

# DEMOLITIONS IN EAST JERUSALEM

## 2021 ANNUAL SUMMARY

January 2022



**In 2021, 134 housing units along with 103 non-residential units (i.e. stores, warehouses, etc.), comprising a total of 237 structures, were demolished in East Jerusalem.** These statistics are similar to those of [2020, when 144 housing units along with 72 non-residential units were demolished.](#)

In 2021, 94 housing units were self-demolished - that is, carried out by the homeowners themselves. This constituted 70% of the total housing units demolished. The remaining home demolitions were carried out by the authorities (a total of 40 housing units). In comparison with 2020, this reflects a near-doubling of the amount of housing units demolished by the authorities in 2020 (22 housing units).

The scale of demolitions in East Jerusalem skyrocketed following the full implementation of Amendment 116 to the Planning and Building Law at the end of 2018. This is also known as the Kaminitz Law, named after former Deputy Attorney General Erez Kaminitz. While government decisions partially froze the law's enforcement during the Coronavirus crisis, these did not make a meaningful difference to the overall bleak housing situation in East Jerusalem. On November 25, 2020, the Ministry of Justice issued regulations to freeze implementation of Amendment 116 for two years. These measures were implemented following a process of ongoing dialogue between Members of Knesset from the Joint List alongside other entities from the Arab sector, and the Minister of Justice. This freeze, however, does not apply to the enforcement of building violations carried out by local municipal authorities, and rather applies to Arab and agricultural communities within the Israeli side of the Green Line. The freeze furthermore only affects existing structures against which no prior enforcement proceedings had been initiated. Subsequent to Ir Amim seeking clarification from relevant Members of Knesset, it emerged that the freeze would, in fact, also apply to East Jerusalem. Ir Amim's continuous monitoring of East Jerusalem home demolitions, did indeed demonstrate that there was a decrease in the amount of home demolitions at the end of 2020; specifically, a reduction was noted in home demolitions carried out by the authorities.<sup>1</sup> However, this situation did not persist, as the 2021 data underscores.

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<sup>1</sup> See: [Ir Amim 2020 Annual Report on Demolitions in East Jerusalem](#), January 2021.

One of the most significant changes stemming from Amendment 116 is the increased severity of penalties for “building violations.” As a consequence, the amount of “self-demolitions” – carried out in order to avoid austere punitive measures – has increased by several hundred percent in comparison to the period preceding the amendment’s implementation.

### Demolitions in 2021 By Month

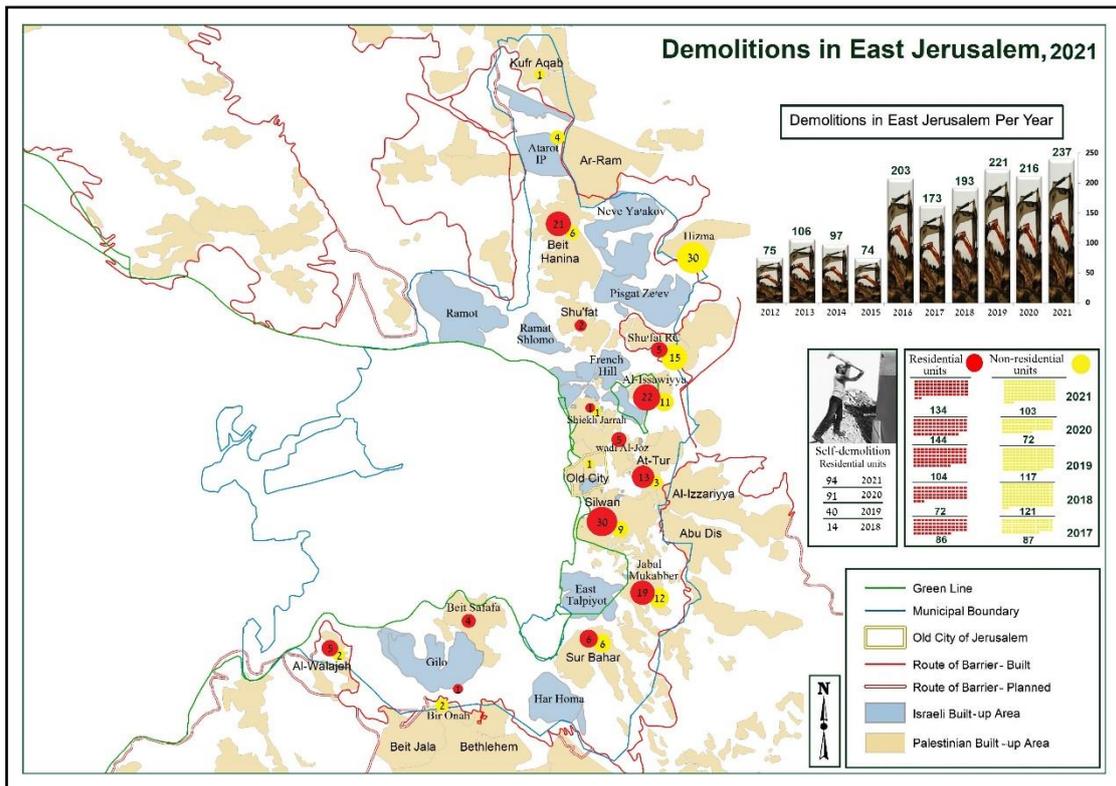
MONTH	HOUSING UNITS	OTHER STRUCTURES	SELF-DEMOLITIONS	TOTAL
January	6	1	4	7
February	11	9	11	20
March	15	13	19	28
April	1	5	1	6
May	1	2	3	3
June	11	10	15	21
July	16	13	16	29
August	27	15	22	42
September	5	0	5	5
October	9	0	8	9
November	13	19	13	32
December	19	16	8	35
<b>TOTAL</b>	<b>134</b>	<b>103</b>	<b>125</b>	<b>237</b>

### INCREASED DEMOLITIONS CARRIED OUT BY THE LAND ENFORCEMENT AUTHORITY

The Land Enforcement Authority (formerly known as the National Unit for Enforcing Planning and Construction Laws), a body institutionally housed within the Finance Ministry, is the harshest of the state’s enforcement agencies. Despite the fact that the Land Enforcement Authority is authorized to act throughout the country, in most cases it only operates in land lying outside of municipal jurisdictions, or when local authorities cannot or do not enforce planning and building laws themselves. East Jerusalem is an outlier case of a municipal jurisdiction in which the Land Enforcement Authority still operates, despite the Jerusalem Municipality having an operational municipal enforcement unit.

In the past, Ir Amim has highlighted the fact that in East Jerusalem the State employs numerous planning and building enforcement units - an indication of the immense resources the State chooses to dedicate to demolishing homes in the city’s Palestinian neighborhoods.<sup>2</sup>

A possible explanation for the increased scale of demolitions carried out by the authorities over this past year – a near-doubling – is the fact that the Land Enforcement Authority expanded the scope of its activities in East Jerusalem. If in the past, the agency only operated in Jerusalem neighborhoods that lie beyond the Separation Barrier (such as al-Walaje and Bir Oneh), over the course of 2021 the Land Enforcement Authority’s enforcement agents could be found operating within the Israeli side of the Separation Barrier, in neighborhoods like At-Tur and the outskirts of Beit Hanina. Joint List MK Ofer Cassif’s inquiries to the Finance Minister as to why this agency is now operating in East Jerusalem have been insufficiently answered.



<sup>2</sup> See: “[The Stark Rise in Home Demolitions in East Jerusalem in 2019](#),” Ir Amim Analysis Paper, January 2020.

## “SELF-DEMOLITIONS”

The neighborhood of Silwan has had the most demolitions of housing units over the past year: a total of 30. In preceding years as well, the extent of demolitions in this neighborhood has been vast. In al-Issawiyya, 22 housing units were demolished; whereas in Beit Hanina, 21 were demolished. The number of demolitions in al-Issawiyya is worth noting because the Jerusalem Municipality has publicly celebrated its new outline plan that it prepared for the neighborhood. The plan has been promoted by various planning committees for the past two years, yet it still remains unapproved. It has been over 30 years since the last outline plan for al-Issawiyya received approval, therefore many residents have had no option but to build without a permit to account for natural population growth. In 2020, the Jerusalem mayor took the extraordinary step of freezing demolitions as a trust-building measure and an element of advancing this new outline plan. However, this freeze was not extended to 2021, even though the new outline plan still awaits approval.

### Demolitions in 2021 by Neighborhood

NEIGHBORHOOD	HOUSING UNITS	OTHER STRUCTURES	SELF-DEMOLITIONS	TOTAL
KUFR AQAB	0	1	--	1
ATAROT	0	4	6	4
BEIT HANINA	21	6	22	27
HIZMA	0	30	--	30
SHUAFAT	2	0	2	2
SHUAFAT REFUGEE CAMP	5	15	9	20
AL-ISSAWIYYA	22	11	8	33
AT-TUR	13	3	11	16
SHEIKH JARRAH	1	1	--	2
WADI JOZ	5	0	4	5
OLD CITY JERUSALEM	0	1	--	1
SILWAN	30	9	30	39
JABAL AL-MUKABBER	19	12	22	31
SUR BAHER	6	6	8	12
BEIT SAFAFA	4	0	2	4

PALESTINIAN HOMES IN THE GILO SETTLEMENT	1	0	1	1
BIR ONEH	0	2	--	2
AL-WALAJEH	5	2	--	7
<b>TOTAL</b>	<b>134</b>	<b>103</b>	<b>125</b>	<b>237</b>

## FROM HOME DEMOLITIONS TO MASS DISPLACEMENT

The ongoing discrimination in the realm of planning and building together with the severe punitive ramifications of Amendment 116 have led to the current situation in East Jerusalem: a concentration of entire neighborhoods that have exhausted all legal remedies against demolition orders. Demolitions in many of these neighborhoods could be thus carried out at any time.

For example, the area of al-Bustan in the Silwan neighborhood has 22 active demolition orders which exhausted all legal avenues;<sup>3</sup> in Silwan’s Wadi Yasul neighborhood, 58 more homes are at imminent risk of demolition; and in al-Walajeh, approximately 50 homes are threatened with demolition. Together with the 30 houses that have already been demolished in al-Walajeh since 2016, these constitute over half of the homes that exist in the Jerusalem portion of al-Walajeh.

Thus, the acceleration in distributing and executing demolition orders has led to an existential threat for entire communities in East Jerusalem; communities that could be completely uprooted from the city and removed from the municipal map.

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<sup>3</sup> These 22 active orders are in addition to the 78 further demolition orders that are currently in the midst of court proceedings.