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December 26th Supreme Court Hearing on al-Walajeh Appeal Could Lead to Largescale Destruction of Village

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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 where they have lived and cultivated the land for decades. **A court injunction, currently preventing the demolition of 38 homes, could be lifted following a hearing at the end of December, subjecting residents to wide-scale displacement.**

A decisive hearing on the al-Walajeh residents' 2018 principal appeal is slated to take place at the Supreme Court on December 26, 2021. 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, since 2016, the National Enforcement Unit has assumed responsibility for building and planning enforcement in this area. 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](#). Roughly half of the homes in the annexed part of al-Walajeh have received demolition orders, and approximately 25 have already been executed since 2016. **These mass demolition orders, together with the absence of urban planning, threaten to uproot an entire Palestinian village for a second time.** After being displaced from its lands on the Israeli side of the Green Line in 1948, al-Walajeh was rebuilt on village lands, which 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 roughly 150 homes, which were mostly built after 1967 and considered illegal by the Israeli authorities due to the impossibility of procuring building permits. The planning bodies have consistently abdicated their responsibility in preparing a zoning plan for the area, which precludes the possibility of obtaining building permits and therefore subjects the community's homes to the heightened risk of demolition. In an attempt to legalize their homes, the residents themselves prepared an outline plan, which the authorities had for years declined to review.

As a result, the al-Walajeh community filed a petition in [2018 against the Jerusalem District Planning Committee's refusal to discuss the residents-initiated outline plan](#), which would authorize their homes and 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 for the promotion of a fair planning scheme in the future.

In an attempt to challenge the District Committee's decision, an administrative petition was recently filed to the 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 set in stone, implying that the District Committee would be expected to consider a new scheme with an open mind. 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 December 26 to dismiss the 2018 principal appeal.**

The threat of largescale demolition in al-Walajeh alongside [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 effectively fragment the Palestinian space of the southern West Bank and undermine the prospect of a negotiated political resolution.

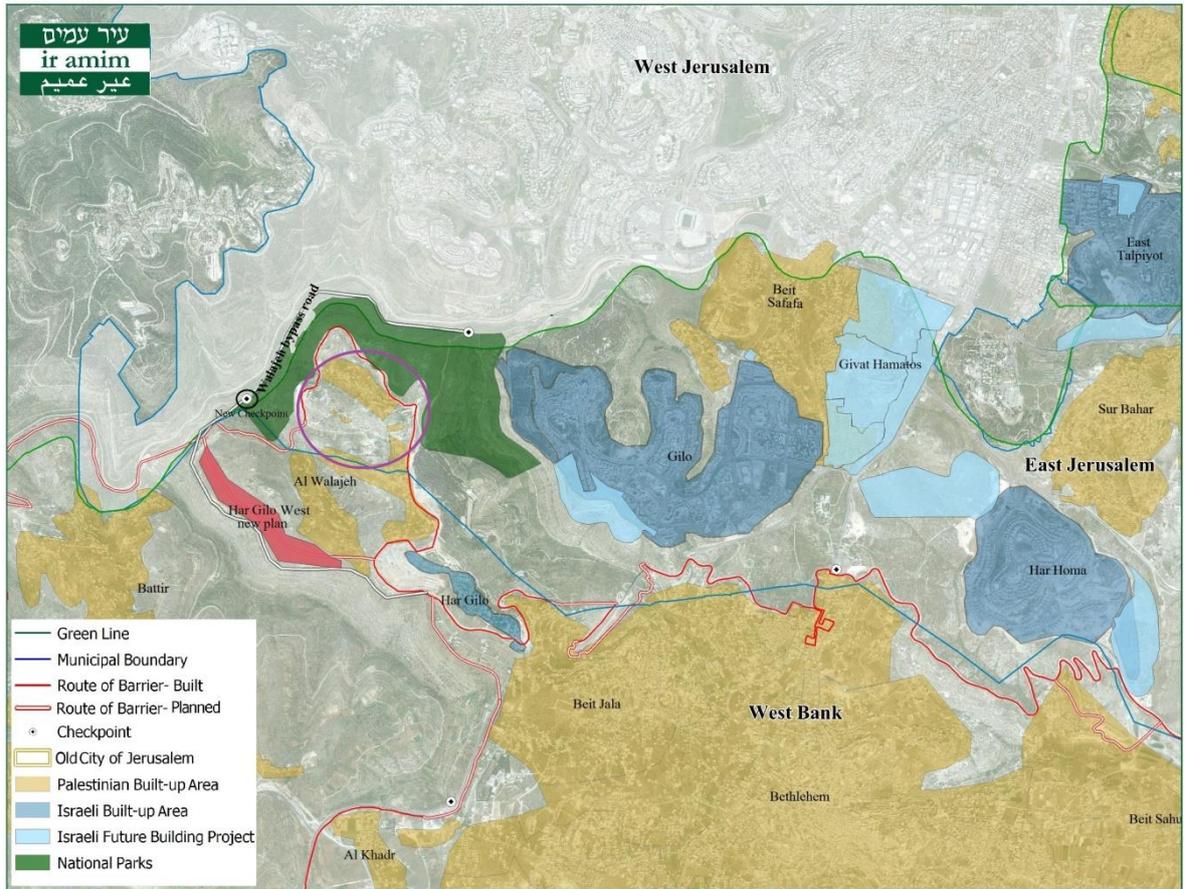
Beyond the geopolitical implications, al-Walajeh is yet another example of the acute discrimination within Israeli planning and building policy in Jerusalem. While outline plans for thousands of housing units are advanced for Israeli settlements and neighborhoods across the city, little to no plans with even a modest number of housing units are promoted for Palestinian areas. And still, a devastating amount of home demolitions continue to take place. Such unequitable 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.

**** Map located below*

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The section of Al-Walajeh under threat of mass demolition is marked by a purple circle.

Click [here](#) for larger map