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© Photo by OCHA

Injured Palestinian boy treated at MSF rehabilitation centre, Gaza City.

HIGHLIGHTS

- \$4.8 million urgently required for trauma management and emergency healthcare response to Gaza demonstrations.
- Housing survey reveals that 43,700 substandard homes in Gaza require full reconstruction or emergency shelter assistance
- Military order allowing the demolition of new unlicensed structures in Area C within 96 hours from the issuance of a notice, frozen, pending decision by Israeli Supreme Court.
- Palestinian families move out of the Batan al Hawa neighbourhood in East Jerusalem due to coercive environment by Israeli settler presence.

OVERVIEW

The main article in this month's Bulletin concerns the rehabilitation needs of the thousands of Palestinians in Gaza who have been seriously injured since 30 March in the 'Great March of Return' demonstrations along Israel's perimeter fence. It is estimated that over 1,400 Palestinians may suffer from a long-term disability due to the severity of the injuries incurred. The Ministry of Health in Gaza is coordinating rehabilitation care for discharged patients, with the support of a variety of Health Cluster partners. This additional burden to the already fragile health system in Gaza is taking place against the backdrop of deteriorating living conditions and severe funding shortfalls for humanitarian agencies.

One dimension of the dire living conditions in the Gaza Strip concerns sub-standard housing, the subject of another article in this Bulletin. A survey conducted by the Shelter Cluster found that some 19,700 currently inhabited housing units are beyond repair, requiring full reconstruction, and another 24,000 were identified as in need of urgent shelter assistance. During the 2014 hostilities, some 171,000 homes in Gaza suffered some form of damage (excluding total destruction), of which almost 60,000 are yet to be repaired. Lack of financial resources due to the high levels of unemployment and poverty, is the primary reason behind the widespread substandard housing. The longstanding Israeli restrictions on the import of building materials to Gaza have contributed to the current situation, although following the establishment of the Gaza Reconstruction Mechanism in 2015, Israel has allowed the controlled entry of restricted items. Shelter vulnerability has an impact on the physical safety, health and wellbeing of those affected, and is a major concern in the event of a new mass displacement in the context of hostilities, as most IDPs are usually hosted in private homes.

In the West Bank, new legislation risks significantly limiting the ability of individuals and human rights organizations to challenge the demolition or seizure of Palestinian properties in Area C and in East Jerusalem. In April 2018, a military order was issued which allows for the demolition of new unlicensed structures in Area C within 96 hours of the issuance of a removal notice; implementation of this bill is now frozen, pending a decision by the Israeli High Court of Justice (HCJ). In addition, a law passed last year threatens to significantly increase

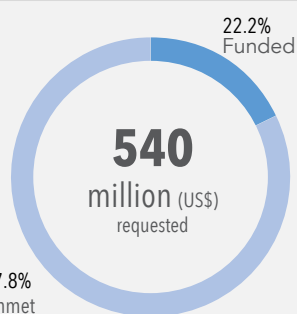
JUNE FIGURES

Palestinians killed (direct conflict)	17
Palestinians injured (direct conflict)	1,874
Israelis killed (direct conflict)	0
Israelis injured (direct conflict)	3
Structures demolished in the West Bank	22
People displaced in the West Bank	13

HUMANITARIAN RESPONSE PLAN 2018

540 million (US\$)
Requested

22.2% funded



demolition rates and fines in East Jerusalem starting in October 2019, when it will be applicable to residential buildings in the city affected by existing demolition orders. The demolition of homes and other structures for lack of Israeli-issued building permits, which are nearly impossible to obtain, is a key component of the coercive environment exerted on Palestinians in the West Bank, including East Jerusalem, and generates a risk of forcible transfer for many.

Another factor exacerbating the coercive environment in East Jerusalem is the Israeli settler organizations' takeover of properties in Palestinian neighborhoods. One of the Bulletin's articles examines the impact of this practice in the densely-populated Batan al Hawa area, where some 200 Israelis have already settled in various buildings. The resulting tensions have triggered movement restrictions, detentions, house arrests and expulsion orders, which in turn have pushed some Palestinian residents to move out of the area, especially due to concerns over children's safety.

During first days of July, the Israeli authorities adopted a series of measures and restrictions, ahead of the demolition of the Palestinian Bedouin community of Khan Al Ahmar–Abu Al Helu. Following a new petition filed by the community, the Israeli HCJ issued a temporary injunction preventing the demolition, at least until the government responds by 11 July. This is one of 18 communities located in or next to an area slated in part for the strategic E1 settlement plan. Since 1 July, eleven demolition incidents have occurred in other communities across the West Bank, displacing 59 Palestinians, including 37 children, and affecting more than 200 others.

"What we are seeing unfold on the ground is deeply disturbing," said the Humanitarian Coordinator for the oPt, Jamie McGoldrick, in a statement issued on 5 July. "Demolitions have a devastating impact on families and on communities. These demolitions are particularly outrageous because they target communities who already live in extremely difficult conditions, with high levels of humanitarian needs. I call again on the Israeli authorities to cease demolitions and other measures that may result in the forcible transfer of Palestinians."

"What we are seeing unfold on the ground is deeply disturbing [...] I call again on the Israeli authorities to cease demolitions and other measures that may result in the forcible transfer of Palestinians."

The Humanitarian Coordinator for the oPt, Jamie McGoldrick.



ADDRESSING REHABILITATION NEEDS OF PALESTINIANS SERIOUSLY INJURED DURING GAZA DEMONSTRATIONS: OVER 1,400 MAY SUFFER LONG-TERM DISABILITY



This article was contributed by the World Health Organization and the Disability Working Group

Although the number of casualties recorded during the 'Great March of Return' demonstrations in Gaza declined during June (see infographic), the health sector has continued to struggle with the cumulative caseload of serious injuries, particularly those requiring long-term rehabilitation.

The recent increased demand on health services exacerbates a number of longstanding challenges to the capacity of the health sector in Gaza. These challenges include on-going shortages of medicines and medical disposables, large electricity deficits for health facilities, a continuing salary crisis affecting government employees and Israeli restrictions on access for vulnerable patients requiring health care not available in Gaza. Additionally, the import to Gaza of materials required for the production of artificial limbs, including carbon fiber and epoxy resins, is restricted, due to Israel's consideration of these materials as 'dual use' items, which could be used also for military purposes.

Types of injuries sustained

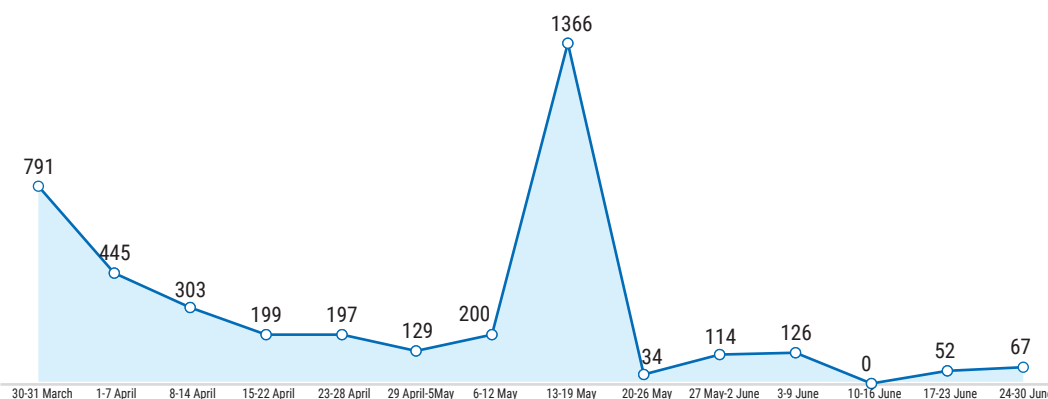
The health cluster indicates that since the start of demonstrations on 30 March up to 30 June, a total of 15,501 Palestinians were injured by Israeli forces, of whom 8,221, or over half, required hospitalization. Among the latter, 63 per cent were limb injuries, and nearly half (4,023) were the result of gunshot wounds (see Table 1).

Some injuries have caused long-term disability: as of 3 July, 53 had received lower limb amputations and eight had upper limb. Eleven of the amputees are children. Additionally, at least ten other Palestinians have been left paralyzed following spinal cord injuries.

In the majority of the additional cases the full implications of the injury will only become clear in the future, depending on the quality of treatment and rehabilitation. As of 26 June,

53 people had received lower limb amputations and eight had upper limb. Eleven of the amputees are children. Additionally, at least ten other Palestinians have been left paralyzed following spinal cord injuries.

WEEKLY INJURIES BY LIVE AMMUNITION 30 MARCH - 3 JULY 2018



over 1,400 people with severe injuries are at risk of longer-term physical disability. These include 454 patients who suffered severe vascular injuries and 954 patients who sustained comminuted fractures, where the bone is splintered into more than two fragments and there is a higher risk of limb shortening and need for assistive devices once fractures have healed.

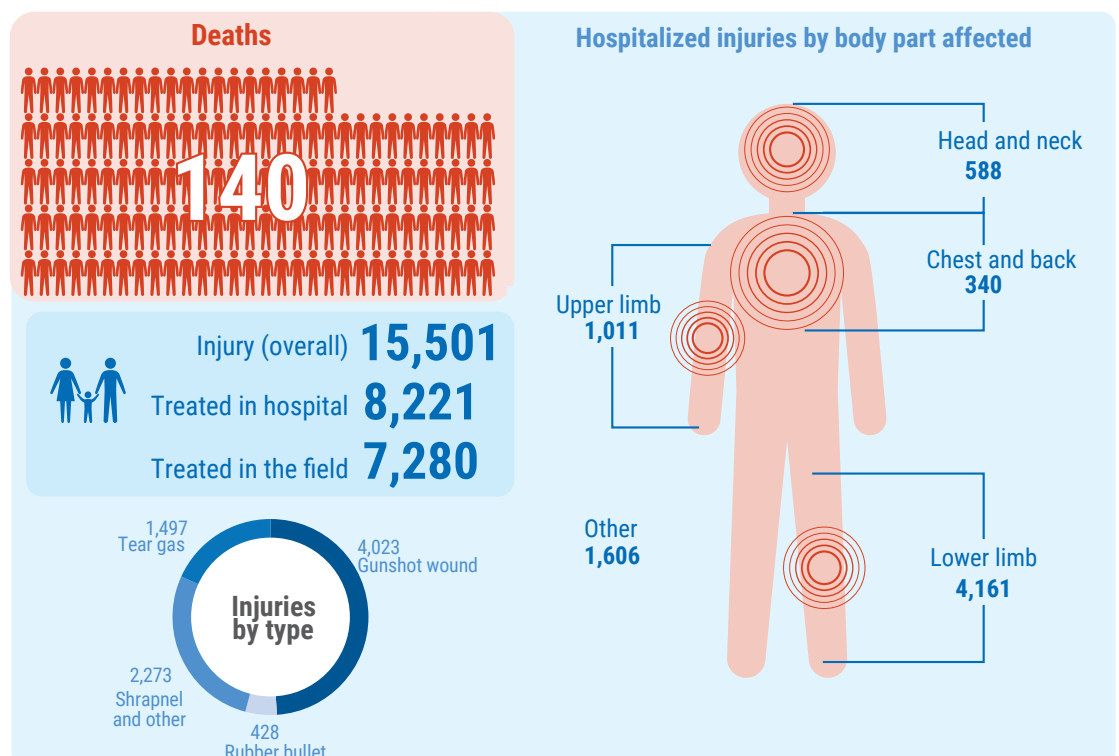
Response by health partners

The Ministry of Health (MoH) in Gaza coordinates rehabilitation services for patients discharged from hospital via local non-governmental organizations and health cluster partners.

Health cluster partners have developed a single referral tool and pathway to monitor those injured in demonstrations, which is coordinated and overseen by the newly established Trauma and Rehabilitation Working Group. At least eight partners are delivering rehabilitation services for physical and mental health needs. The international NGO 'Humanity and Inclusion' (HI) has deployed ten outreach teams across the five Gaza governorates, comprising occupational therapists, physiotherapists and nurses, supported by psychologists and social workers. So far, the HI outreach teams have delivered post-operative and rehabilitation care to 576 patients, the majority of whom have suffered severe injuries to lower limbs. Also, HI works closely with four national rehabilitation partner organizations in Gaza that provide multi-disciplinary rehabilitation support through outreach. Care is coordinated by referral to partner organizations, and where necessary to other medical or rehabilitation centres.

Health cluster partners have developed a single referral tool and pathway to monitor those injured in demonstrations, which is coordinated and overseen by the newly established Trauma and Rehabilitation Working Group.

DEATHS AND INJURIES FROM GAZA DEMONSTRATIONS AND OTHER INCIDENTS 30 MARCH TO 30 JUNE 2018



HI collaborates with Medecins du Monde (MdM) to reinforce the skills of its outreach teams and to standardize the provision of psychosocial support, while coordinating with the International Committee of the Red Cross (ICRC) to provide ongoing support to patients discharged after amputation. The ICRC provides logistical and monitoring support to facilitate the import for needed materials for the Artificial Limbs Center in Gaza.

Doctors Worldwide Turkey (DWWT) conducts an outreach programme that has delivered rehabilitation care to 300 patients, including nursing, physiotherapy and psychological support, medication and assistive devices. UNRWA has provided more than 2,530 post-operative consultations at their 22 primary health clinics, offering treatment, review and wound dressing, including care for gunshot injuries and severe cases.

THE CASE OF 16-YEAR-OLD MOHAMMED AL AJOURI: A FOLLOW UP

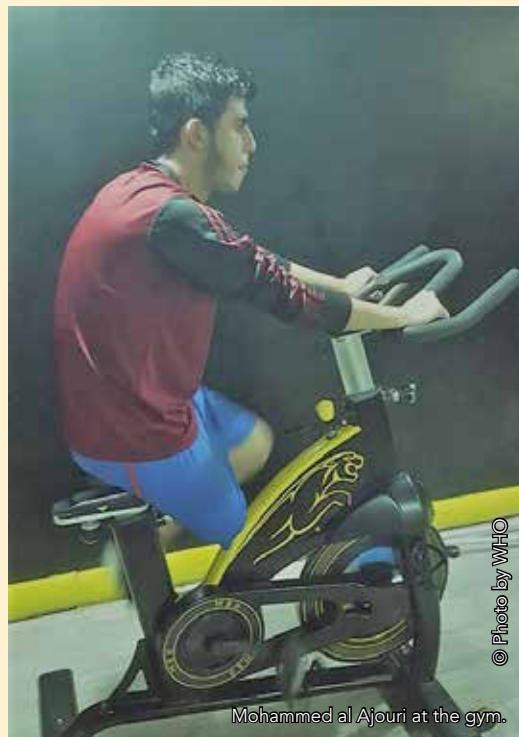
The April Humanitarian Bulletin featured the case of Mohammed al Ajouri, a 16-year-old boy from Jabaliya refugee camp whose right leg was amputated following an injury sustained during the first demonstration on 30 March. Prior to his injury, Mohammed had been a keen athlete who participated in district athletics competitions with his school.

Following his discharge from hospital, Mohammed received follow up care and rehabilitation from DWWT, including regular physiotherapy sessions. He is reliant on crutches for mobility but is on the waiting list to receive an artificial leg from Gaza Municipality's Artificial Limbs Center; waiting times are long due to high demand and a lack of available materials for prosthesis.

Mohammed discussed the impact that losing his leg has had on his life:

"Before I was injured I used to love running and playing football. I'm going to the gym now to keep fit, but I really miss playing football – I used to play a lot with my friends. I hope that I can get an artificial limb so I can go back to running. I always wanted to run a marathon."

Mohammed lives with his parents and three younger brothers in Jabaliya refugee camp. He and his family are affected by Gaza's dire economic situation. Both Mohammed's parents have been unable to find work and depend on food vouchers to make ends meet, as well as help from their extended family.



Mohammed al Ajouri at the gym.

"I used to love running and playing football... I hope that I can get an artificial limb so I can go back to running. I always wanted to run a marathon."

The Palestinian Medical Relief Society (PMRS) has mobilized five outreach teams in all five governorates, to conduct post-operative care, including wound dressing and physiotherapy services. As of 4 July, PMRS provided post-operative care to 527 casualties, of whom 123 received assistive devices. PMRS is running one mobile clinic. The mobile clinic has visited 5 locations and served 337 patients; to date, the mobile clinic served 637 patients.

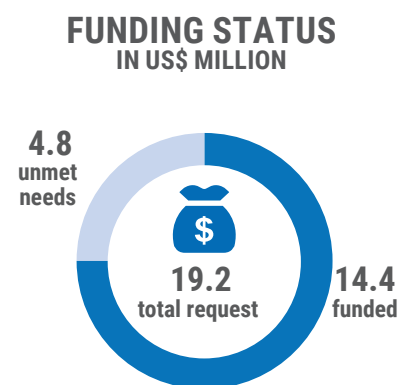
HI has identified the need for increased financial support and resources to ensure adequate care for approximately 3,500 patients with long-term care needs, including psychosocial support needs for those severely affected by their experience of conflict or facing the prospect of long-term disability. The majority of these patients suffered severe injuries that require sustained outreach and rehabilitation services for adequate management and care.

Mental health and psychosocial support is an essential part of rehabilitation, particularly for those who face the prospect of long-term disability. Ongoing interventions in this area will be addressed separately in an upcoming Humanitarian Bulletin.

The Health Cluster has appealed for \$19.2 million to respond in the area of trauma management and emergency healthcare for injured patients, including the provision of physiotherapy and assistive devices: \$4.8 million is still required.

Funding

In order to effectively respond to needs that have emerged following the commencement of the demonstrations, humanitarian partners identified that US\$20.8 million was urgently required for the immediate response until September 2018. This included a request for \$19.2 for health partners to respond in the area of trauma management and emergency healthcare for injured patients, including the provision of physiotherapy and assistive devices. As of the time of writing, \$4.8 million is still required urgently for the trauma management and emergency healthcare response (excluding ICRC and MSF responses.)



The funding required is necessary to support enhancing post-operative and multi-disciplinary rehabilitative care, as well as:

- Continued deployment and coordination of quality-assured emergency medical teams (EMTs)
- Strengthening the pre-hospital care by enhancing the trauma stabilisation points
- Provision of essential medical supplies for the treatment of injured patients
- Enhancing coordination, technical guidance and information sharing of trauma management standards across the trauma pathway
- Provision of essential medical supplies for the treatment of non-trauma emergency patients
- Strengthening the reporting and monitoring of attacks on healthcare

SURVEY IDENTIFIES 19,700 HOUSING UNITS BEYOND REPAIR AND 24,000 REQUIRING PRIORITIZED SHELTER ASSISTANCE

The number of housing units in substandard conditions across the Gaza Strip increased dramatically since mid-2014 as a direct result of hostilities that took place that year. Nearly four years later, over a third of the homes that sustained some type of damage (some 59,000 out of 171,000) are yet to be repaired.¹ This has been compounded by the devastated infrastructure which is the main cause of recurrent flooding during the winter rains.² High levels of unemployment and poverty are key reasons preventing families from repairing or maintaining their homes, whether damaged during hostilities or degraded by routine use.³ Repairs and maintenance, including of infrastructure, have been limited by the Israeli restrictions on the entry of building materials.⁴

During June, the Shelter Cluster released its housing vulnerability survey in the Gaza Strip which assesses the prevalence of substandard housing conditions and the levels of household vulnerability, while examining the correlation between housing vulnerability and poverty.

The survey included a representative sample of 1,170 households. Two dimensions of housing vulnerability were measured: shelter vulnerability (physical/technical) and household vulnerability (social). For the first dimension, housing units were assessed against 30 minimum criteria, including exposure to risks and hazards, the condition of external and internal walls, roofs and windows, safe access, connectivity to the water network and the functioning of sanitation facilities.⁵ To examine the level of household vulnerability, the homes were mainly assessed on general information regarding the number of nuclear families in each unit; events affecting the housing units, such as hostilities and natural disasters; the availability and condition of furniture and equipment; and type of employment and income.

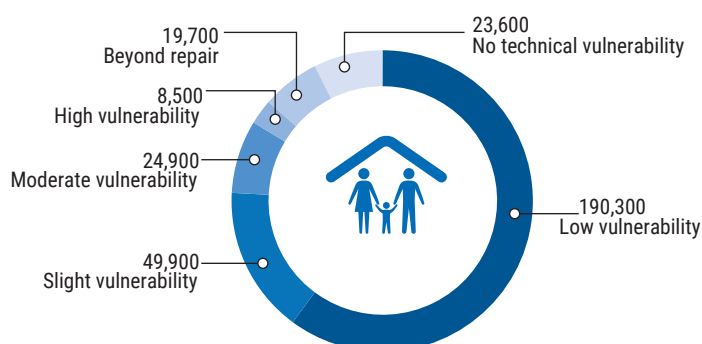
The survey found that 92.5 per cent of the households surveyed were affected by some kind of shelter vulnerability. Of these, 6.2 per cent, or the equivalent of 19,700 housing



This article was contributed by the Shelter Cluster

High levels of unemployment and poverty are key reasons preventing families from repairing or maintaining their homes, whether damaged during hostilities or degraded by routine use.

PROJECTED NUMBER OF VULNERABLE HOUSEHOLDS IN THE GAZA STRIP



units, were classified as beyond repair, meaning that full reconstruction is needed. These will be referred to the Ministry of Housing, UN agencies and NGOs involved in reconstruction. Some 10.5 per cent of the homes (equivalent to 33,000 housing units) were classified as either moderately or highly vulnerable. The remainder, 75.8 per cent, fell within the low and slight vulnerability categories. Of the approximately 33,000 housing units that are moderately or highly vulnerable, 24,000 are believed to require a prioritized shelter response.

Of note, around 70 per cent of households included in the sample reported that some form of damage had been sustained during the 2014 conflict, and 51 per cent (partially overlapping with the previous group) reported that their homes had been damaged during previous hostilities or as a result of floods and winter storms.

Furthermore, the substandard housing conditions are a concern in the event of massive displacement due to a new round of hostilities or a natural disaster, as over 20 per cent of the households surveyed (the equivalent to 65,000 housing units) reported that they have hosted IDP's in the past.

Shelter vulnerability is a source of concern, not only for physical safety, but also for its impact on health and wellbeing, including putting residents at risk of exposure to the elements, increased mental health issues, raised risk of domestic violence, and low educational attainment.

Response to shelter needs

Humanitarian partners are working to provide assistance to the most critically vulnerable families, for whom basic interventions can make a dramatic difference in the safety, health and dignity of housing. Humanitarian support, however, only alleviates the most egregious elements of substandard shelter and is not a replacement for sustainable solutions. For this, humanitarian partners look to their counterparts in development to provide wider-range of support to the moderately and lightly vulnerable categories.

Humanitarian partners responding to these shelter needs support shelter upgrades and provide non-food items and temporary assistance such as plastic sheets, blankets, hygiene and kits, with or without shelter upgrading. Referrals to specialized agencies are also made, where appropriate. The latter includes cases requiring reconstruction or cases where legal barriers are present such as lack of sufficient ownership documentation, living on government property or inheritance-related hurdles.

Between January 2017 and June 2018, the Shelter Cluster carried out projects to upgrade some 1,110 substandard shelters. Available funds are sufficient to cover a shelter response for only an additional 1,100 housing units of the some 24,000 in need, placing lack of funding at the forefront of challenges hampering responses by the Shelter Cluster.

The substandard housing conditions are a concern in the event of massive displacement due to a new round of hostilities or a natural disaster, as over 20 per cent of the households surveyed reported that they have hosted IDP's in the past.

CASE STUDY: FAMILY LIVES IN AN UNFINISHED HOUSE FOR OVER A DECADE

Forty-six-year-old Mahmoud Abu Shallouf lives together with his 45-year-old wife, Um Hasan, and their 10-year-old daughter and two sons (ages 6 and 17) in a 120 square metre un-finished concrete-built home constructed on governmental land in Ezbet Beit Hanoun, one of the most marginalized localities in the northern Gaza Strip.

The family are registered Palestine refugees, and receive UNRWA food parcels on a quarterly basis. The father is the only current bread winner. During the week, he works transporting building materials and other items such as food, animal feed and gas cylinders, occasionally selling vegetables from his donkey cart. At weekends Mahmoud used to work as a security guard. His wife runs the household and their 17-year-old son is searching for a job as a plumber following training at an UNRWA vocational training centre.

The family started the construction of their house some 10 years ago but their limited income is consumed mainly by spending on food and drinking water, leaving hardly anything for the house. This has resulted in their inability to plaster the walls and some rooms have no ceiling. There is almost no furniture, blankets, mattresses, a floor mat. There is no door to the entrance or to any of the rooms, and no electrical equipment such as a refrigerator, gas stove or washing machine.

“I’m always afraid that somebody will sneak in through the windows” said Um Hasan.

The house was only recently connected to the sewage network but is still unconnected to the water or electricity network. To cope, Mahmoud fills a 500-liter tank with water he takes from his father’s water line and uses the neighbour’s electricity line.

Over the past decade, the family managed to cover the roofs of three bedrooms with a metal corrugated sheet; the bathroom is covered with only a thin concrete slab, and the living area, kitchen and corridors with a mixture of cloth, nylon, and palm fronds. The floor coverings are equally inadequate and most of the windows lack protection or screens. The bathroom has no shower and the kitchen is inadequate for preparing food hygienically.

“I’m always worried about my family” said Mahmoud. “In the winter the house is very cold and the kids cannot study properly. We made a tent outside the house and build a fire to create a warmer place to study in”

These conditions have had negative physical and psychological impacts on the family. Reptiles and insects pose a threat, and the family are constantly exposed to the elements. Last winter, the family could not use most of the house because the sand floor became too wet and cold to be used as a living space.



Abu Shallouf's family home in Izbet Beit Hanoun

NEW LEGISLATION IMPEDES CHALLENGES TO DEMOLITIONS AND SEIZURES IN THE WEST BANK

In recent months, the Israeli authorities have passed or advanced new legislation that will significantly limit the ability of individual and human rights organizations to challenge the demolition or seizure of Palestinian properties in Area C and East Jerusalem.

The demolition and seizure of homes and other service and livelihood-related structures is a key component of the coercive environment exerted on Palestinians in parts of the West Bank.⁶ These actions are carried out on the grounds of lack of Israeli-issued building permits, which are nearly impossible to obtain. Less than one per cent of Area C and about 13 per cent of East Jerusalem are covered by an approved planning scheme for Palestinians, which is a pre-condition for a permit to be issued, and most of these areas are already built up.⁷ At present there are over 13,000 demolition orders pending against Palestinian structures in Area C according to an Israeli Civil Administration (ICA) database. In East Jerusalem, it is estimated that up to a third of the city's Palestinian population, or some 100,000 people, reside in unlicensed buildings.

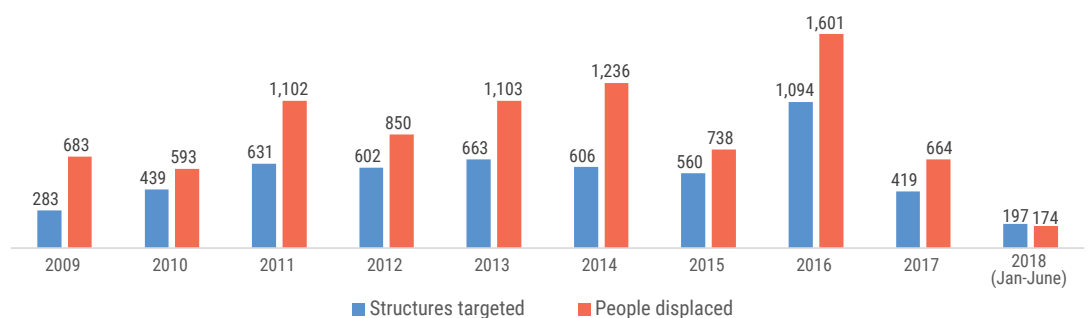
In the first half of 2018, the Israeli authorities demolished or seized 197 Palestinian-owned structures in Area C and East Jerusalem. This is nearly the same monthly average as in 2017. These incidents displaced 174 people and otherwise affected nearly 5,000.

Expediting demolitions and seizures in Area C

On 17 April 2018, the IDF commander in the West Bank issued a military order allowing the demolition of unlicensed structures in Area C deemed as “new” within 96 hours of a removal notice being issued.⁸ Following petitions filed with the Israeli High Court of Justice (HCJ) by humanitarian partners providing legal assistance, the Israeli authorities announced in June 2018 that they would freeze implementation pending a decision by the HCJ.

According to the military order, “new structures” are those identified by an ICA inspector as having been built within the previous six months, or inhabited for less than 30 days prior to the removal notice. The only way to prevent the demolition is to produce a valid building permit or provide evidence that the targeted structure is not “new” within the meaning of the order.

STRUCTURES TARGETED AND PEOPLE DISPLACED-TOTALS



The new order severely restricts the right to a hearing or the opportunity of appeal. According to the planning regulations applicable in Area C, the first enforcement measure against an unlicensed structure is a stop-work order, which gives the owner 30 days to object and try to obtain a building permit retroactively. If this fails, the ICA may issue a final demolition order, usually due for implementation within two to four weeks, during which period the owner may petition the HCJ and potentially obtain an injunction freezing the demolition order pending a ruling.

While it may still be possible to petition the HCJ under the new order, additional legislative initiatives (see below) seek to limit this possibility. In any case, the available window of opportunity (96 hours) may make this option unrealistic in practice.

The new military order follows an amendment to an earlier military order of November 2015 which has a similar effect.⁹ The amendment allows the ICA to seize, without any formal advance notification, structures determined by an ICA inspector as “mobile” and installed no more than 60 days prior to the seizure. “Mobile structures” are understood as those which can be disassembled or otherwise removed without destroying them. Originally reported as a measure for use against settlement outposts, since mid-2017 it has been implemented in Palestinian communities. For example, in June and August 2017, the Israeli authorities dismantled and seized 96 solar panels and six caravans to be used as classrooms, both provided as humanitarian assistance and funded by international donors, in Jubbet ad Dhib, an Area C community in southern Bethlehem.¹⁰

Under the new law, fines imposed on individuals charged with building without a permit can reach up to NIS 400,000 rather than the previous penalties of tens of thousands of shekels.

Expediting demolitions and impeding legal recourse in East Jerusalem

On 25 October 2017 the Israeli Parliament (the Knesset) approved a range of amendments to the 1965 *Planning and Building Law*, which applies to both Israel and occupied East Jerusalem. These amendments are expected to expedite demolitions and limit access to legal recourse. The application to old residential buildings has been postponed for two years, *circa* October 2019, if there are ongoing legal proceedings related to previous demolition orders.¹¹



Three-storey building demolished in Al Isawiya, East Jerusalem, 1 May 2018

Prior to these amendments, the Jerusalem municipality could issue an administrative demolition order valid for only 60 days. After the expiry of this period, it was possible to indict the builder and, if proved in court that the building had been built illegally, a judicial demolition order would be issued that initiated a relatively lengthy legal process. Under the new law, building inspectors themselves can summarily issue an administrative demolition order, and the period within which an administrative order remains valid was extended to six months (i.e. tripled).¹²

Additionally, if the case reaches court and a judicial demolition order is issued, under the new law the court can postpone its execution only for limited specified reasons and only twice, for a maximum of six months each time, before the court deems the demolition case to be essentially closed.¹³

Under the new law, fines imposed on individuals charged with building without a permit can reach up to NIS 400,000 rather than the previous penalties of tens of thousands of shekels.

These recent legal initiatives on access to the Israeli High Court will make it harder for Palestinian petitioners to seek protection from events, such as demolitions or confiscations, increasing their humanitarian vulnerability.

Restricting access to the Israeli HCJ

Additional proposed initiatives would restrict access to legal avenues to the HCJ. A bill debated by the Knesset in May 2017 seeks to bar individuals and organizations not directly and personally harmed by a government action from petitioning the court. Later that year, a member of the Knesset Constitution, Law and Justice Committee also proposed to triple the submission fees applicable to HCJ petitions from NIS 1,786 to 5,400 for Palestinians or organizations representing them.¹⁴

If approved, the first initiative would block NGOs from challenging practices and regulations on the basis of principle, while the second would increase the cost of legal assistance, restricting the ability of organizations to adopt new cases.

On January 2018 the Israeli Ministry of Justice published a draft bill calling for jurisdiction over petitions presented by Palestinians against the Israeli authorities to be transferred from the HCJ to the Administrative Affairs Court. The bill was approved the following month by the Ministerial Committee for Legislation, paving the way for the Knesset to vote on it in the near future. Unlike the HCJ, the mandate of the Administrative Affairs Court is limited to procedural issues and it does not adjudicate on matters of constitutional or international law.

These recent legal initiatives on HCJ access will make it harder for Palestinian petitioners to seek protection from events, such as demolitions or confiscations, increasing their humanitarian vulnerability.

HUMANITARIAN IMPACT OF SETTLEMENTS IN PALESTINIAN NEIGHBOURHOODS OF EAST JERUSALEM: THE COERCIVE ENVIRONMENT

In recent decades, Israeli settler organizations, with the support of the Israeli authorities, have taken control of properties within Palestinian neighbourhoods in East Jerusalem and established settlement compounds.¹⁵ These settlements are concentrated in the so-called 'Holy Basin' area: the Muslim and Christian quarters of the Old City, Silwan, Sheikh Jarrah, At-Tur (Mount of Olives), Wadi Joz, Ras al-Amud and Jabal Mukabbir. Most of these cases were challenged unsuccessfully in Israeli courts. Settlements are illegal under international law.

The establishment of many of these settlement compounds has involved the forcible eviction and displacement of Palestinian residents, with negative humanitarian impact.¹⁶ It has also generated a coercive environment on the daily lives of Palestinians residing in the vicinity of these compounds by creating pressure on them to leave. The main elements of this environment include increased tension, violence and arrests; restrictions on movement and access, particularly during Jewish holidays; and a reduction on privacy due to the presence of private security guards and surveillance cameras.

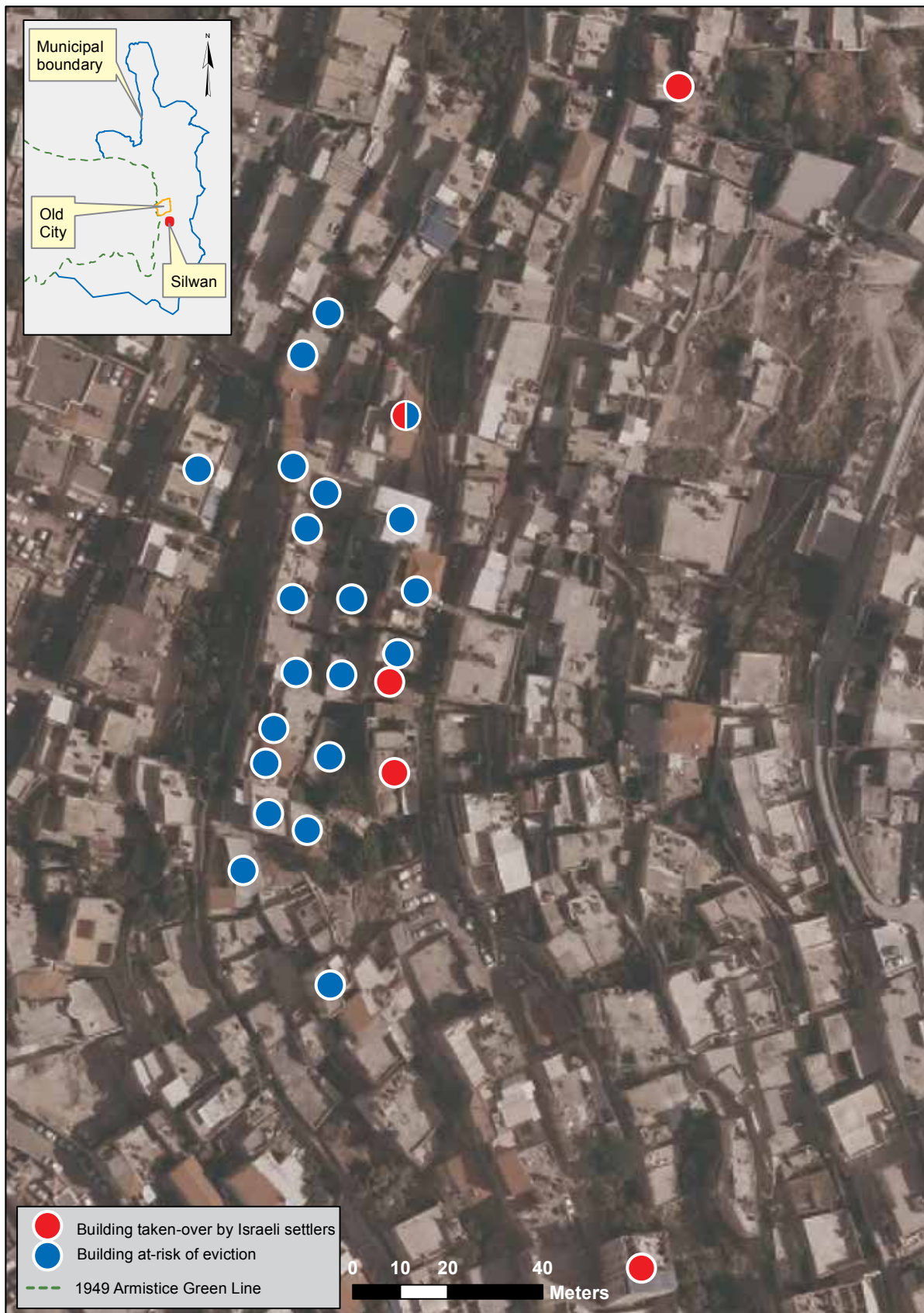
One of the neighbourhoods most under pressure is the densely-populated Batan al Hawa area of Silwan.¹⁷ In 2002, the Israeli Ministry of Justice (the General Custodian office) transferred approximately five dunums of land in Batan al Hawa to the Benvenisti Trust, whose trustees included members of the Ateret Cohanim settler organization. A petition against the transfer of the land was filed in 2017 at the Israeli HCJ by a number of Palestinian families from Batan al Hawa and the ruling is still pending.¹⁸ Since 2002 Ateret Cohanim has filed eviction cases against 21 buildings housing approximately 85 Palestinian families, placing close to 400 people at risk of displacement. Ateret Cohanim now controls a total of six buildings in the area, where 200 Israeli settlers live in close proximity to 700 Palestinians.

The coercive environment includes increased tension, violence and arrests; restrictions on movement and access, particularly during Jewish holidays; and a reduction on privacy due to the presence of private security guards and surveillance cameras.



Batan Al Hawa neighbourhood, Silwan, East Jerusalem.

SETTLEMENT EXPANSION IN BATAN AL HAWA NEIGHBOURHOOD, EAST JERUSALEM



House arrests, child detention and restraining orders

According to local residents of Batan al Hawa, the presence of settlers, and their private security guards and Israeli border police, magnifies the potential for tension and violence. On a daily level, this is expressed in movement restrictions, search operations and the detention of local Palestinian residents. Members of the community estimate that there is at least one search operation of local Palestinian homes by Israeli forces each week on the grounds of removing Palestinian flags, confiscating cameras or carrying out arrests, often causing damage to furniture and personal belongings.¹⁹

Incidents typically involve Palestinian children, often in minor incidents.²⁰ On at least seven occasions during the recent month of Ramadan, border police and settlers confronted young Palestinians engaged in the traditional custom of drumming to awaken those fasting for their pre-dawn meal. The border police also informed children that toy guns given during the Eid al Fitr holiday were forbidden. In general, there is a strong correlation between high rates of child detention and areas with a strong Israeli settler presence in Palestinian residential areas of East Jerusalem, particularly Silwan and the Old City. Since 2012 UNOCHA has documented more than 560 cases of child detention in Silwan, including Batan al Hawa. This figure makes up close to a quarter of the approximately 2,400 documented cases of children detained during this period.

There are also allegations of double standards whereby settlers park illegally or block roads for extended periods, while Palestinians are fined for minor traffic or parking violations, reportedly at the instigation of settlers. Settlers are also accused by local residents of acting as self-appointed police or municipal inspectors and demanding, for example, that the tax records of local shops be investigated, or photographing unlicensed construction and filing demolition cases against structures by local Palestinians.

According to the Batan al Hawa local committee, since the beginning of 2018 there have been around 40 cases of police orders placing local Palestinians under house arrest or banning them from the locality for varying periods: all but three cases involved boys under 18 years of age. During the same period, one Israeli settler was ordered to stay away from Batan al Hawa for 25 days.²¹ The local committee also reported that prior to 2014, tear gas canisters were regularly fired by Israeli forces in clashes with Palestinians, but sound grenades are now used instead following complaints by Israeli settler families in the area.

Coercive environment and population movement

The coercive environment generated by settlement-related violence and restrictions, and concern over the safety of children, has pushed some residents to move to other areas of East Jerusalem. The local committee estimates that at least 30 households moved from Batan al Hawa in 2017 and another seven have left since the beginning of 2018. Many of the families at risk of eviction are Palestine refugees who fear that they may be forcibly displaced once again. In the words of one local Palestinian resident: “Batan al Hawa is a volcano waiting to explode ... Settlers are people who move in by force, not to become good neighbours but to take over our homes. Our home for generations has become a battleground with high levels of hostility and stress.”

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ENDNOTES

1. For a full breakdown of houses destroyed and damaged and their status see: Shelter Cluster Factsheet of May 2018, accessed at https://www.sheltercluster.org/sites/default/files/docs/one_page_factsheet_may_2018_0.pdf
2. For more details, see the Humanitarian Bulletin of November 2017, titled, Poor infrastructure and lack of funding put over 560,000 people at risk of flooding in the Gaza Strip. Available at <https://www.ochaopt.org/content/poor-infrastructure-and-lack-funding-put-over-560000-people-risk-flooding-gaza-strip>
3. See UN OCHA Humanitarian Bulletin, May 2018 edition, pages 8-11. Accessed at https://www.ochaopt.org/sites/default/files/hummonitor_may_04_06_2018_final.pdf
4. These limitations mainly relate to items the Israeli government classifies as 'dual use' meaning that they have both civil and military usages. The entry of such items is contingent on Israeli approval, which is required separately for each type of restricted item, in addition to approval for the project in principle. Since the beginning of 2017 approvals for the entry of dual use construction materials (primarily cement and metal bars) via the Gaza Reconstruction Mechanism (GRM) have increased significantly in comparison with previous years. However, applications for other restricted items have either been rejected completely or faced long delays. For more information on the GRM visit <https://grm.report/#/Reporting/Home>
5. For full list kindly refer to Inter-Agency Shelter Survey on Substandard housing conditions in Gaza, June 2018, accessed at https://www.sheltercluster.org/sites/default/files/docs/research_report_substandard_conditions_survey_final_june_2018_0.pdf
6. See OCHA, "Palestinians at risk of forcible transfer", in OPT Humanitarian Facts and Figures, December 2017, p. 18.
7. In comparison with over eight per cent planned for the construction of settlements, which are illegal under international law.
8. IDF Order 1797 concerning the removal of new buildings (Judea and Samaria), 2018.
9. IDF Regulations on the transfer of goods (Judea and Samaria), 1993.
10. In November 2017, following a petition to the Israeli HCJ and vigorous protests by the donor, the solar panels were returned to the community.
11. Old residential buildings that do not meet this condition (i.e. ongoing legal proceedings) will be considered as new buildings.
12. This would in effect reduce the burden on courts of handling demolition cases and give greater weight to building inspectors. Court rulings on cases of judicial demolition orders will now include orders for the municipality to implement a demolition, whereas in the past it was primarily imposed on the party that had committed the building violation.
13. Following this, a second indictment is issued against the building owner for contempt of court that could take up to 12 months to challenge. The third and final indictment entails sentencing the owner to an obligatory prison sentence. Also see 3.1.
14. Sue Surkes, "Coalition of MKs seeks to triple costs of High Court petitions for Palestinians", Times of Israel, 28 November 2017.
15. For further background on the methods used for taking control of properties, see OCHA Humanitarian Bulletin, May 2018, p. 12. <https://www.ochaopt.org/content/humanitarian-impact-settlements-palestinian-neighbourhoods-east-jerusalem-evictions-and>
16. For further information on this impact see OCHA, Ibid. The total number of cases since 1967 is unknown. A survey carried out by OCHA in 2016 indicated that 180 Palestinian households in East Jerusalem had eviction cases filed against them, the majority initiated by settler organizations. As a result, 818 Palestinians, including 372 children, were at risk of displacement. Since then, four of these households, comprising 30 people, have been evicted from their homes.
17. See 'Rising tensions following settlement expansion expansion in Palestinian neighbourhoods of East Jerusalem', OCHA Humanitarian Bulletin, September 2015. <https://www.ochaopt.org/content/rising-tensions-following-settlement-expansion-palestinian-neighbourhood-east-jerusalem>; 'Continued settlement activity in East Jerusalem', OCHA Humanitarian Bulletin, September 2014. <https://www.ochaopt.org/content/continued-settlement-activity-east-jerusalem>
18. On 14 June 2018, the HCJ ordered the General Custodian to submit a written clarification within 30 days regarding whether they had informed the families of their intention to transfer the land ownership to Ateret Cohanim in 2002; and the community's lawyers to inform the court about whether the families they represented had received proper notices from the General Custodian prior to the trust deed being issued to Ateret Cohanim. See Nir Hasson, "Israel Must Explain How East Jerusalem Land Was Transferred to Right-wing NGO, Top Court Rules," Haaretz, 19 June 2018.
19. OCHA interview with local residents, 21 June 2018.
20. On 14 February 2018, a settler summoned the border police, alleging that local Palestinian children had tried to run over his children with their bicycle. When the police investigated, obtaining video footage from local cameras, it transpired that the son of the settler had actually jumped in front of the bicycle.
21. According to area residents, the settler did not comply with the police order and was caught on camera walking in Silwan on 12 March, two days following the order.