

## DEMOLITIONS IN EAST JERUSALEM



### 2020 ANNUAL SUMMARY

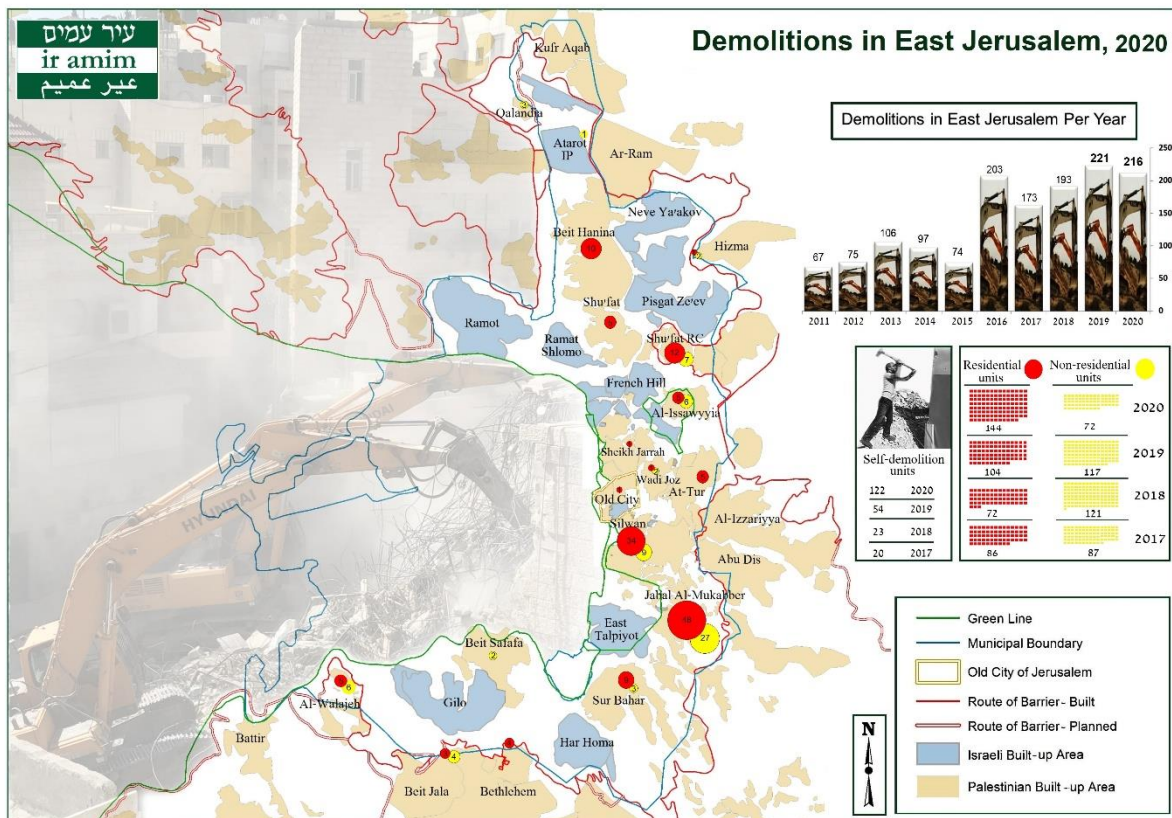
January 2021

In 2020, 144 housing units along with 72 non-residential structures (i.e. stores, warehouses, stables, etc.), comprising a total of 216 structures were demolished in East Jerusalem. This marks a troubling continuation of the upward trend in the number of residential units demolished annually as a result of Amendment 116 of the Planning and Building Law (also known as the “Kaminitz Law”). In 2019, the [first year during which Amendment 116 was implemented in its entirety, 104 housing units were demolished in Jerusalem](#). Previously, the average number of housing units demolished annually between 2015 and 2018 was 83.

The number of home demolitions in 2020 was nearly 75% higher than the annual average prior to the enactment of the Kaminitz Law and almost 40% higher than in 2019, which was the first year the law was fully applied.

#### Demolitions in 2020 by Month

MONTH	NO. OF HOUSING UNITS	OTHER STRUCTURES	SELF-DEMOLITIONS	TOTAL
JANUARY	9	7	9	16
FEBRUARY	9	16	20	25
MARCH	10	0	8	10
APRIL	0	1	1	1
MAY	14	3	11	17
JUNE	16	5	7	21
JULY	9	11	4	20
AUGUST	40	3	22	43
SEPTEMBER	14	15	26	29
OCTOBER	5	7	2	12
NOVEMBER	11	1	4	12
DECEMBER	7	3	8	10
<b>Total</b>	<b>144</b>	<b>72</b>	<b>122</b>	<b>216</b>



### THE DISTRIBUTION OF DEMOLITIONS ACROSS NEIGHBORHOODS

As detailed below, the highest incidences of demolitions were in Jabal Al-Mukabber, numbering 48 housing units and 27 other structures for a total of 75 demolitions. This is a record number that has not been seen in other neighborhoods in recent years.

### Demolitions in 2020 by Neighborhood

NEIGHBORHOOD	HOUSING UNITS	OTHER STRUCTURES	TOTAL
BEIT HANINA	10	0	10
SILWAN	34	9	43
AL-ISSAWIYYA	5	6	11
SHEIKH JARRAH	1	0	1
BEIT SAFafa	0	2	2
SHUAFAT	5	0	5

JABAL AL-MUKABBER	48	27	75
AT-TUR	5	0	5
WADI JOZ	1	2	3
SUR BAHER	9	3	12
ABU TOR	0	0	0
AL-WALLAJEH	5	6	11
BIR ONEH	3	4	7
SHUAFAT REFUGEE CAMP	12	7	19
HIZMA	1	2	3
QALANDIA	0	3	3
ATAROT	0	1	1
HIRBET HAMIZ	4	0	4
OLD CITY JERUSALEM	1	0	1
Total	144	72	216

### SIGNIFICANT INCREASE IN “SELF-DEMOLITIONS”

In 2020, there was also a significant increase in the number of home demolitions carried out by homeowners themselves. Such demolitions are termed “self-demolitions,” yet this cruel phenomenon is a direct result of recent policies implemented by the authorities, legal proceedings levelled against the families, and the imposition of steep fines in the wake of Amendment 116 to the Planning and Building Law.

Amendment 116 to the Planning and Building Law (the Kaminitz Law) was enacted in 2017 and went fully into effect at the end of 2018. The law is intended to increase enforcement and penalization of building violations through rigorous punitive measures for building offenses, including an acute increase in fines and periods of imprisonment. It likewise expands administrative enforcement and imposes drastic limitations in the right to pursue legal recourse against demolition orders.

This amendment was initiated by right-wing factions in the Knesset in reaction to the allocation of government funds to promote outline plans for building in Arab communities within the Green Line as part of Government Decision 922. The swift implementation of Amendment 116 stands in stark contrast to the much slower pace of the implementation of government allocations for planning

which have yet to overcome the long-standing and systematic discrimination in the building and planning policies applied in Arab towns.

Moreover, this amendment created an even graver situation in East Jerusalem. While the Kaminitz Law is being applied in Palestinian neighborhoods throughout the city, East Jerusalem is not entitled to the allocation of state funding intended to resolve discrimination in the area of planning and building. Therefore, the increase of enforcement mechanisms included in Amendment 116 have been applied in East Jerusalem without promoting a parallel effort to alleviate the building and planning crisis within Palestinian neighborhoods.

The result, as stated, is a significant increase in the number of Palestinian families who have been forced to self-demolish their homes. Prior the implementation of Amendment 116, there were 10 to 15 self-demolitions a year; in 2019, this number soared to 40 self-demolitions of housing units and more than doubled to 91 residential units in 2020.

### **DEMOLITIONS IN THE TIME OF CORONA**

The increase in the number of home demolitions occurred over the course of a year marked by lockdowns due to the Coronavirus - when the importance of one's home as a protected space was greater than ever.

The demolition of homes continued even when the government imposed restrictions on movement and urged the public not to leave their houses. Only in the wake of repeated, joint requests by Ir Amim and the Association for Civil Rights in Israel<sup>1</sup> did the Ministry of Justice decide to temporarily freeze home demolitions. This occurred during two different lockdown periods: at the end of March 2020, for approximately two months and at the end of September 2020, for the duration of one month. Despite these freezes, 2020 still saw a record-breaking number of home demolitions in East Jerusalem.

On November 25, 2020, as part of on-going discussions between Members of Knesset from the Joint List and other figures from the Arab public, and the Minister of Justice, the Ministry of Justice published regulations detailing a partial freeze on the enforcement of Amendment 116 in certain circumstances for a period of two years. While the freeze does not apply to the enforcement mechanisms within local authorities such as the Jerusalem Municipality, it does

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<sup>1</sup> Request of the Assoc. for Civil Rights in Israel to the Attorney General, March, 2020; Request of Ir Amim and the Assoc. for Civil Rights in Israel, September 3, 2020.

apply to Arab towns and agricultural communities, and it is only valid with respect to existing buildings for which enforcement proceedings have not yet begun.

Following inquiries to relevant members of Knesset, we ascertained that this freeze also applies to East Jerusalem. Indeed, Ir Amim’s monitoring of home demolitions in East Jerusalem after November 25, 2020, shows a decrease in the number of home demolitions - particularly in demolitions carried out by the authorities. Over the course of December 2020, seven housing units were demolished in East Jerusalem compared to an average of twelve throughout the other months of the year.

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