

East Jerusalem in the Shadow of the War

Organizations Report, April 2024

Following the murderous attack by Hamas on October 7, 2023, Israel launched a protracted war in Gaza, at the cost of extensive harm to the civilian population, a humanitarian disaster, and the massive destruction of infrastructure. The organizations partnering in writing this report – Ir Amim, the Association for Civil Rights in Israel (ACRI), HaMoked: Center for the Defence of the Individual (HaMoked), and Emek Shaveh – call for the immediate return of the hostages and an end to the war, as well as for the protection of citizens, residents, and their living environments, wherever they are.

The war also had immediate and severe ramifications in the West Bank and East Jerusalem. Along with the discrimination and violation of rights suffered by residents of the West Bank and East Jerusalem on a regular basis, since the outbreak of the war, additional violations of their rights have occurred and are occurring, and their already difficult living conditions have worsened even further.

This report will focus on the various ways in which the war has affected East Jerusalem and its residents.

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Background

In June 1967, Israel occupied East Jerusalem, the West Bank, the Gaza Strip, the Golan Heights and the Sinai Peninsula. A few weeks after the start of the occupation, the State of Israel annexed territories in and around Jerusalem, known today as East Jerusalem. After the annexation, Israel's administration, law and jurisdiction were applied to these territories. The annexation of East Jerusalem is contrary to international law, and is not recognized by most countries of the world.

Israeli policy seeks to separate and disconnect East Jerusalem from the West Bank, alongside attempts to blur and even erase the Green Line in and around the city.

Following annexation, Palestinian residents of East Jerusalem received the status of permanent residents in Israel. This means that as long as Israel controls the territory of East Jerusalem and defines its residents as Israeli residents, it is obliged to treat them equally. These residents are entitled to all the services and rights enjoyed by citizens of the state, with the exception of the right to vote in Knesset elections. Despite this, since 1967 the Israeli authorities have refrained from allocating proper resources to East Jerusalem, which would allow the residents to receive appropriate services and meet the physical needs of the area and the needs of the growing population.

The residents of East Jerusalem have suffered discrimination from the Israeli authorities for over 56 years. The policy of discrimination is evident in all areas of life, shaping a difficult daily existence and violating the most basic human rights. In addition, the Palestinian residents of East Jerusalem suffer from over-policing, police violence, and the constant violation of their freedom of expression and right of protest.

The discrimination and neglect policy promotes Israel's interest to maintain a Jewish majority in the city and to displace Palestinians from the city. Moreover, Israel helps Jewish settlers in East Jerusalem through a wide variety of means (budgets, armed security, land management, urban planning, etc.), thereby promotes the expansion of their takeover of houses and neighborhoods in this area with the aim of increasing its hold in these areas. At the same time, it works to "strengthen" the Jewish affinity of the neighborhoods through heritage projects, while erasing and deliberately ignoring Palestinian history and heritage.

Lack of Shelter

The vast majority of apartments and residential buildings in the neighborhoods of East Jerusalem do not have any protected spaced or bomb shelters. These neighborhoods are also not equipped with public shelters (with the exception of a single public shelter in Shuafat, which is also temporarily inactive). The only places where residents can find protection during missile attacks are a small number of schools in some neighborhoods, which have been opened to the public. **The current situation leaves the residents vulnerable to missile strikes and seriously violates their right to life, bodily integrity, and equality.**

On October 11, 2023, ACRI, and Bimkom sent urgent legal correspondence to the Mayor of Jerusalem to make sure that public shelters are available in the neighborhoods of East Jerusalem, either by opening all the educational institutions and public buildings that are equipped with shelters, installing prefabricated protection measures, or any other solution that would provide protection for Palestinian residents of the city. Six months later, we have still not received any response to the request.

Movement Restrictions and Blockages

Closure of Checkpoints around Jerusalem to Entry by Residents of the Neighborhoods beyond the Separation Barrier

On October 7, 2023, immediately after Hamas attacked the south of Israel and war broke out, the [checkpoints in the area around Jerusalem](#) were closed to vehicle and pedestrian traffic. The closing of the checkpoints imposed a blockade on thousands of people living within the city limits of Jerusalem, in the neighborhoods beyond the Separation Barrier: Kafr Aqab, Shuafat refugee camp, Dahiyat a-Salaam, Ras Hamis, Ras Shahadeh, and Bir Una. Many of the residents of these neighborhoods have Israeli status and documents – permanent residency, temporary residency or entry permits. In normal times, many of them enter Jerusalem every day for the purposes of employment, education, health, welfare, worship, shopping, and various services.

In addition to closing the existing checkpoints, the security forces erected roadblocks on the streets of East Jerusalem, preventing exit from certain neighborhoods. At the few checkpoints that remained partially open, severe traffic congestion was created, and regular passage was almost impossible.

Such a sweeping denial of freedom of movement, leading to the wholesale violation of a range of human rights of tens of thousands of residents, is illegal. **Even in wartime, the state is not permitted to treat permanent residents and people lawfully residing under its control as enemies and to impose a total or partial blockade on them. Such behavior constitutes a disproportionate violation of human rights and illegal and prohibited collective punishment.**

Over the following days, some of the checkpoints reopened in a limited format, while others remained closed. Qalandiya checkpoint resumed operation only two weeks after the outbreak of the war, in a partial and extremely limited format. The result is an almost complete closure on Jerusalem residents living in Kfar Aqab. On November 7, 2023, ACRI, HaMoked, Ir Amim, and residents from the neighborhoods beyond the checkpoint [petitioned the Supreme Court](#), demanding that normal activity be resumed at the checkpoint. The petition argued that even security needs cannot justify the protracted and profound violation of the right of tens of thousands of people to freedom of movement and vital services.

The petition is still pending. As part of the legal proceeding, the checkpoint is now functioning more regularly, but still not on a full basis. No solution has been found for rapid passage in emergencies when the checkpoint is closed.

Denial of Entry of Palestinians with a Family Reunification Permit into Jerusalem through the Shuafat Checkpoint

Approximately 300 residents of the Territories who live with Israeli spouses and family members and hold a family reunification permit reside beyond the Separation Barrier, in Shuafat refugee camp and the adjacent neighborhoods. Since the outbreak of the war, they have been forbidden to cross into Jerusalem through the Shuafat refugee camp checkpoint near their home, unless their address on the identity card is Anata, a Palestinian village near the checkpoint. However, when residents tried to change their address in the Palestinian population registry, they were told that Israel forbids this.

ACRI and HaMoked petitioned the Supreme Court on December 18, 2023 on behalf of four Palestinians with family reunification permits who were denied passage through the checkpoint. The petition claims that closing the checkpoint to the residents – who work in the city and receive services there, including their children’s schools – violates their right to a livelihood, freedom of movement, integrity of the family, equality, and respect.

The day after the petition was submitted, the restrictions on residents’ movement were lifted.

Severe Collective Restrictions at the Entrance to the Temple Mount / Al-Haram a-sharif

From the outbreak of the war through the second day of Ramadan (March 11, 2024), the police imposed severe collective restrictions on entry to the Temple Mount / Al-Haram a-Sharif to almost all Muslims inside the State of Israel, including residents of East Jerusalem. According to the Waqf’s figures, the number of worshippers at the site on Fridays fell from about 35,000–50,000 in normal times to just 5,000 older worshippers. At the same time as the mountain was closed to Muslims, Jews (and Temple activists, in particular) continued to enter the compound without any restrictions.

Such a protracted closure of the Temple Mount / Al-Haram a-Sharif to Muslims is unprecedented, and constitutes a serious violation of the status quo to which Israel is committed to maintain, which states that the site is a Muslim place of worship, while non-Muslims are permitted entry only as visitors, at suitable times and places.

Just a few days before the start of Ramadan (March 10, 2024), the Prime Minister’s Office published a reassuring announcement regarding the entry of Muslims to the Temple Mount / Al-Haram a-Sharif, contrary to the demand of National Security Minister Ben-Gvir to impose sweeping restrictions. However, Netanyahu left an opening for continued restrictions on access to the site during Ramadan. Announcing a limit of 50,000 on the number of Muslim worshippers permitted to reach the site is also grave, bearing in mind that the number of

Muslims attending noon prayers on Friday during Ramadan is normally around 200,000, and the number coming on Laylat al-Qader is even higher.

On the first night of Ramadan, the police denied the entry of hundreds of young Palestinians into the compound, including by violent means. From the second night, the restrictions were lifted and the square by Damascus Gate was filled with visitors who worshiped and followed Ramadan traditions peacefully.

Over - Policing and Police Violence

As soon as the war broke out, the security forces surrounded East Jerusalem with movement restrictions and checkpoints, and began collective punishment operations and aggressive policing against Palestinian residents of the city. During clashes in several neighborhoods, the security forces used live fire, “skunk” water cannons, gas and rubber bullets, and other means. Clashes also erupted between Palestinian residents and Jewish settlers in the Palestinian neighborhoods of the city. From the beginning of the war through the end of 2023, five young Palestinians were killed in East Jerusalem in clashes with the security forces. In the same period, 987 arrests of Palestinians were reported in East Jerusalem, including women and children; hundreds of those arrested were placed under house arrest. Dozens more residents were placed under administrative detention, and hundreds received removal orders from Jerusalem as whole, from the Old City, or from the Temple Mount / Al-Haram a-Sharif compound.

Many cases of attacks on passers-by by the security forces were documented and published in the media and social networks. Incidents included the throwing of a stun grenade into a restaurant, attacks on car passengers and pedestrians, humiliating searches, random searches of cell phones, even of young students on their way to school, and harming people with disabilities. For weeks, educational staff and students encountered severe violence on their way to and from school from the security forces deployed in the city, and many Palestinians are still afraid to leave their homes and reach the west of the city.

Police violence is often used without cause or need against people who are not disturbing the peace. For example, on February 29, 2024, HaMoked sent complaints to the Israel Defense Forces on behalf of two young residents of East Jerusalem who suffered severe violence from police officers on January 9, 2024, while they were on their way to their home in Beit Hanina, together with another friend. The vehicle in which the three were traveling was suddenly blocked by a Special Patrol Unit patrol car. They were ordered to get out of the vehicle for a search, and were then brutally attacked without any reason by five or six police officers. One of the young men was arrested and later taken to the hospital, where he was found to be suffering from chest and face injuries as well as a broken nose. The other was left at the scene of the incident and was taken to the hospital after losing consciousness; he suffered from breathing difficulties and severe pain in the upper body.

Eviction of a Family from Their Home without Authority

On October 30, 2023, a seventeen-year-old boy from A-Tor stabbed a Border Police officer with a knife and was killed by police officers. Later that day, large police forces raided his family's home, conducted a search, and ravaged the house and its contents. At the end of the operation, the forces ordered the family members to leave the apartment and never to return. The family – parents and three children – moved to live with the father's brother. On January 28, 2024, HaMoked sent legal correspondence to the Jerusalem District Police demanding to present the source of authority by virtue of which the family was evicted from their home, or alternatively to allow them to return to it. On March 10, 2024, the police's answer was received according to which "there is no objection to the use of the family home."

Civil Armament

Following the Hamas attack on October 7, a wave of arming and organizing local volunteer guard groups began throughout the country, including Jerusalem. This wave was driven by a combination of a genuine sense of fear and insecurity together with incitement by right-wing elements, led by Public Security Minister Ben-Gvir. At the end of October, it was announced that 10 neighborhood preparedness units had been established in Jerusalem, and the intention is to establish [18 more units](#). The members of the preparedness units, receive guns from the police that they keep in their homes.

Of the 10 preparedness units, established in Jerusalem, at least three are located in ideological settlements in the heart of Palestinian neighborhoods: Nof Zion (in Jabal al-Mukabber), Ir David (in Silwan), and Kidmat Zion (in Ras al-Amud). These preparedness units were established despite the fact that these settlements already enjoy publicly-funded private security guards.

The tense atmosphere in Jerusalem, combined with grandstanding by politicians and right-wing organizations, raises concern that the presence of so many armed organizations in the city will escalate confrontations with residents of East Jerusalem.

Revocation of Status

On October 16, 2023, the Minister of Interior announced his intention to revoke the permanent status of two residents of East Jerusalem, Rajab Ju'aba and Rashid Rashiq, who are being held by the Israel Prison Service, on the grounds of "breach of trust to the State of Israel." In an official statement sent to the media by the minister's office, the two were called "Nazi Hamas terrorist from Jerusalem."

On November 30, 2023, HaMoked submitted a document of written arguments in Rashiq's case to the minister. The document argues that the Supreme Court has not yet ruled regarding the constitutionality of the amendment to the Law on Entry into Israel, which permits the revocation of permanent residency on the grounds of "breach of trust to the State of Israel."

This has not yet been decided by the Supreme Court of Justice, and therefore Rashiq will be unable to defend himself in court a decision to revoke his residency until such a decision is granted. HaMoked further argued that Rashiq does not hold any citizenship other than his permanent residency status in Israel, and that his criminal trial is still ongoing. The letter adds that in addition to Rashiq's private case, "the accumulation of all these circumstances casts the message in a very problematic light, on the border of legality if not beyond it, of a desire for revenge against a convenient scapegoat in order to satisfy the thirst for revenge and punishment that seems to have seized control of political public discourse following the horrific massacre committed by Hamas on October 7, 2023."

Planning and Building

Advancing Settlements

Since the war began, Israel has pushed forward plans for the expansion and establishment of settlements in East Jerusalem through the construction of approximately 7,000 housing units. Of these, 2,500 of them are planned to be built in new settlements in Givat Shaked, the Lower Aqueduct, and Kidmat Zion.

House Demolitions

Since the beginning of the war, the rate of [demolition of houses](#) built without a permit has increased. By mid-March 2024, 133 buildings had been demolished in East Jerusalem, including 97 residential units. 9 housing units were demolished in Walaja and 1 in the Al-Bustan area of Silwan – two communities that are under the threat of total eviction by the Israeli authorities.

On October 19, 2023, ACRI, Ir Amim, and Bimkom [sent legal correspondence](#) to the Mayor of Jerusalem demanding an end to the demolition of houses in East Jerusalem during the war. The correspondence claims that **home demolitions in East Jerusalem are an illegal phenomenon even in normal times, against the background of the discriminatory planning in this part of the city, which does not allow residents to obtain building permits. The ongoing demolitions during the war, which have left dozens of people without shelter and protection from missiles, are marred by extreme unreasonableness and heartlessness.** No reply was received.

Archaeological and Heritage Sites

During the war, the government has also continued to operate vigorously in the field of Archaeological and heritage sites in East Jerusalem, with the goal of controlling territory, changing the narrative, and creating tourist centers of interest. These efforts have three aims: (1) to strengthen and normalize the Jewish presence in East Jerusalem through the creation of tourist centers focus on the Jewish-biblical past of the city; (2) to limit Palestinian living

space and displace residents, physically and historically, from the Old City Basin; (3) and to place obstacles in the way of any future settlement.

Since October 2023, three main projects have been promoted:

The Cable Car project for the City of David (National Infrastructure Plan 86): The cable car project is expected to harm Palestinian landowners along the cable car's route, and residents whose homes are situated just a few meters under the planned cable car route. Over the last two years, the Jerusalem Development Authority has continued to invest tens of millions of shekels in the promotion of the project, to approve supplier contracts with exemption from tender, to carry out archaeological excavations, to uproot trees, and to declare the confiscation of private lands. This is despite the fact that it was recently reported that the project is experiencing a significant delay because foreign companies, with the expertise required for the project, are not willing to take part in it for political reasons. In December 2023, under the cover of war, confiscation orders were [published](#) for a total area of 8,752 square meters slated for the erection of pillars. This is a temporary confiscation for eight years, an unusual procedure in itself in the field of planning in Jerusalem.

Excavations of Pool of Siloam: Since December 2022, the Antiquities Authority have been conducting a large archaeological excavation in the Silwan neighborhood in search of the Pool of Siloam. The works began after the Elad association took over a plot owned by the Greek Orthodox Church adjacent to the archaeological site, evicting a Palestinian family that cultivated it and made a living from it. The takeover and the works, which were undertaken hastily using heavy mechanical tools, caused unprecedented damage to a rare botanical environment that had survived in the last orchard in Silwan, and may also have damaged archeological findings. During the war, the army began to cooperate in the project, and soldiers were sent to assist in the excavations of the site.

The Ben Hinnom Valley

Under the cover of the war, the Nature and Parks Authority and the Elad Association continued to promote the Judaization of the Ben Hinnom Valley. Along with taking over large plots of land, including olive groves, the Elad association, with the backing of the Nature and Parks Authority, began to place gates and barriers at the entrance to the plots claimed by the Palestinians, preventing the residents from entering their land. In addition, at the beginning of the war, the controversial suspension bridge was lit up in blue and white colors, thereby joining the "war of colors" in the area, whereby settlers illuminate their homes with blue Stars of David while the Palestinian residents of Silwan place glowing green crescents.

Employment and Food Security

Even before the war broke out, about 75% of the residents of East Jerusalem lived below the poverty line, and many found themselves lacking basic food. **During the war, unemployment**

figures have increased exponentially, and many families now face full-fledged hunger. Many workers from East Jerusalem lost their jobs due to layoffs or placement on unpaid leave due to concerns of their presence among colleagues or clients, due to a sense of persecution in mixed workplaces, and due to the closure of the checkpoints around Jerusalem and the other restrictions on movement, which prevented them from reaching their work places regularly. During the early months of the war, residents of East Jerusalem also faced violence from the security forces and from Jewish civilians; they were very reluctant to leave their homes, and particularly to use public transportation to reach workplaces in the west of the city. According to [figures from the Employment Service](#), while in the country there was a 150% increase in new clients of the Employment Service, and in Jerusalem a similar increase of 140% was recorded, among the population of East Jerusalem the increase was over 300% in October 2023, compared to the previous month (and an increase of about 340% over the average for 2023).

As noted, the large-scale loss of employment significantly impaired food security among residents of East Jerusalem. In the absence of assistance from the authorities – despite appeals from individuals and organizations – civil organizations mobilized to organize and distribute food baskets, but even these could only provide partial help.

In August 2023, the Israeli government adopted a decision approving another [five-year plan to reduce social and economic disparities in East Jerusalem](#). However, after October 7, part of the program's implementation was frozen, its budgets were cut, and there is also concern of possible damage to the professional mechanisms established for its implementation.

Education and Academia

Freedom of Expression in Academic Institutions

Since October 7, the trend of silencing has intensified in the public discourse in Israel, including in academic institutions. Due to the pain and anger following the Hamas attack, tolerance for complex statements and expressions that deviate from the consensus is almost non-existent. In particular, any comment that appears to express sympathy or identification with the civilian population in Gaza, as well as calls for an end to the war, provoke furious responses.

The suppression of freedom of expression in the academy is mainly directed towards Arab students and faculty members, including residents of East Jerusalem. By mid-December 2023, it was reported that over 160 disciplinary proceedings had been opened against Arab students in 34 academic institutions across the country (80% of the proceedings were opened in colleges and the remainder in universities). In most of the proceedings in which a decision was reached, the students were acquitted, but the mere opening of the proceedings has a chilling and discouraging effect on the freedom of expression of Palestinian students.

For example, at the Hebrew University, political groups began monitoring students immediately after October 7. In October, the university announced the establishment of a

committee on the matter. Disciplinary proceedings were opened against four students, one of whom is Jewish. In March 2024, the university decided to suspend Prof. Nadera Shalhoub-Kevorkian from teaching, based on harsh comments she made in an interview. Following the decision, [ACRI sent legal correspondence](#) to the President and Rector of the Hebrew University, arguing that the suspension was done in violation of the university's procedures and that Prof. Shalhoub-Kevorkian's words, outrageous and infuriating as they may be, are covered under the right to freedom of expression and academic freedom.

At **Bezalel Academy**, 14 disciplinary proceedings were initiated against Arab students at the beginning of the war. Later, the academy decided to freeze the proceedings and reorganize the activities of the disciplinary committee.

Due to the atmosphere of persecution, some Arab students became afraid to return to class after the war, and some even discontinued their studies at various institutions.

Freedom of speech protects not only consensual positions that are easy on the ear –these do not usually require protection. **Freedom of expression is mainly relevant in the context of unusual, outrageous, and aggravating opinions, voiced against the background of difficult and complex events.** In the conduct and policy described above, the universities and colleges have abandoned thousands of Palestinian students and faculty members who study and work in them. The message conveyed to all students and teachers, and to Palestinians in particular, is that freedom of expression exists within the walls of the institution – as long as the “correct” positions are held.

Supervision and Sanctions on Teachers and Schools

In December 2023, a bill was placed before the Knesset entitled the *Proposed Law: Inspection of Schools (Amendment – Prohibition of Employment of Persons Convicted of Terror and Supporters of Terror and Inspection of Content of Studies to Prevent Incitement), 2023*. The bill supposedly enhances the supervision of teaching workers who are suspected, accused or convicted of a terrorist offense. It also seeks to prevent the granting of operating licenses to educational institutions whose curriculum does not conform to “the basic guidelines of the Israeli curriculum, as determined in the Education Director-General's Circular.”

In February 2024, a further bill was placed before the Knesset – the *Proposed Law: Prohibition of Employment of Teaching Workers and Withholding of Budget from Educational Institutions due to Identification with a Terror Act or a Terrorist Organization (Legislative Amendments), 2024*. The bill seeks grant the Minister of Education and the Director-General of the Ministry of Education – both of whom are political figures – or a person on their behalf, broad authority to terminate teachers, to refuse to grant a teaching license or revoke it, and to condition, cut or deny budgets from schools through an administrative proceeding, due to suspicion of identification with and support for terrorism.

Although this was not stated explicitly, it is clear that part of the goals of the bill proposals are to regulate the Arab and Palestinian education systems, particularly in East Jerusalem. The bills seek to control these systems; to intimidate teachers and principals in Arab schools; and to mark them and make them a target for surveillance and a witch hunt. These bills are **both harmful and unnecessary, since the existing law gives the Education Ministry appropriate and adequate tools to address curricula, educational institutions, and teaching staff whose influence on students is negative and harmful**. They seriously violate the right to expression, employment, and pedagogical autonomy of teachers and principals.

Prohibited Publication of the Details of Minors on the Ministry of Justice's Website

In November 2023, the government approved an agreement for the return of some of the Israeli hostages held in Gaza in exchange for the release of detainees and security prisoners held in Israel. A list of 350 detainees and prisoners slated for release as part of the deal was published on the Justice Ministry website, including dozens of minors, residents of East Jerusalem and of the Territories, and even one minor who is an Israeli citizen. The vast majority of the minors were released from pre-trial detention, so their names were published even before the legal proceedings against them had ended, before their guilt had been proven, and while they enjoyed the presumption of innocence.

This publication is contrary to the legislative provisions that prohibit the publication of the identifying information of minors involved in criminal proceedings. These provisions are intended to protect them and their family members from stigma and acts of revenge, and to increase the minors' chances of rehabilitation after their release. The laws do not exclude security offenses, of which the minors were arrested and suspected. Following ACRI's request, the details of the minors were removed from the Ministry of Justice's website.