable to live “legally” together in the city. This frequently results in one spouse remaining in East Jerusalem without the proper papers in order that the family can remain together. In effect this means no legal possibility of work, no social welfare or healthcare and the constant fear of deportation to the West Bank. By way of contrast, any Jewish citizen of Israel is free to live anywhere he or she wishes inside Israel or in the settlements in East Jerusalem and the West Bank without restriction under Israeli law raising issues of unlawful discrimination based on national identity.



Marwan Hamad

Building permits and home demolitions

Whilst the population in East Jerusalem has grown significantly since 1967, only 13 per cent of the land is zoned for Palestinian construction, much of which is already built on. This leaves very little opportunity for orderly and planned growth in Palestinian neighbourhoods and leads to overcrowding with a housing density of 11.9 square metres per person. By way of contrast, 35 per cent of East Jerusalem has been confiscated and zoned for the use of illegal Israeli settlements with a house density of 23.8 square metres per person, almost twice as much as that allocated for Palestinians.¹⁶ Palestinians wishing to build on the 13 per cent of land zoned for this purpose must still apply for building permits from the Israeli authorities. These permits are expensive and notoriously difficult to obtain. The result is a significant level of “unauthorised” construction in order to accommodate natural growth in the Palestinian neighbourhoods as the community has no realistic expectation that an adequate number of permits will be granted.

“That evening a friend called and said the Israeli authorities had demolished the apartment building. We were so shocked. We put our hopes and dreams into this apartment. Now we feel very unstable and insecure.”

- (N.S. – 1 March 2015)

The UN estimates that at least one third of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, potentially placing over 90,000 residents at risk of displacement. According to the same source, some 2,000 Palestinian homes have already been demolished since 1967, mostly due to “unauthorised” construction. During the past year alone, 98 structures were demolished resulting in 208 individuals being made homeless.¹⁷ Although much of this construction is deemed “unauthorised” it is far from certain what legal authority underpins the imposition by Israel of a building permit scheme for Palestinians living in occupied territory whilst at the same time authorising the construction and expansion of illegal settlements in the same territory.

What is clear from the testimonies collected by WCLAC under the Project is that the mere threat of home demolition has an almost paralysing effect on the residents causing them to live in constant fear and insecurity. Further, once a demolition order has been

“Although it is almost impossible for Palestinians to obtain building permits from the Israeli authorities in East Jerusalem we did try. After a lot of expense we failed to get a permit. In January 2015, the Municipality sent us another notice to demolish the house within 2 weeks. If we did not demolish the house ourselves they would send a bulldozer and charge us NIS 90,000.”

- (F.M. – 13 January 2015)

issued, many Palestinian families spend thousands, if not tens of thousands of shekels on lawyers and fines in an attempt to save their properties. This economic burden frequently impoverishes the community forcing families to move in with their in-laws, or in some cases, to abandon Jerusalem altogether and move to the West Bank or to emigrate.

In late 2014, during a spike in clashes between Palestinian residents of East Jerusalem and Israeli settlers and police, it was reported that the Mayor of Jerusalem ordered municipality officials to strengthen ‘enforcement’ measures against Palestinians in East Jerusalem, including house demolitions for buildings without permits. The stated objective of this order being to pressure the Palestinian population to act against young demonstrators.¹⁸ This would tend to confirm that the issuance of building permits and demolition orders goes well beyond questions of simple town planning. It has been observed that the planning policy in East Jerusalem is significantly affected by political and nationalistic considerations with the intention of creating a demographic and geographic situation that will thwart any future attempt to establish a Palestinian state or to realise a viable two state solution in accordance with international law.¹⁹

In addition to “administrative home demolitions” (demolition of Palestinian homes built without Israeli issued permits), successive Israeli governments have also conducted a policy of “punitive home demolitions” involving the demolition of homes connected with individuals accused of acts of terrorism by the authorities. In a recently published internal legal advice provided to the Israeli government in 1968, the State was advised that this form of punishment violated the Fourth Geneva Convention and was illegal under international law. One Israeli commentator noted that the discovery of this legal advice confirms that the “regime under which the West Bank [and East Jerusalem] is governed began in deception and has been maintained in self-deception – by the government, the “hasbara” (public relations) machine and sometimes by the Supreme Court” ever since.²⁰

“I now feel sick since we demolished the extension. I try to hold on and be strong for my children but I can’t hold my tears in when I see them sleeping on the couch instead of their beds, or when my children complain about how small the remaining part of the house is. My husband is not paid much and we can’t afford to rent another house.”

– (K.M. – 28 Feb 2015)

“On 15 November 2011, the Municipality of Jerusalem attached a demolition order to our front door. We hired a lawyer and two weeks later the authorities fined us NIS 48,000, which we pay off in monthly installments of NIS 500. During this time our lawyer kept pursuing the case in court. On 13 December 2014, our lawyer called us and said that the court had ruled that the latest additions to our house had to be demolished within 25 days. We could either do it ourselves or the authorities would do it and charge us for their labour.”

– (W.H. – 27 December 2014)





Settler violence and encroachment

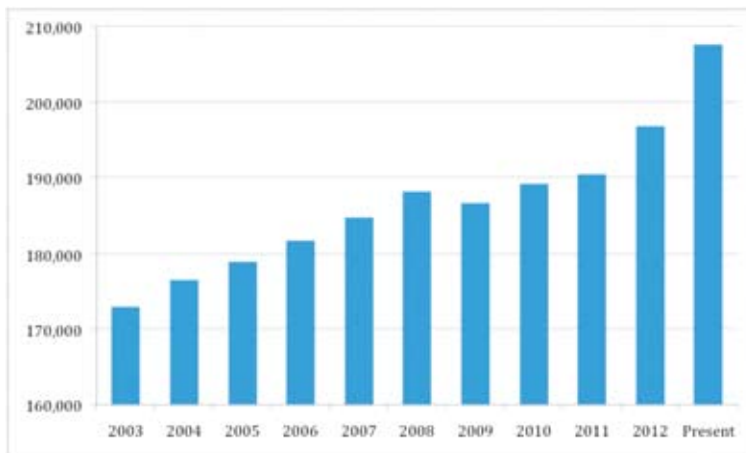
East Jerusalem currently includes the old city and 71 square kilometres of land to the east which was designated as part of Jerusalem by the Israeli authorities in 1967. The area has a population of approximately 500,000 of which 60 per cent are Palestinians. The remaining 40 per cent are Israeli

citizens living in settlements constructed after 1967 in violation of international law.²¹ The natural and foreseeable consequence of inserting large numbers of civilians into a conflict zone in violation of international law is to increase tension and resentment.

“Many of our neighbors are Israeli settlers and I fear for the safety of my son every time he leaves the house.”

– (Iman – 29 Nov 2014)

Settler population in East Jerusalem (2003-2015)²²



Israeli settlement activity in East Jerusalem falls broadly into two categories. First, in and around the old city settlement activity involves taking-over individual houses, one house at a time, within Palestinian neighbourhoods. According to the UN, an estimated 2,000 settlers reside in densely populated Palestinian areas around the Old City in houses which have been expropriated by means of the Absentee Property Law; on the basis of alleged former Jewish ownership; in buildings purchased from Palestinian owners; and in residences custom-built and financed by settler organizations.²³

“The situation here is so frustrating. Only last night some settlers who took over the homes around us threw tear gas inside our house. I was alone with my daughter. We ran out of the house and started to scream for help. We had to stay outside until the early morning because the house was still filled with gas.”

– (Asma – 8 September 2014)

By way of example, in September 2014, dozens of settlers, accompanied by Israeli forces, took over 26 apartments in the neighbourhood of Silwan, just outside the walls of the Old City. The apartments were reportedly purchased by the Elad settler organisation via a Palestinian intermediary. Populated by around 55,000 Palestinians, Silwan has been the target of repeated settlement activity by the Israeli government and religious settler organizations due to its strategic location and historic associations. According

“A few minutes later I heard a sound of a car driving behind me then I saw the lights coming closer. The vehicle suddenly accelerated and I had to jump off the road so as not to be run over. I was in the process of picking myself up when the car stopped and I saw three Israeli settlers inside. One of the doors to the car opened and somebody tried to drag me into the vehicle by my jacket. Someone else grabbed my head scarf and pulled my hair.”

– (Sana – 26 November 2014)

to local sources, Israeli settlers have taken over 19 buildings in Silwan since the late 1980s and are currently 350 in number. This process is highly provocative and frequently leads to clashes within the neighbourhood as well as an increase in the presence of private Israeli security guards, police and military forces.

The second category of settlement construction occurs further away from the old city in larger settlement blocks. These larger settlements consist almost entirely of Jewish inhabitants and essentially form a human and concrete barrier between Palestinian East Jerusalem and the West Bank. These larger settlement blocks also serve to increase the proportion of Jewish residents in East Jerusalem in a process that has been described as the “Judaization of East Jerusalem”.

A recent example of this process includes validation in September 2014 by the Jerusalem Local Planning and Construction Committee of a plan for the construction of 2,610 housing units in Givat Hamatos, a settlement in East Jerusalem that currently accommodates a few hundred settlers. Widespread international condemnation of the announcement focused both on the scope of the proposed expansion and the implications for severing territorial continuity between Palestinian neighbourhoods in the southern part of East Jerusalem and the southern West Bank. Since the 1967 occupation and subsequent annexation, the Israeli government has confiscated approximately 35 percent of East Jerusalem, primarily from private Palestinian owners. Twelve settlements have been constructed on this expropriated land in contravention of international law.

In April 2015, this relentless process of expanding settlements in and around East Jerusalem continued with the announcement of 77 new housing units in Neeve Yaakov and Pisgat Ze’ev. Because of the strategic location of these settlements between Jerusalem and the West Bank it was reported that this decision could not

have been announced without the Prime Minister's supervision, confirming that this is a widespread, systematic and state sponsored undertaking giving rise to potential legal implications under the Rome Statute of the International Criminal Court.²⁴

"When I am alone and the doorbell rings I hesitate to open the door. I constantly feel there is a big plan that the authorities have for this neighborhood which we, the Palestinians, are not part of."

(I.B. – 12 April 2014)

The impact of all this settlement activity includes restrictions on public space, residential growth and freedom of movement, along with friction and violence. This strategy has reduced the land and resources available for Palestinian residential and commercial growth. This in turn leads to unauthorized construction referred to in the previous section. Under the Project, WCLAC has documented numerous cases of police brutality and settler violence in and around the old city where settlers are encouraged to move into Palestinian neighbourhoods.

"The character of our neighbourhood changed overnight and tensions have risen. I have no problem with any neighbours but when someone moves in because of a special arrangement with the authorities I worry. I now fear for the fate of my house more than ever before."

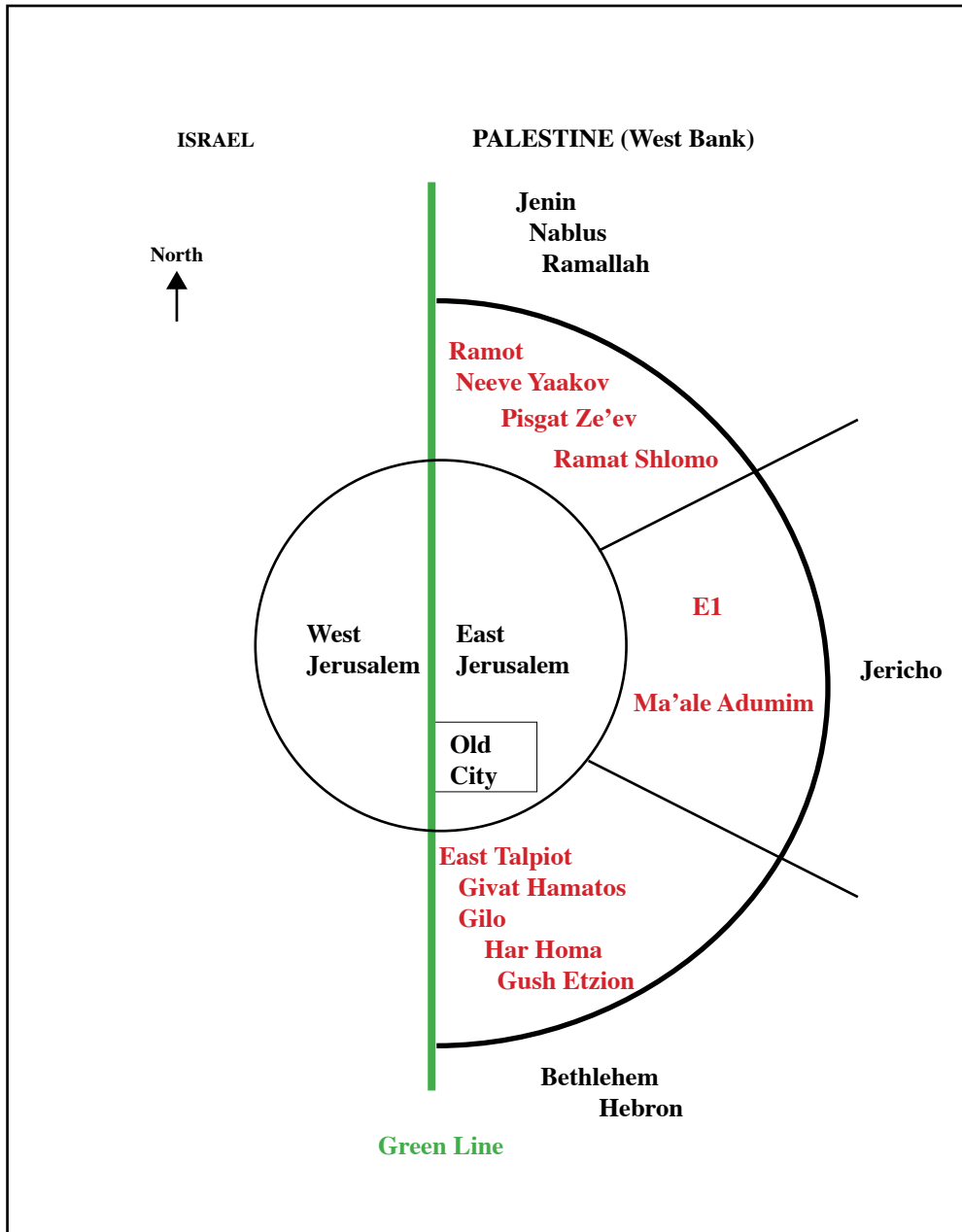
(I.B. – 12 April 2014)

It should be noted that there is no serious dispute that all Israeli settlement activity in East Jerusalem is illegal under international law and constitutes a "grave breach" under the Fourth

Geneva Convention. It should also be noted that the illegal nature of the settlements was confirmed in an internal legal opinion provided to the Israeli government by the legal advisor to the Israeli Ministry of Foreign Affairs in September 1967.²⁵

On 1 April 2015, the Rome Statute of the International Criminal Court entered into force in Palestine. It is significant to note that the International Criminal Court (ICC) has jurisdiction over war crimes including "the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory".²⁶ As there is no dispute of fact regarding the existence and extent of Israeli settlements in East Jerusalem and the West Bank this may prove to be a compelling case for consideration by the Prosecutor at the ICC.

Major Israeli settlements in and around East Jerusalem







Marwan Hamad

Police violence, night raids and arrests

Not surprisingly, there is a close correlation between settlement activity in East Jerusalem and police violence, night raids and arrests due to the inevitable increase in tension that this causes. According to the UN, almost half of all Palestinian injuries during 2014 (2,803) were recorded in the Jerusalem governorate, particularly within the Israeli-annexed municipal area of Jerusalem.²⁷

“Due to the political situation in Jerusalem, five of my children have been arrested by the Israeli authorities over the years.”

– (Asma – 8 September 2014)

The immediate driving forces behind this up-surge in violence appear to be threefold: first, a response to the retaliatory abduction and murder of a Palestinian teenager in the city in July 2014; secondly, the summer war in Gaza; and thirdly, as a result of restrictions placed

“Life in the Old City has become so stressful, and innocent young children pay the highest price as Israeli soldiers and policemen make sure we know who’s boss.”

– (Rania – 5 October 2012)

on Palestinian access to the Al Aqsa Mosque. These factors are in addition to pre-existing sources of tension including the isolation of Jerusalem from the rest of the West Bank, discriminatory planning policies and the revocation of ID cards. The increased tension these factors cause also gave rise to attacks on Israelis in the city.

According to one recent report, 1,184 Palestinians in East Jerusalem were arrested in the second half of 2014 for participating in demonstrations or public disorder of which 406 were minors. Almost all of those arrested and indicted are being held on remand without bail.²⁸ During the same period, one minor was killed and five minors lost the sight in one eye after being shot with sponge-covered metal bullets fired by Israeli forces in the city.²⁹

“In just a few seconds the boy was forced to the ground with his face down in a pool of blood. It was an awful sight. Just when I thought I couldn’t watch anymore I realised the boy was my son, Hasan.”

– (Rania – 5 October 2012)

Under the Project, WCLAC has documented 23 cases involving a combination of police/soldier violence, arrests or night raids. The testimonies reveal a pattern of physical violence by police officers against detained Palestinians, including minors,

on the way to interrogation and during the interrogation, as well as threats and intimidation; unnecessary handcuffing and blindfolding for long hours; interrogations without parental presence, in contravention of the law; and various forms of abuse, such as denying food and water

and prohibiting toilet breaks. In addition, several incidents were reported in which the police detained minors under the age of 12, which is the minimum age of criminal responsibility below which detention is supposed to be prohibited.

Time and again, women report in their testimonies how they fear that their children will be arrested and beaten simply for being in the wrong place at the wrong time. As tensions in the city rise, clashes can occur without warning, particularly in proximity to the Al Aqsa Mosque, and any Palestinian in the area is at risk of being beaten or arrested. In some of the testimonies Israeli police

and soldiers were described as being “out of control”. This observation appears to be supported by the evidence including one testimony in which a woman reports witnessing Israeli police pepper spraying a nine-year-old boy in his eyes and beating her partially blind mother without any obvious provocation. (See testimony 17).

In one case documented by WCLAC under the Project, a mother describes the day Israeli police arrested her six and seven-year-old sons, beat up their father, interrogated the children for an hour before making them sign a document they could not understand. This is in spite of the law in Israel prohibiting the arrest or detention of any minor

below the age of 12. After their release the mother reported how the boys’ school performance was adversely affected. (See testimony 16).

“Then one of the soldiers asked for the names of my sons and said they were going to arrest them. I was furious as my two boys, Qassam and Nasser, are 6 and 7-years-old.”

– (Khitam – 16 May 2013)

“Then I saw soldiers beating my mother and pushing her around just outside the house. My mother is 43-years-old and is partially blind. They were beating her with batons all over her body until she fell on the ground.”

– (H.A. – 29 January 2014)

“This experience has made me feel vulnerable and insecure in my own home. Israeli soldiers and police provoke chaos, fabricate charges, physically and verbally abuse us and turn our lives into a living nightmare.”

– (H.A. – 29 January 2014)

It is also apparent from some of the testimonies collected by WCLAC that many of the reports of Israeli police brutality involve an element of reckless disregard for the safety of the Palestinian civilian population. Evidence collected by WCLAC includes cases whereby tear gas canisters are indiscriminately fired into residences, in one case, causing a house fire, and rubber bullets are fired without any apparent regard for who is being targeted, in one case, a 10-year-old girl. (See testimonies 19 and 20)

“This experience has made me feel vulnerable and insecure in my own home. Israeli soldiers and police provoke chaos, fabricate charges, physically and verbally abuse us and turn our lives into a living nightmare.”

– (H.A. – 29 January 2014)

Under the Project, WCLAC has also documented numerous cases in which Palestinian family homes have been targeted by the Israeli police in the middle of the night in what are described as terrifying raids. It is difficult to discern from the testimonies any possible legitimate reason to justify the level of violence and intimidation that accompanies these raids in what appears to be a deliberate attempt to systematically terrify the Palestinian civilian population in areas of the city.

“There were clashes in our neighborhood between Palestinians and Israeli soldiers. I was home trying to see what was going on from the window. The tension was escalating and I was getting nervous. Suddenly soldiers fired five tear gas canisters at my house. The curtains and a couch caught fire. All the windows were closed so the house quickly filled up with smoke and gas. Me and my husband could hardly breathe and we started to bang on the windows.”

– (Karimeh – 17 October 2014)

“At around 2.00 a.m., I woke to the sound of loud and aggressive banging on our front door. I did not immediately open the door as I know what happens from experience. First, I went to wake up my children so the soldiers would not surprise them in their sleep and scare them. I wanted to avoid my children becoming traumatized.”

– (Muna – 31 August 2013)

“It was about 2.00 a.m. when we heard banging on the front door. My husband and I knew that it must be the Israeli army. My husband went to open the door and I went to cover my head with a scarf. Just as I was putting on my scarf I turned around and was shocked to see there were soldiers in the living room with a big dog.”

– (Siham – 23 December 2013)

“I was taken to an Israeli police station in East Jerusalem. My hands were tied behind my back with a single plastic tie which was very painful. I was immediately taken for interrogation and was asked to provide a confession against my brothers and uncles in return for my release. I refused to provide a confession.”

– (H.A. – 29 January 2014)

“When we reached Al-Mascobiyya I was pushed to the ground. My hands and head were bleeding, but I was not provided with any medical assistance. When I asked a policeman to return my headscarf he spat at me and called me a whore.”

– Abeer – 8 October 2014)

“They still did not release Mohammad and he was taken to Hasharon prison, inside Israel. I was not able to see him for about a month.”

– (Nadia – 21 September 2014)

“When my husband opened the door the soldiers tried to enter but I stopped them because I didn’t want them to terrify the children. Two days earlier they had come to our house and the children were terrified.”

– (Sana – 9 January 2015)

“I live in a continuous state of worry for my family. I never feel safe or secure.”

– (Abeer – 14 December 2014)

“The soldiers started to damage the furniture and threw our belongings on the floor as if they deliberately wanted to cause a mess. I couldn’t help it but I started to shiver. The commander noticed me shivering and asked me why. I told him that I was afraid they would hurt my children.”

– (Iman – 11 January 2015)

“At around 4:00 p.m. my daughter Fatima, who is 10-years-old, was standing by the balcony watching the clashes. I was still inside the house not paying much attention. Suddenly I heard Fatima screaming. My husband and I rushed to the balcony and found Fatima on the ground bleeding from her head.”

– (Abeer – 21 December 2014)

“My eldest daughter, Narmeen, who is 19, asked who was knocking and the response was ‘open the door, bitch’.”

– (Hanan – 12 January 2015)





Marwan Hamad

Restrictions on freedom of worship

According to the UN, a major factor leading to increased tensions in Jerusalem in recent years has been Israeli imposed restrictions on the access of Palestinians to the Al Aqsa Mosque compound. Combined with the frequent entry of Israeli politicians to the compound, perceived as provocative, fears have been heightened about a major change to the status quo of this sensitive location.³⁰

The testimonies collected by WCLAC under the Project paint a picture of provocation and heavy-handed police tactics in the vicinity of the Al Aqsa Mosque, which frequently spills over, to the surrounding streets and neighbourhoods. In the narrow lanes of the old city, it is not uncommon for innocent bystanders to be caught up in the mayhem as police move through the area looking for protesters.

Due to the sensitive nature of the area and its significance as a religious site in the region and beyond, tension and violence around Al Aqsa Mosque has a destabilising potential well beyond Jerusalem.

“My College is situated approximately 200 metres away from the Al Aqsa Mosque. On my way to school I frequently find clashes taking place with the police. We are frequently sprayed with skunk water and exposed to tear gas. The smell of the skunk water fills our classrooms and sometimes tear gas enters the building.”

– (Waed – 23 October 2014)

“For about four months now the Israeli authorities have been restricting access to the Al Aqsa Mosque. In order to enter the Mosque we are thoroughly searched and our ID cards are taken. This causes a lot of friction and clashes frequently erupt.”

– (Laila – 13 October 2014)



E. Concluding words

It is widely perceived that Jerusalem has reached a dangerous boiling point of polarisation and violence not seen since the end of the second intifada in 2005. A vicious cycle of violence is increasingly threatening the viability of a two-state solution which has been stoked by continued settlement construction. Tensions over the status of the Al Aqsa Mosque complex as well as heavy-handed policing and punitive measures have further fueled the volatile situation in the City.

These perceptions are graphically confirmed in the testimonies collected by WCLAC under the Project. Through the voices of women, a clear picture emerges of a community deliberately and systematically placed under enormous physical and psychological pressure by the prevailing authority with an apparent intention of making not only day-to-day life unbearable, but destroying any hope in a brighter future.

The evidence points to almost insurmountable bureaucratic hurdles placed in the way of Palestinian residents in East Jerusalem to move freely, marry who they wish and dream of secure home ownership. At the same time these residents, who pay their taxes, see before their very eyes different standards being applied to Israeli settlers living next door in violation of international law. Needless to say, the comprehensive failure of any authority, domestic or international, to provide any accountability for continued settlement activity, in what amounts to a war crime under the Rome Statute of the International Criminal Court, only serves to increase frustration and undermines the credibility of the international legal order. In such circumstances it is entirely foreseeable that individuals will take matters into their own hands, and in some cases, violently so.



In recent years there has been a marked shift in the relationship between Israel and the international community arising out of the former's annexation of East Jerusalem in violation of international law. Condemnation of continued settlement construction has become more strident and frustration at the lack of any progress in finding an acceptable political resolution more pronounced. However, what has been lacking is the political will to ensure genuine accountability for illegal activity that only serves to undermine the credibility of the international legal order. In these circumstances it would be naïve to expect an Israeli government to change direction before it is too late.

“Israel’s determination to continue its settlement policy despite the urging of the international community not only threatens the viability of the two state solution but also seriously calls into question its commitment to a negotiated agreement with the Palestinians.”

– (EU statement – May 2015)

Accountability at the International Criminal Court may now be the last chance to resolve the conflict in accordance with well-established principles of international law. The alternatives are likely to be beyond anyone's control and equally bad for all.



Marwan Hamad

Annexure A Schedule of evidence

Sample of testimonial evidence collected under the Jerusalem Project (2012-2015)

#	Name	Age	Date	Location 2012	Details
1	A.R.	39	Jun	Silwan	House demolition
2	A.S.	30	Jul	Old City	House demolition
3	R.A.	32	Jul	Al Isawiya	House demolition/residency
4	R.A.	39	Oct	Old City	Soldier violence
				2013	
5	G.K.	35	Feb	Al Isawiya	Residency
6	H.O.	43	Feb	Silwan	Arrest
7	R.F.	58	Feb	Anata	House demolition
8	R.S.	39	Mar	Old City	House demolition
9	U.F.	67	May	Al Mukabbir	House demolition
10	K.H.	26	May	Silwan	Arrest
11	D.K.	18	May	Jerusalem	Residency
12	N.H.	40	May	Old City	House demolition
13	H.S.	49	Jun	Beit Hanina	House demolition
14	S.W.	34	Jun	Al Isawiya	Residency
15	N.A.	33	Jun	At Tur	Residency
16	J.M.	31	Jun	Silwan	House demolition
17	N.H.	58	Jun	Old City	House demolition
18	N.S.	33	Jun	Kafr' Aqab	Residency
19	A.Z.	29	Aug	Silwan	House demolition
20	M.S.	42	Aug	As Suwwana	Night raid
21	R.Z.	39	Nov	Old City	House demolition
22	H.S.	53	Nov	Beit Hanina	House demolition
23	S.M.	56	Dec	Qalandiya	Night raid
				2014	
24	F.E.	44	Jan	Beit Hanina	House demolition
25	M.D.	26	Jan	Beit Hanina	House demolition
26	H.H.	19	Jan	Al Isawiya	Arrest

27	W.S.	38	Feb	Shu'afat	House demolition
28	N.S.	25	Feb	East Jerusalem	House demolition
29	A.G.	30	Mar	Al Tor	House demolition
30	T.S.	42	Apr	Al Mukabbir	Residency
31	I.B.	32	Apr	Old City	Settler violence
32	K.D.	38	May	Al Mukabbir	Residency
33	O.N.	48	Jul	Shu'fat	Arrest
34	F.S.	42	Aug	Az Za'ayem	House demolition
35	A.E.	49	Sep	Silwan	Arrest/settler violence
36	N.S.	43	Sep	Old City	Arrest
37	A.Z.	38	Oct	Silwan	Freedom of worship
38	O.B.	52	Oct	Silwan	Settlers/property
39	L.S.	60	Oct	Beit Hanina	Freedom of worship
40	H.H.	38	Oct	Ras Al Almud	House demolition
41	K.M.	64	Oct	Al Isawiya	Soldier/settler violence
42	W.K.	18	Oct	Wadi Al Joz	Freedom of worship
43	N.T.	59	Oct	Wadi Al Joz	House demolition
44	W.K.	26	Nov	East Jerusalem	Residency
45	S.S.	32	Nov	Silwan	Settler violence
46	I.A.	49	Nov	Sheik Jarrah	Arrest
47	A.R.	38	Dec	Silwan	Night raid
48	M.M.	54	Dec	As Suwwana	House demolition
49	A.R.	38	Dec	Silwan	Soldier violence
50	Y.B.	27	Dec	As Suwwana	House demolition
51	W.H.	36	Dec	Al Mukabbir	House demolition
				2015	
52	S.S.	32	Jan	Silwan	Night raid
53	I.Z.	32	Jan	Silwan	Night raid
54	H.H.	32	Jan	Al Isawiya	Night raid
55	F.M.	41	Jan	Sur Bahir	House demolition
56	K.M.	38	Feb	Ras Al Almud	House demolition
57	N.S.	33	Mar	Al Isawiya	House demolition





شارع السلطان سليمان
SULTAN SULAYMAN ST.

Annexure B
Family re-unification and residency rights

Testimony 1

Name: Ghadeer A.
Age: 35
Date: 2 February 2013
Location: Al Isawiya
Nature of incident: Residency rights

A mother from the West Bank married to a Jerusalem resident describes how she can be separated from her husband and children because the Israeli authorities will not issue her with the proper papers.

Ghadeer lives in East Jerusalem with her husband and five children. Ghadeer is from Nablus, in the West Bank, and holds a Palestinian identity card. Her husband is from Jerusalem, and holds a Jerusalem identity card. “Shortly after giving birth to my eldest daughter in 1995, my husband applied for a family reunion residency permit for me so that I could live with him in Jerusalem. The Israeli authorities rejected the application. I applied again in 1998 and it was rejected again. The authorities told my husband that I cannot live with him in Jerusalem but they did not give any reasons.”

“At present, I don’t have all the required papers to lawfully live with my family in Jerusalem, which restricts my movement. If I try to visit my family in Nablus I run the risk of not being able to go back to Jerusalem. I can apply for a permit from the Israeli authorities to visit my family, but these are usually only issued on religious holidays. As a result, I miss many important family gatherings, like my brother’s engagement party and funerals.”

“I will never forget the day when I gave birth to my youngest son. I was visiting my mother-in-law in the West Bank when I went into labour. I had to borrow my mother-in-law’s identity card so I could pass the checkpoint to enter back into Jerusalem. The soldiers on the checkpoint discovered that it was not my identity card and initially would not allow me to pass. The soldiers first took me to an interrogation room at the checkpoint but eventually allowed me through so I could get to the hospital. They also gave me a document and told me that I would have to go to court. Four months later I went to court but the charges were dropped because it was an emergency.”

“Over the years I have only obtained a permit to lawfully stay in Jerusalem on one occasion in 2005, for three months. Until this day I do not have a residency permit and so I don’t have health insurance and none of the other rights Jerusalemites receive. My most recent application for a residency permit is still being processed, but I am not optimistic. Not only can I not lawfully travel out of Jerusalem, but my movement in the city is also restricted. If I am stopped by a soldier without the proper identity card I can be separated from my family and sent back to the West Bank.”



Testimony 2

Name: Suhair W
Age: 34
Date: 11 June 2013
Location: Al Isawiya, East Jerusalem
Nature of incident: Residency rights

A Palestinian woman living in East Jerusalem discusses the difficulties she and her family face, because of her husband's inability to obtain permanent residency in Jerusalem.

Suhair, 34 years old, lives in Isawiya in East Jerusalem together with her husband and seven daughters, aged three to 18. "My husband is originally from Hebron and has a Palestinian identity card. When we got married in 1997, we couldn't live in Jerusalem because my husband's Palestinian identity card does not allow him to live there, so we lived in Hebron until 2006, when we decided to submit a family unification application for him and moved to live in Jerusalem," she recalls.

"We appointed a lawyer to help us obtain the necessary documents for my husband. During this time, my husband couldn't find jobs and didn't have health insurance, which is granted to residents of Jerusalem only. My husband had a health issue at the time and it cost a lot of money for him to get treatment."

"Finally in 2006 my husband was granted a permit to reside in Jerusalem. This permit was valid for six months initially, and later for one year at a time and needed to be renewed periodically. The process of renewing the permit was lengthy and it often happened that his permit expired before the next one was issued. This meant he had to stay away from home, sometimes for a period of up to six months. We also paid a lot of money to the lawyer. Not having enough money caused a lot of stress and tension in the house," recalls Suhair.

"His being away from home was hard for me. It meant I had to be the mother and the father at the same time, to work and raise money for our daughters. Sometimes I felt like I was a single mother raising children alone."

"My husband found it difficult to get well-paying jobs because of his insecure status. We didn't have enough money, and we found ourselves having to move from one house to another and from one neighbourhood to another looking for cheap housing," recalls Suhair. "This was very hard for us, especially for my daughters who found it difficult to make friends each time we moved. It also meant they had to change schools a lot. My daughters had to take public transportation when we lived far from their school. I always worried about them. My daughters were stressed and cried a lot when their father wasn't at home. I also noticed they became more aggressive."

“They were also affected by the fact that they grew up away from their father’s family, who couldn’t visit us in Jerusalem. My daughters communicated with their relatives by phone. Things are a bit easier for us these days with my husband’s one-year permit, but the hardships we endured over the years made me decide not to marry my daughters to men from the West Bank; I don’t wish for them the life I had.”



Testimony 3

Name: Thikriat S.
Age: 42
Date: 4 April 2014
Location: East Jerusalem
Nature of incident: Family reunification

On 4 April 2014, a woman from East Jerusalem describes the difficulties involved in marrying someone with a West Bank ID card.

Thikriat lives in the Jabal Al Mukabbir neighbourhood of East Jerusalem with her husband. Thikriat has four children. “I have a Jerusalem ID card but my husband has a West Bank ID card which means he cannot live with me in Jerusalem without a permit. The permit allows him to remain in Jerusalem until the family reunification process has been completed. Under Israeli law if a Jerusalem ID holder lives in the West Bank they will lose their ID card and a West Bank ID holder cannot live in Jerusalem without a special permit.”

“When I first got married we lived in my husband’s village of Ash Sheikh Sa’d which is near Jerusalem but considered to be the West Bank. I had two children and then in 2004 we moved to Jabal Al Mukabbir, in Jerusalem, and we applied to the Israeli authorities for family reunification. In the meantime my husband was provided with a temporary permit to remain in Jerusalem. I gave birth to my other two children but the Israeli authorities refused give them Jerusalem ID numbers. The reason given was that my brother was killed in the conflict in 1974. Our lawyer advised us not to pursue the matter as my other two children might lose their ID cards. I then had to register my two younger children with the Palestinian Ministry of Interior so they can go to school. This case went on until they both became grownups. My youngest son is a nurse working in a hospital in Jerusalem and my youngest daughter is a teacher. Their freedom of movement is restricted by the permit they have to remain in Jerusalem.”

“Because my two youngest children do not have Jerusalem ID cards it is difficult for them to find partners to marry. Other families are not interested in going through the process of family reunification if one partner does not have a Jerusalem ID card.”

“Sometimes I feel guilty because I have put my family in this situation by marrying someone with a West Bank ID card. But then I tell myself that this is what politics has brought us and I can do nothing about that.”

Testimony 4

Name: S.F.
Age: 24
Date: 14 April 2015
Location: Kufr Aqab, East Jerusalem
Nature of incident: Family reunification

On 14 April 2015, a mother from Jerusalem describes the difficulties involved in living as a family because her husband holds a West Bank ID card.

Sabrin lives in the Kufr Aqab neighbourhood of Jerusalem with her husband and daughters. Although technically part of Jerusalem, the neighbourhood is separated from the city by the Wall and is physically connected to Ramallah, in the West Bank.

“Before I got married I used to live in Shu’fat in Jerusalem with my parents and I hold a Jerusalem ID card. My husband comes from the town of Al Qubeiba, in the West Bank and holds a Palestinian ID card. Although Al Qubeiba is considered to be within the Jerusalem governorate, it is separated from the city by the Wall and the inhabitants hold Palestinian ID cards.”

“Under Israeli law it is forbidden for a Palestinian resident of Jerusalem with a Jerusalem ID card to live in the West Bank. Similarly, it is forbidden for a Palestinian with a West Bank ID card to live in Jerusalem unless they have a permit from the Israeli authorities. A West Bank ID card holder who is married to a Jerusalem ID card holder must apply to the Israeli authorities for family reunification. Whilst the application is being processed the West Bank ID card holder must apply for a temporary permit to be in Jerusalem and pass through the military checkpoints.”

“We got married in 2008 and lived in Al Qubeiba for two years. In 2011 I moved back to Kufr Aqab with my family because I wanted to regain my rights as a Jerusalem ID holder and I wanted my daughters to have Jerusalem ID cards. We also wanted to look for better job opportunities for my husband. As a Jerusalem ID card holder I must pay Israeli taxes as well as water and electricity bills from the Israeli authorities. Although we have to pay the Jerusalem municipality taxes we are not provided with proper municipal services.”

“We haven’t yet applied for family reunification for my husband because he is 29-years-old and under Israeli law he needs to be 35 years old before we can start the application process. Although my daughters were born in Jerusalem, my husband was not able to be with me because he didn’t have a permit to cross the checkpoint. I wanted my husband’s support during such times, but I also had to be realistic and accept the fact that my husband will not come because he has no permit, which is not fair.”

“After moving back to Kufr Aqab I hired a lawyer to follow up my case with the Israeli Ministry of Interior in Jerusalem. Seven months later I was able to regain my health insurance and change my social status in my ID from single to married. However, the Ministry of Interior refused to give my eldest daughter, who is six, a Jerusalem ID number because she was over two when we applied. Our lawyer thinks that she may still be able to get a Jerusalem ID card after her sisters get theirs, or so we hope. My middle daughter was given a temporary Jerusalem ID number and health insurance but this was revoked after she turned two. My youngest daughter, who is one, still has a temporary Jerusalem ID number and health insurance.”

“We are facing a lot of difficulties trying to get Jerusalem ID cards and health insurance for all our daughters. Although I handed all my official residency papers to the Ministry of Interior that prove I live in Jerusalem. Every time I go to the Ministry they tell me they will review my file and to come back in five months. I have gone back to the Ministry about five times without any progress.”

“In addition to paying my lawyer 6,000 NIS to follow up the case I paid another 100 NIS and brought a claim against the Ministry of Interior for not reviewing my file promptly. About two months ago the judge ordered the Ministry to review my file but I still have not heard anything.”



Annexure C

Building permits and demolitions

Testimony 5

Name: Rania S.
Age: 39
Date: 4 March 2013
Location: Old City, East Jerusalem
Nature of incident: House demolition

On 4 March 2013, a family from East Jerusalem demolishes the family home after receiving an order from the Municipal Council.

Rania lives in the old city of Jerusalem with her husband and children. “As our family grew bigger we needed more space and we could no longer afford to rent so my husband decided to build a small house for us on top of his parent’s house in the old city,” says Rania.

“My husband doesn’t have a regular job and his health is not good. I so badly wanted a house of my own suitable for my family that I decided to sell the few jewelry items I owned. My husband borrowed some money from friends and family and he started to build the house himself in order to save money and slowly things were beginning to look better for us and our children,” says Rania. “Although it was a humble small house on the roof, I remember thinking to myself that finally, after 13 years of marriage, I will live in my own house, right in the heart of the old city by the mosque. My bedroom window faced the golden Dome of the Rock. My children were able to walk to school and I got help from my husband’s family with whom I got along very well.”

“It didn’t take too long for my dreams to be shattered,” says Rania. “Workers from the municipality noticed the new construction and handed us a fine. The reason was because my husband did not apply for a building permit knowing he won’t get one; the Israeli authorities don’t give building permits to Palestinians living in the old city.”

“One day, about two months after we moved in, officials from the municipality came to the house while I was alone with my young children. I was worried and thought they had come to arrest one of my children. One of them asked me about the house and asked to see my identity card. He handed me a fine of NIS 32,000 (about \$8,500) written in my name. I was devastated. After many court hearings, and thousands of dollars in lawyers’ fees, we managed to pay the fine in monthly installments, the last one was paid at the end of 2012. All our efforts to obtain a building permit failed. Soon after we paid the last installment the court ordered my husband to demolish the

house himself and to bring pictures to the authorities as proof of the demolition. The court said my husband would face imprisonment if he didn't demolish the house. This was the saddest day in my life," recalls Rania.

"On 4 March 2013, my husband demolished the house using a sledge hammer. My family became homeless overnight. Our children could not comprehend what was going on and I had no words to explain, I was choking," says Rania. "I have no home, and no place to go. My husband and four of our children sleep at his mother's house and I and the rest of our children sleep at my sister-in-law's house. We have no privacy and not enough space. We are no longer a family, we hardly see each other. I have no kitchen to cook food for my family and we don't have meals together anymore. Chatting over meals was the time I valued most. I am very worried about my older sons; I have no idea how they spend their days, what is going on in their minds and what plans they have for themselves. My clothes and personal belongings are scattered in different homes, I carry small bags of clothes with me wherever I go. My six-month-old son sleeps on a rug in the living room of my sister-in-law's house. I am still in a state of shock and unable to process what has happened."

"It will take us years to settle the debt of the house which no longer exists. My husband says he will put up a tent on the roof where the house once existed and we will live there. I don't think we have any other choice. Life in Jerusalem is very hard for Palestinians; it is impossible to have a normal life here," says Rania.

Testimony 6

Name: U.M.
Age: 67
Date: 21 May 2013
Location: Jabbal Al Mukabbir, East Jerusalem
Nature of incident: House demolition

A 67-year-old woman from East Jerusalem describes how Israeli police and soldiers arrived at her house one morning and demolished the family home.

Um Fathi lived with her husband and two of their married sons in a neighbourhood of East Jerusalem. "It was about 9:00 a.m., on 21 May 2013, when a large number of Israeli soldiers and policemen surrounded our house," recalls Um Fathi. "They also came with bulldozers. I was very anxious and woke my husband up. One of the policemen handed my husband a demolition order issued by the Jerusalem municipality. We managed to take some of our possessions out of the house before they started the demolition. The soldiers made us stand one kilometer away where we watched the demolition until our sons returned from work and our grandchildren from school. It was a very hot day and we didn't have any water or milk for the children. Meanwhile some soldiers poured water on the ground right in front of us."

“In our neighbourhood, like most Palestinian neighbourhoods in East Jerusalem, it is very difficult to get a building permit from the Israeli authorities. We decided to extend our house without a permit because we knew we would never be issued with one. In 2007 we received a warning from the municipality to demolish the extension. We hired a lawyer who managed to delay the order. In the meantime we applied for a building permit but it was rejected. In 2009 we received a second demolition order and we were issued a fine which we paid in monthly installments of NIS 2,000. At the same time we were receiving many generous offers from Israelis to buy the house but we refused to sell.”

“It was a real shock to see our house demolished especially because we did not receive any advance warning. My family is now scattered in rented accommodation and it is no longer safe to live in what remains of the house as the walls are full of cracks,” says Um Fathi.



Marwan Hamad

Testimony 7

Name: Hiam S.
Age: 49
Date: 3 June 2013
Location: Beit Hanina, East Jerusalem
Nature of incident: House demolition

A woman describes how her family home in East Jerusalem was demolished without notice by the Israeli authorities whilst the family was attending a wedding.

Hiam lives with her husband and married sons in East Jerusalem. In 2000 we bought a piece of land in Beit Hanina, East Jerusalem, but the Israeli authorities would not give us a permit to build, even though the Israeli's living next door were permitted to build." Unable to accept this situation, Hiam and her husband built a two storey house on their land. In 2010 they added some additional rooms as the family expanded. Shortly after they started the extension they received an Israeli court order to demolish the house.

"We hired a lawyer who was able to postpone the court's decision, but we were fined NIS 10,000 (\$3,000) payable in monthly installments of NIS 1,500. On 3 June 2013, we were attending a relative's wedding in another part of Jerusalem when we received a phone call from our neighbours that our house was surrounded by Israeli forces and bulldozers. At the time, my daughter-in-law and her children were in the house. We rushed back to Beit Hanina but by the time we arrived the Israeli forces had already demolished more than half of the house. According to my daughter-in-law they broke into the house and surprised her and the children who were all asleep. An Israeli female soldier woke her up and asked her to cover her head. Then the rest of the Israeli soldiers carried the children outside the house and started the demolition process. The soldiers then used sound bombs to prevent a crowd gathering around the house – even those who had come to comfort us. Then the men of the family clashed with the Israeli forces who started to fire tear gas. We tried to take our personal belongings, legal papers and money, out of the house, but the Israeli forces prevented us from doing so."

"My husband has built a temporary shelter for us on the land. My son and his family moved out to live in the Old City. We also received some compensation from the Palestinian Authority, which I am thankful for, but nothing will compensate my loss and I will never leave my land. I cry all the time and I still cannot cope with what happened. This is like a nightmare. My grandchildren are traumatized, they wake in the middle of the night and their moods have become unstable. This is how we live in Jerusalem, we barely have any rights and we never feel safe, we don't even have proper playgrounds for our children. I think the Israeli Government is trying to push us out of Jerusalem."

Testimony 8

Name: Hana S.
Age: 53
Date: 29 November 2013
Location: Beit Hanina, East Jerusalem
Nature of incident: House demolition

A woman from East Jerusalem describes how her house was demolished one month after she obtained a building permit from the Jerusalem Municipality.

Hana lives in East Jerusalem in a house she built in 2003. “In June 2004 we received a demolition order from the Municipality of Jerusalem. We hired a lawyer who was able to stop the order but we had to pay a fine. We also started the process of obtaining a building permit. Meanwhile the court ordered us to vacate the house for a year which we did in February 2005, returning in March 2006. Finally in October 2013 our building permit was approved by the Municipality.”

“On 29 November 2013, my husband woke up to the sound of bulldozers outside the house. We came out of the house and saw a group of Israeli soldiers. My husband was asked for his ID card and he showed the soldiers our building permit. One soldier then hit my husband and mocked him calling him “donkey” and told him that he asked for his ID card. My husband tried to defend himself but the soldiers kept beating him up and then they locked him up. The soldiers then told me that I had 15 minutes to get whatever I need out of the house. The neighbors tried to help me out but the soldiers prevented them. I was able to take out our important documents and my jewelry and the books and certificates of my children.”

“I am still in shock and sometimes imagine that I still live in the house. My children had a nervous break downs when they came back from school and saw our house had been demolished. My younger son started to catch his chickens and rabbits to save them but the soldiers prevented him, which made him scream. After we moved to a new house we bought my son new chickens and rabbits, but he doesn’t take care of them like he used to.”

My husband and I decided to rebuild the house because there was no legal reason for it to be demolished. Our lawyer says that the reason they demolished the house was because my husband had been in prison for security reasons. We will go to court and file a complaint against the demolition of our house.”



Marwan Hamad

Testimony 9

Name: Wafa S.
Age: 38
Date: 10 February 2014
Location: Shu'afat, East Jerusalem
Nature of incident: House demolition

A woman from East Jerusalem describes how her house was demolished in East Jerusalem without notice and how she has been sent a bill for the bulldozers.

“My House was built in 1967 and is registered in the name of my father-in-law. I live in this house with my in-laws. I knew the house didn't have a building permit and so I consulted a lawyer who told me because it was built in 1967 it did not need a permit. However an extension to the house was added in 1996. The lawyer said that if we wanted a permit for the extension it would cost about NIS 40,000 (\$11,000) to get one.”

“On 10 February 2014, I was sleeping when I heard loud knocking at the front door. My husband was away in Turkey at the time. I looked out of the window and saw many Israeli soldiers and bulldozers. At first I thought they had come to demolish our neighbour's house. We had not received a demolition order. A soldier checked my ID and then immediately gave a signal to the bulldozers to demolish the house. A soldier told me I had 20 minutes to clear out the house. I couldn't do anything because I was in total shock. No one else was at home to help me except for two elderly relatives who were too old to help. I asked the soldier if anyone could help me out, but he told me to go and ask the Palestinian Authority. This was not a serious suggestion as the Israeli authorities do not allow the Palestinian Authority into East Jerusalem. The soldier also called me “trash”. I looked to the main street hoping to see if any neighbours could help but the soldiers had put up a perimeter and did not allow anybody to approach. I managed to get a few clothes out of the house before it was demolished. Within 30 minutes our house was a pile of rubble.”

“Later on my husband called me. I didn't want to tell him about the house whilst he was away as he would become very distressed, but he had already seen the demolition on television. The bulldozers also damaged the electricity and water main as well as the phone lines, so now I have to ask my neighbors for water and electricity.”

“Two days ago I received a legal notice demanding payment for the bulldozers that came to demolish our house. The claim is for NIS 50,000 (\$14,000). We have also been ordered to remove the rubble in three days or face a fine of NIS 1,000 for every day it remains on site. My father brought some workers over to remove the rubble which cost around NIS 2,500. I have no idea how we are going to pay for all of this. When I used to see people's houses getting demolished by the Israeli authorities, I would feel for them and I would think about them for days. Now I am living this tragedy. Palestinians in this country never feel safe. Who is going to protect us from Israeli power?”

Testimony 10

Name: Ahlam G.
Age: 30
Date: 26 March 2014
Location: Al Tor, East Jerusalem
Nature of incident: House demolition

A woman from East Jerusalem describes how Israeli bulldozers arrived to demolish her house at 6:00 a.m. as she was preparing breakfast for her children.

Ahlam lives with her husband and children in East Jerusalem on land they purchased over 10 years ago. “In May 2011 we finished building our house on the land”, says Ahlam. The family has been trying to obtain a building permit for the house and have been to court many times. Ultimately the court ordered for the house to be demolished.

“One week before the scheduled demolition, our lawyer called my husband and informed him that we have one week to remove the contents of the house. However, the next day, which was 26 March, at about 6:00 a.m., we were surprised to see Israeli bulldozers and soldiers around our house. At the time I was preparing breakfast for my children. I immediately locked the doors as my husband had just left for work and I was alone with the kids. Then about 30 soldiers broke through the front door and yelled at me to get my money and jewelry and leave. We left the house and never looked back. I didn’t want to see my home being demolished. It meant everything to me.”

“After the demolition I had a nervous breakdown. I went and stayed at my brother-in-law’s house. I refused to take any medicine because I wanted to stay awake to witness all these painful moments of my life. My husband was holding up well until he saw our eldest son, who is 17-years-old, crying. My youngest child, who is 3-years-old, is always asking me when will we go home. This occupation never leaves us alone. They put us under enormous pressure until we become violent. This is the second a house of ours has been demolished; the first one was demolished in 2007. We are now homeless. We will have to rent a house which is so expensive these days.”

Testimony 11

Name: Mirvat M.
Age: 54
Date: 27 December 2014
Location: As Suwwana, East Jerusalem
Nature of incident: House demolition

On 27 December 2014, a Palestinian resident of East Jerusalem receives a third demolition order from the Jerusalem Municipality for her house that was built 50 years ago.

Mirvate lives in East Jerusalem with her husband and children. Her youngest child is aged 14. “The house we live in belongs to my family. We can’t afford to rent our own house as my husband has a number of health issues which prevent him from working. The house was built more than 50 years ago and consists of two bedrooms, a kitchen, a bathroom and a small living room.”

“On 15 November 2014, I received a demolition notice from the Jerusalem Municipality. Two week later another demolition notice was attached to our front door. My brother contacted our lawyer to follow up the case.”

“On 27 December 2014, I returned home after visiting a friend and found a large number of Israeli police and soldiers outside. I later discovered that this was because they had arrested my nephew. However, my immediate reaction was that something must have happened to my sick husband. Before the soldiers and police left they handed us another demolition order. They also removed the water metre and told us that we had a debt of NIS 70,000.”

“I am really scared right now as they might come and actually demolish our house at any time. I have nowhere else to go. I share my fears with my sisters-in-law who also has a demolition order on her house. I really feel worried and I don’t know what to do. I am really concerned for my children’s future. I have no idea what will happen next, which makes me feel insecure.”

Testimony 12

Name: Khawla M.
Age: 38
Date: 28 February 2015
Location: Ras Al Almud, East Jerusalem
Nature of incident: House demolition

On 28 February 2015, a family of six in Jerusalem demolish an extension to their home after receiving a demolition order from the Municipality of Jerusalem.

Khawla lives in East Jerusalem with her husband and four children. Her youngest child is 3-years-old. “We live in a two-storey apartment building belonging to my husband’s family that was built more than 30 years ago,” says Khawla. “The apartment that I live in has two rooms and a small kitchen. Our bathroom is outside the apartment which we share with the rest of my husband’s family.”

“In 2007, we extended our apartment by 55 square metres. Before we finished the last touches the Municipality of Jerusalem sent us an order that the extension was illegal because we did not have a building permit. The reason we built without a permit is that it is nearly impossible for Palestinians to get building permits in Jerusalem. We heard no more and finished the building.”

“Then in 2009, the Municipality of Jerusalem sent us a notice to attend court. We hired a lawyer and the court fined us 30,000 NIS, which we had to pay off in monthly installments of 500 NIS. This is how the situation continued until 2013. In 2013, our lawyer was travelling outside the country and the court refused to postpone the next court hearing and we were fined an additional 18,000 NIS.”

“In February 2015, the court issued a demolition order which required demolition by 20 March 2015. That was the final decision of the court but the lawyer told us that we had three choices: demolish the house ourselves and end the case; let the Municipality demolish the house at a cost to us of 85,000 NIS; or try to obtain a building permit and pay an additional fine of 25,000 NIS.”

“We decided to demolish the house ourselves. On the morning of 28 February, I sent our children to their grandmother’s house for the day as we demolished the extension. The next day, we received a fine on 750 NIS because we had not removed the rubble. My husband then hired some trucks to remove the rubble at a cost of 7,000 NIS.”

“I now feel sick since we demolished the extension. I try to hold on and be strong for my children but I can’t hold my tears in when I see my children sleeping on the couch instead of their beds, or when my children complain about how small the remaining part of the house is. My husband is not paid much and we can’t afford renting another house”

Testimony 13

Name: I.B.
Age: 32
Date: 12 April 2014
Location: Old City, East Jerusalem
Nature of incident: Settlement expansion

On 12 April 2014, a resident of the Old City describes how her neighbourhood has become tense since Israeli settlers moved into the property next door.

“I live with my family in the Old City of Jerusalem. My husband’s family has lived in our house for more than 70 years. It is located in the heart of the Old City with an amazing view from the roof of the golden Dome of the Rock,” says I.B.

“About 10 years ago we heard that our neighbours were having problems with the Israeli authorities over their house which is right next to ours. The problems started when our neighbours wanted to renovate but the authorities issued them with an order to immediately stop work. Shortly afterwards a Jewish settler organisation claimed ownership of the property of which our house is part. These developments bothered us a lot and opened our eyes to the potential danger to our own situation.”

“About six months ago we were shocked when three Jewish families suddenly moved into our neighbour’s house and almost immediately started to renovate. The character of our neighbourhood changed overnight and tensions have risen. I have no problem with any neighbours but when someone moves in because of a special arrangement with the authorities I worry. I now fear for the fate of my house more than ever before. We have all become hyper vigilant since the Jewish families moved in. We keep our eyes and ears open all the time and I fear we could lose our house in the blink of an eye.”

“Our neighbourhood used to be like one big family, everyone knew everyone else, we shared our joys and sorrows, our children played together and we all felt part of a harmonious community. Since Jewish settlers took over our neighbour’s house the dynamics among the neighbours changed. We don’t feel we can trust people like we used to. When I am alone and the doorbell rings I hesitate to open the door. I constantly feel there is a big plan that the authorities have for this neighborhood which we, the Palestinians, are not part of. Now there is an Israeli watchtower above my house and a Jewish guard monitors our every movement.”

“The Jewish neighbours complain about everything, from my son’s bicycle in the stairwell to the noise that my children make when they play. Last year my 11-year-old



Marwan Hamad

son was playing football in the alley way and the ball accidentally hit a settler woman. She made such a big deal out of the incident, pretended she needed an ambulance and wanted us to pay the costs. Later that day the police came and questioned the children about the incident. They slapped a nine-year-old boy who then told them that my son was the one who was playing football. At 9.00 p.m. that evening the police came for my son and took him away for interrogation. I lost my mind and my husband insisted on accompanying him. My husband and my son came back after midnight. I could feel my son's fear and could tell that he went through a very difficult experience. The police insisted on imposing a house arrest on my son for five days as punishment. It was a nightmare trying to keep my son at home, 24 hours a day for five days. I thought of dressing him up like a girl so that he could go out and play.”

“My children always played with other kids and the parents were happy that they had each other. Since the settlers moved in I constantly worry the minute my children step out of the house.”

Testimony 14

Name: Omaima B.
Age: 52
Date: 13 October 2014
Location: Silwan, East Jerusalem
Nature of incident: Property acquisition by settlers

On 13 October 2014, Israeli authorities take over a property in Silwan that was purchased by settlers in circumstances involving deception.

Omaima was born in Silwan and has lived in East Jerusalem neighbourhood all her life. She lives with her husband and their three children. “In 1999 my husband and I decided to purchase a piece of land next to our house from my uncle. In 2011 we decided to build on the land as an investment. We didn't obtain a building permit because the Israeli authorities very rarely issue building permits to Palestinians in East Jerusalem. Permits are almost impossible to get.”

“When the building was completed we rented out two floors and used the income to finish the 3rd floor. By that time we were experiencing financial hardships because of the cost of the building. We continued to collect rent and pay our debts until July 2014 when a Palestinian citizen of Israel approached us saying he wanted to buy the property. He made us believe that he would protect the property from being demolished and would apply for a building permit with retroactive effect. When my husband asked him to explain why he was interested in a property under threat of demolition, he made my husband believe that he knew what he was doing and that he was going to turn the building into a guest house. He also told my husband he had good contacts that would enable him to carry out his plans. My husband finally

agreed to sell the property and he did everything in a legal manner through a lawyer. The new owner agreed to allow the tenants to remain in the building until the end of their contract which expires in October 2014.”

“On the morning of 13 October 2014, my husband and I were drinking coffee and were surprised when we heard commotion in our neighbourhood. We looked out and saw lots of policemen and settlers. There were so many that we couldn’t even count them. We then realised they had broken into the building we had sold by force. When my husband tried to understand what was going on, one of the police commanders told him they were just implementing orders and that we should direct our inquiries to the City Council. My husband tried to contact the person who bought the property from us but he didn’t answer the phone.”

“My husband went to the Council who in turn directed him to a lawyer in West Jerusalem. The lawyer presented my husband with some documents and claimed the property had been sold to settlers. The lawyer threatened to call the police if my husband showed up in his office again.”

“My husband came back home in shock. I started to cry and shout saying we didn’t sell our property to settlers and that we were tricked. My husband tried to find the person who bought the property from us but to no avail. He went to his village inside Israel but couldn’t find him. This is a disaster as we are now ostracized by our neighbours and friends. People think we had a role in the fact that our property ended up in the hands of settlers but the fact of the matter is we were tricked. This is not an uncommon story; this is how East Jerusalem is lost. I am scared and my husband’s health has deteriorated.”

Testimony 15

Name: Sana S.
Age: 32
Date: 26 November 2014
Location: Silwan, East Jerusalem
Nature of incident: Settler violence

On 26 November 2014, a woman from Silwan, in East Jerusalem, is attacked by a group of settlers who try to drag her into a vehicle.

Sana lives with her husband and children in the East Jerusalem neighbourhood of Silwan. Her youngest child is three-years-old. Sana suffers from severe migraines for which she needs specialised medical help. “On 26 November 2014, I had a migraine all day. I took my medication but nothing seemed to help.”

“At around 7.00 p.m. I took a taxi to a medical centre for treatment. Following

treatment I left the medical centre and decided to walk home. As I was passing by an Israeli settlement located in the middle of our neighborhood, I suddenly became afraid. It was raining and I noticed that I was alone in the street and it was dark. I feared an attack by settlers so I started to walk faster. Usually I'm not afraid to go home alone, but this time I had a feeling that something bad was about to happen."

"A few minutes later I heard the sound of a car driving behind me and then I saw the lights coming closer. The vehicle suddenly accelerated and I had to jump off the road so as not to be run over. I was in the process of picking myself up when the car stopped and I saw three Israeli settlers inside. One of the doors to the car opened and somebody tried to drag me into the vehicle by my jacket. Someone else grabbed my head scarf and pulled my hair. Meanwhile the first settler was prodding me with an object on my hand, shoulder and back. Each time I tried to run away they would pull me back to the point where my hair was being ripped out by the roots."

"At the time I feared I was being kidnapped as with Mohammed Khadeer, a Palestinian teenager kidnapped and burned alive by settlers a few months ago. As this thought came to my mind I became even more frightened. The third settler was sitting behind the wheel watching the road. When he noticed a car was coming he warned the others. The settler who was pulling me by my jacket kicked me so hard that I fell to the ground and they drove away."

"The other car that passed by didn't see me and kept on driving. However, another car came along and a man got out and tried to help me. I was still very confused and in pain. My ribs caused me pain and my head was bleeding. The man put me in his car and asked me what had happened but I could not speak. He then asked me where I lived and I was able to gesture in the direction of home. When we arrived outside my house the man hooted and my husband came out of the house. He was horrified when he saw the condition I was in. Once inside I was finally able to explain what had happened to me."

"My husband took me to Hadassah hospital and I was given a CT scan. They found that I had fractured ribs. Once they found out I was hit by a settler I was concerned that I would not be given proper treatment and so I left before my head wound had been treated. While I was at the hospital the Israeli police asked me what happened. When I told them that I was attacked by settlers they suggested that perhaps I had been beaten by my husband. I insisted that I was attacked by settlers. My husband would never do such a thing."

"In the past two weeks I have only left my house once. I fear for my family and myself. I no longer feel safe or secure. The tension in our neighbourhood caused by the settlers causes a lot of stress at home. I now spend a lot of time in my bedroom when I feel anxious. I don't want my children to see me like this."



Annexure E
Arrests and soldier/police violence

Testimony 16

Name: Khitam H.
Age: 26
Date: 16 May 2013
Location: Silwan, East Jerusalem
Nature of incident: Arrest

On 16 May 2013, Israeli soldiers detain two brothers from Silwan aged 6 and 7, taking them away for interrogation.

Twenty-six-year-old Khitam lives in East Jerusalem with her husband and four young children. “On 16 May 2013, I saw Israeli soldiers entering my brother-in-law’s house which is very close to my house. I immediately went over to his house to see what was going on. The soldiers had come to confiscate a laptop belonging to my brother-in-law’s son, Shadad, who was in prison accused of throwing stones and Molotov cocktails at soldiers. Then one of the soldiers asked for the names of my sons and said they were going to arrest them. I was furious as my two boys, Qassam and Nasser, are six and seven years old. That did not matter to the soldiers who showed me an official piece of paper which said they wanted to arrest Qassam and Nasser.”

Khitam phoned her husband who immediately went to the Al Mascobiyya interrogation centre in Jerusalem where the two boys were taken. “My husband demanded to be present when our sons were questioned, but the police just beat him in front of his sons, who started to panic and cry. My husband and two boys were taken to separate interrogation rooms and questioned. The interrogator asked my boys about their cousin, Shadad. Qassam and Nasser did not know anything. After an hour of tremendous pressure Qassam and Nasser were made to sign a document. They have no idea what they signed.”

“My sons came back home at 9.00 p.m. After their arrest they became traumatized, which was made worse when the soldiers returned on 19 May 2013 and arrested their father again. My sons’ grades at school went down. They are not the same boys they were before they were taken away.”

Testimony 17

Name: H.A.
Age: 19
Date: 29 January 2014
Location: Al Isawiya, East Jerusalem
Nature of incident: Arrest

On 29 January 2014, a 19-year-old woman from East Jerusalem is knocked unconscious by Israeli military forces as she tried to protect her mother and brother and was detained in Al Mascobiyya interrogation centre for eight days.

“Our house is located on a hill overlooking the main highway connecting East Jerusalem to the Jordan Valley. Israeli soldiers and policemen are often in the area to protect the highway. On 29 January 2014, at around 3.30 p.m., I was sitting outside our house chatting with my brother, peeling potatoes for dinner. Children from the neighbourhood were playing marbles in front of the house and everything was quiet. Suddenly I saw an Israeli police car on the dirt road between our house and the highway. One of the neighbours told us they wanted to arrest a young child. An Israeli army jeep was also patrolling the area, driving up and down the dirt road provoking the residents. There were no clashes or stone throwing incidents in the area but I was told later that there were clashes in the centre of town, quite far from where our house is. People were objecting to the demolition of a house in the neighbourhood.”

“Suddenly I saw one of the soldiers grab a boy and spray pepper spray in his face. He claimed the boy was throwing stones. I was very upset and ran towards the boy to try to help him. The pepper spray caused him a lot of pain. I managed to free the boy and I helped him walk up the hill because he could hardly see. He was about nine-years-old.”

“Then a special Israeli army unit arrived on the scene. They wore masks and were dressed in black uniforms. At this point I heard someone screaming. I looked around and saw about 20 military vehicles around our house. They were blocking the entrance. Then I saw soldiers beating my mother and pushing her around just outside the house. My mother is 43-years-old and is partially blind. They were beating her with batons all over her body until she fell on the ground. My brother helped her stand up and managed to take her inside the house. Then they ordered my brother to come out of the house and accused him of throwing stones. This was the brother who was chatting with me earlier as I peeled potatoes. He is 23-years-old. I was very upset when they grabbed my brother and tried to take him away. I grabbed my brother and tried to rescue him. A soldier hit me very hard on the back of my head and I lost consciousness. I felt my head spinning and then I fell on the ground. They also sprayed pepper spray in my face. Another soldier hit me with the back of his gun in my chest. This caused me a lot of pain. I later found out that my rib had been fractured. When I regained consciousness I found myself on the metal floor of a police car. Policemen swore at me and said my mother was a whore.”



Marwan Hamad

“I was taken to an Israeli police station in East Jerusalem. My hands were tied behind my back with a single plastic tie which was very painful. I was immediately taken for interrogation and was asked to provide a confession against my brothers and uncles in return for my release. I refused to provide a confession. I was then accused of possessing a knife. They meant the fruit knife I was using to peel and chop potatoes. I denied the accusation and explained that I was preparing potatoes for dinner when the soldiers and police arrived at the scene and the whole situation went out of control. I was kept at the police station until 2:00 a.m. I was in severe pain and could hardly breathe because of the blow I received to my chest. I had never experienced pain like this before. When a lawyer came he told the police to remove the plastic tie because it was causing me severe pain. The police then replaced the plastic tie with metal handcuffs. This time my hands were tied to the front.”

“I was then taken to a prison cell in Al Mascobiyya interrogation centre where I remained by myself for eight days. During this time I was interrogated eight times, each time the interrogation lasted between five and six hours. Once I was interrogated from 10:00 p.m. until 3:00 a.m. The interrogator claimed they had pictures of me trying to stab a soldier. I challenged him to show me the pictures but of course he never did. I was sleep deprived the whole time because I wasn't left alone to sleep. Guards would come and go, make a lot of noise and make sure I woke up. I had a number of court hearings and on the last one the judge ordered my release on bail. My family had to pay 7,000 shekels. More than three months later I still haven't been summoned to court. I have no idea what is going on.”

“This experience has made me feel vulnerable and insecure in my own home. Israeli soldiers and police provoke chaos, fabricate charges, physically and verbally abuse us and turn our lives into a living nightmare.”

Testimony 18

Name: Nadia S.
Age: 43
Date: 21 September 2014
Location: Old City, East Jerusalem
Nature of incident: Arrest

On 21 September 2014, a 16-year-old youth from East Jerusalem is detained by Israeli forces and accused of throwing stones.

Nadia lives in the Old City with her husband and children. “On 21 September 2014, at about 1.00 p.m., my son Mohammed, who is 16-years-old, left the house and never came back home. I tried to call and ask his friends about where he was but no one knew. At around 11.00 p.m. we received a telephone call telling us Mohammad was in ‘Al Mascobiyya’, the Russian Compound police station in West Jerusalem.”

“The next morning my husband and I went to the Russian Compound and were told by the Israeli police that our son was still being interrogated. They told us we could see Mohammad in court at 3.00 p.m. When we saw Mohammad in court his hands and legs were shackled. I tried to give him a hug but was prevented from doing so by a policeman. Only my husband could attend the court hearing and I had to wait outside. After 30 minutes my husband told me they had extended Mohammad’s detention to allow for further interrogation.”

“Mohammad was accused of throwing stones and Israeli soldiers during a protest. According to court documents they had a video showing a young man in a red shirt throwing stones which they claimed was Mohammad. I became distraught and was worried that Mohammad would be hurt, he is still only a child.”

“Three days later my husband and I were both called to the police station for interrogation. I was questioned first and they asked me to identify the young man in the red shirt. I told the police that my son doesn’t have a red shirt and that he doesn’t even like the colour. I assured the police that the young man in the picture was not my son. They still did not release Mohammad and he was taken to Hasharon prison, inside Israel. I was not able to see him for about a month.”

“They kept bringing Mohammad to court, the last time being on 27 October. He was sentenced to home detention until 21 December and fined NIS 500. If there are any breaches of these conditions we will be fined an extra NIS 2,500. When my son came out of prison he started to smoke and was very short tempered. He was too young to go through such an experience.”

“Up until now I feel suffocated because people who are not guilt or guilty of any crime are being treated the same. My son is still too young to go through such an experience in prison. I think Mohammad will now need to receive some professional counseling in order to get over this experience.”

Testimony 19

Name: Karimeh M.
Age: 64
Date: 17 October 2014
Location: Al Isawiya, East Jerusalem
Nature of incident: Soldier violence

On 17 October 2014, five tear gas canisters are fired into a house in the East Jerusalem neighbourhood of Al Isawiyeh causing a fire.

Karimeh lives with her husband in the East Jerusalem neighbourhood of Al Isawiyeh. She has four adult children and her married son lives with his family in the same building. “On 17 October 2014, there were clashes in our neighborhood between Palestinians and Israeli soldiers. I was home trying to see what was going on from the window. The tension was escalating and I was getting nervous. Suddenly soldiers fired five tear gas canisters at my house. The curtains and a couch caught fire. All the windows were closed so the house quickly fill up with smoke and gas. Me and my husband could hardly breathe and we started to bang on the windows.”

“Our neighbors noticed us and called the fire department, but by the time they came it was too late. I lost conscious and when I woke up I found myself at the hospital. I was in Intensive Care that night. I guess our neighbours managed to get us out of the house somehow.”

“The next day I came out of hospital and we stayed with our son for about a week. I was not able to return to my house because the smell of gas was so strong and it was damaged by the fire. The estimated cost of fixing our place is NIS 70,000. Our neighbors helped us in collecting donations so we could start fixing our house. Some of the workers did not accept payment for their work to help us out.”

“My grandchildren are scared to visit us now because they are scared there will be another fire. My four-year-old granddaughter who lives downstairs is now traumatized. She wakes up at night screaming and shivering. She is now seeing a psychotherapist.”

“The Israeli police came to question us about the cause of the fire claimed that it was caused by an electrical short. I showed the policemen the tear gas canisters inside the house but they did not comment.”





Testimony 20

Name: Abeer R.
Age: 38
Date: 21 December 2014
Location: Silwan, East Jerusalem
Nature of incident: Soldier violence

On 21 December 2014, a 10-year-old girl from Silwan is shot in the head with a rubber bullet whilst standing on the balcony of her house.

Abeer lives with her husband and children in Silwan, a neighbourhood of East Jerusalem. Her youngest child is two-years-old. “On 21 December 2014, there was clashes in our neighbourhood between Palestinian youths and Israeli forces. The disturbances were sparked by the killing of a protester by Israeli soldiers.”

“At around 4:00 p.m. my daughter Fatima, who is 10-years-old, was standing by the balcony watching the clashes. I was still inside the house not paying much attention. Suddenly I heard Fatima screaming. My husband and I rushed to the balcony and found Fatima on the ground bleeding from her head. My husband carried Fatima inside the house. Every time we tried to open a window or the door Israeli soldiers would yell at us to close the door. We tried to give Fatima what medical attention we could inside the house.”

“Eventually we took Fatima to the hospital and discovered that she had been hit with a rubber bullet. The doctor told us that she will need a cosmetic surgery to remove the scar. Since the incident Fatima is quick to anger and she has become quite aggressive. We are now all afraid to leave the house.”

Annexure F Night raids

Testimony 21

Name: Hiam O.
Age: 43
Date: 3 February 2013
Location: Silwan, East Jerusalem
Nature of incident: Night raid/arrest

A mother from the East Jerusalem neighbourhood of Silwan describes how her 13-year-old son was arrested by Israeli police at 3.30 a.m.

Hiam lives in the East Jerusalem neighbourhood of Silwan. Two of her adult sons have been arrested and spent time in Israeli prisons. “On 3 February 2013, my youngest son, Musalam, who is 13, was also arrested. Israeli police came to our house at 3.30 a.m. with dogs. We tried to persuade the police not to arrest Musalam in the middle of the night and we promised to bring him to the police station in the morning. They wouldn’t listen to us and they took Musalam away. The police allowed me to accompany my son, but they did not allow me to be present when they questioned him in the Al Muscobiyya interrogation centre.”

“The authorities held my son for three days before he was released on bail of NIS 3,000. The court also ordered that he had to live outside Silwan for a week, so he stayed with an uncle who lives on Mount Scopus. A month later Musalam was arrested again, accused of throwing stones at soldiers. We managed to bail him out for NIS 100 the same day and he was ordered to remain under house arrest for a week.”

“I’ve noticed that since Musalam was arrested his character has changed. Now he is very short tempered, and does not like to remain at home. He no longer focuses on his studies and his school grades have dropped. I worry a lot about my children, especially Musalam who is the youngest.”

Testimony 22

Name: Siham M.
Age: 56
Date: 23 December 2013
Location: Qalandiya, East Jerusalem
Nature of incident: Night raid/soldier violence

On 23 December 2013, Israeli soldiers enter a Palestinian home in the Qalandiya refugee camp at 2.00 a.m. accompanied by a dog.

“It was about 2.00 a.m. when we heard banging on the front door. My husband and I knew that it must be the Israeli army. My husband went to open the door and I went





to cover my head with a scarf. Just as I was putting on my scarf I turned around and was shocked to see there were soldiers in the living room with a big dog. The dog was muzzled. I could not see my husband and froze from fear. The dog then jumped on me and I fell to the ground. Whilst the dog was on me the soldiers didn't make a move and just stood by watching. I tried to tell them to stop the dog, but my voice was barely audible. The dog remained on me for about 10 minutes."

"My daughter woke up and came out from her room and tried to get the dog off me and yelled at the soldiers to do something, but they just stood by. My daughter continued trying to pull the dog away from me until the dog attacked her. My daughter told me to move away from the dog but I was unable to as I was in pain. Then my son Ramzi, who is 26, came out of his room. He was confused by all the commotion and didn't know what was going on. The moment Ramzi opened his door the soldiers hit him, tied his hands and blindfolded him. Then one of the soldiers said one word and the dog stopped attacking my daughter and sat calm."

"Afterwards, my other sons who live close by, came and took me to the hospital. Every time I woke up in the hospital I would scream thinking the dog was still on me. My son would calm me down and tell me that I was safe, and he would read to me. I received bruises to my body. The next day I started vomiting blood, so I went back to the hospital and they told me that this was because my stomach had been injured. I went in and out of hospital for a week."

"The dog attack traumatized me. I became scared to open doors thinking the dog might be behind it. If I heard a loud noise or voice, even if it was a baby crying, I imagined it was the dog and I would start to cry or scream for somebody to get the dog away from me. After that I went to the Center for Victims of Torture Psychotherapy to get some treatment. My condition has improved following my sessions at the Center."

"I later asked my husband what happened to him when the soldiers entered our house. He told me that by the time he went to the door the soldiers had already broken in. Four soldiers took him to the roof of the house and kept him up there. My husband heard us screaming but whenever he tried to come down to us the soldiers threatened to shoot him. This is not the first time soldiers broke into the house as we live at the entrance to the refugee camp. But this was the first time they used a dog to attack us. That was brutal and there was no need to use the dog as we didn't resist and we didn't present any danger or threat to them."

Testimony 23

Name: Asma E.
Age: 49
Date: 8 September 2014
Location: Silwan, East Jerusalem
Nature of incident: Night raid/arrest

On 8 September 2014, a woman from the East Jerusalem neighbourhood of Silwan describes how armed Israeli police broke into her house at 2.00 a.m. and arrested her

17-year-old son.

Asma lives with her husband and children in the Silwan neighbourhood of East Jerusalem. “Due to the political situation in Jerusalem, five of my children have been arrested by the Israeli authorities over the years,” says Asma. “On 8 September 2014, at about 2.00 a.m., I was watching television while my husband and my children were asleep. I was suddenly shocked to see a number of men wearing masks inside my house. They started yelling ‘Police, Police’. The front door to the house was locked so I think they gained access from the roof. I was in my pajamas and was not wearing my headscarf. I was so scared I started to scream.”

“The police commander asked me where my 17-year-old son Abed was. My body started to shake the moment they said Abed’s name who was sleeping in the next room. I asked the commander to allow me to wake up Abed because he is a heavy sleeper and I didn’t want them to hurt him. The commander told me that I had five minutes to do so and to get him dressed and ready to be arrested. He also told me not to talk to my son. Once I had woken Abed he asked to use the bathroom. At first the commander refused, but eventually relented after I started to shout at him. Abed was allowed to use the bathroom but with his hands tied behind his back. A policeman pulled down his trousers and pulled them up after he had finished.”

“There were about 35 armed police in the house, not counting how many were outside. The police covered Abed’s eyes with a piece of cloth and tied his hands behind his back with a plastic tie. Abed’s twin brother, Muath, asked the police where they were taking him and was told to the ‘Shabak’ and that he should forget about his brother.”

“Next morning I called our lawyer and was told that Abed would be in court at 9.00 a.m. but that I was not permitted to attend because it was a ‘secret trial’. Nevertheless I actually went to the court and waited outside. When they brought my son I was shocked to see he was shivering and his face looked pale. I was still not allowed to talk to Abed or to attend his hearing. Abed’s lawyer later told me that the court ordered that he be held on remand for eight days. We later found out that Abed was charged with making Molotov cocktails and throwing stones at soldiers, rioting and incitement, and endangering the lives of soldiers. Abed has since had seven court appearances and I have only been able to see him once. His trial is now scheduled for 2 December 2014.”

“The situation here is so frustrating. Only last night some settlers who took over the homes around us threw tear gas inside our house. I was alone with my daughter. We ran out of the house and started to scream for help. We had to stay outside until the early morning because the house was still filled with gas.”





Annexure G
Restrictions on freedom of worship

Testimony 24

Name: Abeer Z.
Age: 38
Date: 8 October 2014
Location: Silwan, East Jerusalem
Nature of incident: Freedom of worship/arrest

On 8 October 2014, a woman is beaten by Israeli soldiers and police as she waited to enter the Al Aqsa Mosque.

Abeer lives in the East Jerusalem neighbourhood of Silwan with her husband and four daughters. She is a librarian at the Al Aqsa library. “On 8 October 2014, I saw a large number of Israeli police and military guarding the entrance to the Al Aqsa Mosque. I waited nearby hoping that they would soon allow people to enter the Mosque quarter. While waiting I was chatting with another employee who works at Al Aqsa when I noticed two Israeli soldiers talking in Russian and pointing at me. Suddenly the soldiers started running towards me. One of the soldiers pushed me while another started to hit me with a baton on my legs, causing me to fall down. Then a female soldier sat on me while another soldier cuffed my hands behind my back. I was really confused and I didn’t know what was going on or why they attacked me.”

“I was then led away to a police station and I was beaten along the way. A female soldier pulled off my headscarf and other soldiers prevented any Palestinians getting close to me. When we reached the police station I was given a humiliating full body search. I was then taken to the Al Mascobiyya interrogation centre (the Russian Compound) in West Jerusalem and I was beaten in the car on the way. Both my hands and legs were shackled at the time.”

“When we reached Al-Mascobiyya I was pushed to the ground. My hands and head were bleeding, but I was not provided with any medical assistance. When I asked a policeman to return my headscarf he spat at me and called me a whore.”

“Sometime later I was taken for interrogation. I met with a lawyer and asked him to bring me a headscarf and fresh clothes, as my clothes were ripped. My father later brought the scarf and clothes. I was later informed that I was being charged with assaulting the police, rioting and obstructing police work. During the interrogation, my lawyer demanded to review the surveillance camera that covers the area where I was attacked. My lawyer also obtained a video taken by a passerby as I was being dragged and beaten by the police.”

“Later on a Palestinian member of the Israeli Knesset got involved in my case and I was released on bail and told not to go anywhere near Al Aqsa Mosque for two weeks. I was released at 2.00 p.m. and my husband and father took me directly to a medical centre for treatment. One week later I still find it difficult to move or lift anything. My jaw is swollen and I find it difficult to eat or drink. It makes me very sad that I have been prevented from going to the Al Aqsa Mosque. This incident has had a very negative impact on me, my husband, my children and family. I intend to sue the Israeli authorities for the way I was treated.”

Testimony 25

Name: Waed K.
Age: 18
Date: 23 October 2014
Location: Wadi Al Joz, East Jerusalem
Nature of incident: Freedom of worship/soldier violence

On 23 and 26 October 2014, violent clashes erupt outside a College close to the Al Aqsa Mosque.

Waed lives with her family in the Wadi al Joz neighbourhood of East Jerusalem and attends the Ibrahimieh College five minutes away from her home. “Recent action by the Israeli police preventing Muslims from praying at the Al Aqsa Mosque has increased tensions in the city enormously,” says Waed. “The peaceful protests that have occurred outside the Mosque have been met with a violent reaction by the police.”

“My College is situated approximately 200 metres away from the Al Aqsa Mosque. On my way to school I frequently find clashes taking place with the police. We are frequently sprayed with skunk water and exposed to tear gas. The smell of the skunk water fills our classrooms and sometimes tear gas enters the building. Students sitting in the school yard frequently have to run for cover as the skunk water truck passes by, spraying liquid everywhere.”

“On 23 October, at 1:00 p.m., I was sitting with the rest of my class mates in a computer lab lecture when we heard gun fire and the sound of clashes outside Al Aqsa Mosque. Looking out of the window we could see clouds of heavy smoke and a number of military and police vehicles. Everybody in the classroom started to panic. Some students went outside to try and find out what was going on. All I could think about was how was I going to get home. I was concerned that if I left the College and walked home I could be hit by a bullet or one of the tear gas canisters that were being fired. Accordingly, I decided to remain at the College with the rest of the students.”

“After few hours the College administration arranged for us to leave the building in small groups. Every student who owned a car took other students with him or her. None of the students wanted to walk near the clashes because the Israeli police were

very tense and suspicious of anyone who approached.”

“On 26 October, at 4:00 p.m., another incident occurred. During a graduation ceremony at my College we heard a big explosion and could see that tear gas was being fired towards the roof of the building. Instead of being a happy event, the graduation ceremony was very tense. Nevertheless we continued on with the ceremony even though tear gas was being fired at the building.”

“These experiences have impacted me deeply. I now feel nervous every time I approach my College and I fear for my safety. I really hope things return to normal soon so that we can try to live a safe life.”







¹ The Jerusalem Project entitled: “Protect the Rights and Improve the Resilience of Vulnerable Communities in East Jerusalem” is a 3-year multi-sectoral initiative that aims to strengthen some of the most vulnerable communities and revive Palestinian civil society presence in East Jerusalem. Implementing organizations include the Women’s Centre for Legal Aid and Counseling (WCLAC), Juzoor for Health and Social Development, the Palestinian Medical Relief Society (PMRS), the Agriculture Development Association (PARC) and the Coalition for Jerusalem represented by the Palestinian Counseling Centre (PCC). This project is funded by the European Union (EU) and is co-financed by Oxfam.

² WCLAC – Jerusalem: A City Divided (September 2014).

³ Reference to “historic Palestine” refers to the territory now known as Israel and Palestine.

⁴ UN Charter – Article 2.

⁵ UN Security Council resolution 242.

⁶ UN Security Council resolution 465.

⁷ See for example UN Security Council resolutions 252, 267, 471, 476 and 478.

⁸ International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 9 July 2004.

⁹ ICRC, Expert Meeting, Occupation and other Forms of Administration of Foreign Territory, 2012. Available at: <http://is.gd/wco3OG>

¹⁰ United Nations, Office for the Coordination of Humanitarian Affairs (UN OCHA), East Jerusalem: key humanitarian concerns (August 2014). Available at: <http://is.gd/MiaKyv>

¹¹ ACRI, East Jerusalem Facts and Figures (May 2015). Available at: <http://is.gd/J08r49>

¹² United Nations, Office for the Coordination of Humanitarian Affairs (UN OCHA), East Jerusalem: key humanitarian concerns (August 2014). Available at: <http://is.gd/MiaKyv>. ACRI, East Jerusalem Facts and Figures (May 2015). Available at: <http://is.gd/J08r49>

¹³ UNOCHA – East Jerusalem: key humanitarian concerns (August 2014); ACRI, East Jerusalem Facts and Figures (May 2015). Available at: <http://is.gd/J08r49>

¹⁴ Citizenship and Entry into Israel law (2003)

¹⁵ UNOCHA – Monthly Humanitarian Bulletin (January 2012)

¹⁶ Housing density in Palestinian neighbourhoods is almost twice that of Jewish neighbourhoods, 11.9 square metres per person compared with 23.8 square metres per persons. Source: B’tselem (2002). Available at: <http://is.gd/OZp8yq>

¹⁷ ACRI, East Jerusalem Facts and Figures (May 2015). Available at: <http://is.gd/J08r49>

¹⁸ Nir Hason, Haaretz, 29 October 2014.

¹⁹ B'Tselem

²⁰ Haaretz, Israeli knew all along that settlements, home demolitions were illegal, 19 May 2015. Available at: <http://is.gd/xERs4J>

²¹ United Nations, Office for the Coordination of Humanitarian Affairs (UN OCHA), East Jerusalem: key humanitarian concerns (August 2014). Available at: <http://is.gd/MiaKyv>

²² B'Tselem statistics. Available at: <http://is.gd/SXlpEt>

²³ UNOCHA – Monthly Humanitarian Bulletin (October 2014)

²⁴ +972: Israel issues E. J'lem settlement tenders as violence spikes, 27 April 2015.

²⁵ Minister of Foreign Affairs, Legal Advisor, Subject: Settlement in the Administered Territories, 21 September 1967. Available at: <http://is.gd/NF3TBK>

²⁶ Rome Statute of the International Criminal Court - Article 8 2(b)(viii)

²⁷ UNOCHA – Monthly Humanitarian Bulletin (December 2014)

²⁸ ACRI, East Jerusalem Facts and Figures (May 2015). Available at: <http://is.gd/J08r49>

²⁹ Ibid.

³⁰ UNOCHA – Monthly Humanitarian Bulletin (December 2014)





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