



## March 30<sup>th</sup> Supreme Court Hearing Could Lead to Immediate Largescale Demolition in al-Walajeh

16 January 2022

The residents of the northern part of al-Walajeh, a traditional Palestinian agricultural village located on the southern perimeter of East Jerusalem (*see map below*), are under acute threat of being forcibly uprooted from where they have lived and cultivated the land for decades. **A court injunction, currently preventing the demolition of 38 homes, could be lifted at the end of March, subjecting residents to wide-scale displacement.**

On March 30, 2022, a decisive Supreme Court hearing will be held on the al-Walajeh residents' 2018 principal appeal, which is presently protecting the 38 homes from demolition. In late June 2021, the [State Attorney's Office filed a motion to dismiss the appeal](#) based on the claim that it is no longer relevant since the State had fulfilled the appeal's demands. If the Supreme Court ultimately dismisses the appeal, the demolition freeze would be lifted, placing the 38 homes at imminent risk of being razed and some 300 Palestinians under threat of displacement.

The demolitions would likely be carried out very swiftly because the National Enforcement Unit under the Ministry of Finance has assumed responsibility for the building and planning enforcement in this area since 2016. This unit is considered the most aggressive Israeli enforcement body. Indeed in the past five years, this unit has executed demolition orders in al-Walajeh immediately after the conclusion of court proceedings.

Some 12 additional homes not protected by the appeal likewise face impending demolitions, [four of which were carried out](#) over the past few months, [including one at the beginning of December 2021](#). Roughly half of the homes in the annexed part of al-Walajeh have received demolition orders, and approximately 30 have already been executed since 2016 (including those mentioned above). These mass demolition orders, together with the absence of urban planning, threaten to uproot hundreds of al-Walajeh residents for a second time.

### Background

After being displaced from their lands on the Israeli side of the Green Line in 1948, al-Walajeh residents rebuilt their homes on village lands that remained on the West Bank side of the Green Line. In 1967, the northern section of the village was annexed to Israel and absorbed into the Jerusalem municipality. Today, this part of the village is a small community of approximately 150 homes, which were mostly built after 1967 and therefore considered illegal and subject to demolition by the Israeli authorities due to the impossibility of procuring building permits. The planning bodies have systematically neglected to prepare a zoning plan for the area, which makes it impossible to obtain these permits. In an attempt to legalize their homes, the residents themselves prepared an outline plan, which the authorities had for years declined to review.

## **2018 Principal Appeal**

As a result, the al-Walajeh community filed a petition in [2018 against the Jerusalem District Planning Committee's refusal to discuss the residents' outline plan](#), which would enable proper residential development of their village. Following a Supreme Court order in 2020, the District Planning Committee ultimately convened to discuss the community's plan. However, in January 2021, the committee [rejected the plan based on unfounded and contradictory claims](#). In its decision, the committee also placed harsh conditions on the possibility of advancing a fair planning scheme in the future. As mentioned above, this appeal will go before the Supreme Court in late March in a decisive hearing, which could lead to the removal of the demolition freeze protecting 38 homes.

## **Recent Administrative Petition**

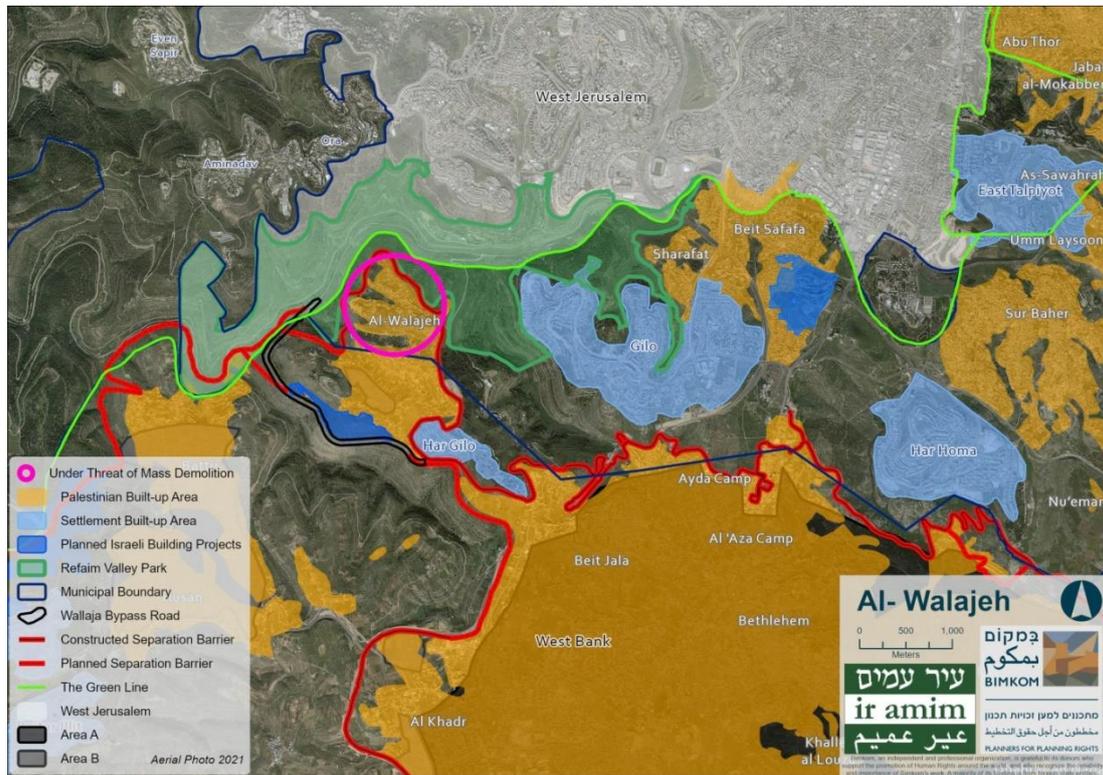
In an attempt to challenge the District Planning Committee's decision, an administrative petition was recently filed to the Jerusalem District Court by the Norwegian Refugee Council (NRC), representing al-Walajeh residents together with Bimkom, Ir Amim and Israeli activists. In the hearing which took place on October 31, 2021, the court ruled that the conditions placed towards further planning were not permanent, implying that the District Committee would be expected to objectively consider a new plan. To this end, the residents are in the last stages of completing an up-to-date environmental survey, which will serve as the basis of any future plan. It should be underscored, however, that despite the District Court's decision on the administrative petition, home demolitions could still take place if the Supreme Court rules on March 30 to dismiss the 2018 principal appeal.

## **The Geopolitical Alongside Inequitable Planning**

The threat of largescale demolition in al-Walajeh in conjunction with the [advancement of settlement construction around](#) the village should be seen within the context of creeping annexation of "Greater Jerusalem" (*the three large settlement blocs of Gush Etzion, Maaleh Adumim and Givat Ze'ev around Jerusalem*). These measures aim to create further Israeli territorial contiguity between the Gush Etzion settlement bloc in the Bethlehem area and East Jerusalem, which will further fragment the Palestinian space in this area, undermining the prospect of a negotiated political resolution.

Beyond the geopolitical implications, al-Walajeh is yet another example of the severe discrimination within Israeli planning and building policy in Jerusalem. While outline plans for thousands of housing units are advanced for Israeli settlements and neighborhoods across the city, little to no plans with even a modest number of housing units are promoted for Palestinian areas. And still, a devastating amount of home demolitions continue to take place. Palestinian communities throughout East Jerusalem, including al-Walajeh, are aggressively targeted for so-called building offenses due to a reality which has been directly created by the Israeli authorities' abdication of responsibility and intentional discriminatory planning policies. Such inequitable urban planning policy has long been a lever of Palestinian displacement from the city in service to Israel's longstanding goal of preserving a Jewish demographic majority in Jerusalem, while further cementing Israeli territorial control.

In order to prevent largescale destruction in this village, the Israeli government must be called upon to immediately freeze indefinitely all demolitions in al-Walajeh. Alongside this freeze, an equitable urban planning solution must be advanced to authorize existing homes and provide for proper residential development in fulfillment of the Israeli government's obligation to uphold the community's rights to housing and shelter.



The part of al-Walajah facing mass home demolitions is the brown shaded area within the pink circle between the Separation Barrier (red line) and the Jerusalem municipal border/annexation line (blue line)

[Click here for larger version of the map](#)

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