



# The Resilience of Occupied Jerusalem

## Israeli Violations in 2017

1 January 2017 – 31 December 2017

### Introduction:

This report provides a detailed narrative of the main policies and practices of the illegal colonial occupation as well as the systematic assaults against the Palestinian people in the occupied City of Jerusalem during 2017. The report also presents an account of the escalating violations and intensifying arbitrary measures exercised by the occupying forces and illegal Israeli settlers, with absolute support from the US administration, against Palestine and its people. Furthermore, the report unveils the major political and illegal practices committed by Israel, the occupying power, which has been acting with impunity, in the absence of accountability under international law and without any deterring intervention. Putting an end to further violations by Israel requires an adoption of practical and concrete positions by the international community in order to hold Israel accountable pursuant to the provisions and principles of international legitimacy.

### Historical, Political and Legal Status of Jerusalem

The sanctity of the historical, political and legal status of Jerusalem is derived from three main pillars. First, the Palestinian Arab people have lived in the land of Palestine since the dawn of history, and the city of Jerusalem is the cultural, humanitarian, political and economic center of Palestine. Jerusalem is the cradle of the three monotheistic faiths and it is visited by millions of Christians, Muslims and Jews each year. Secondly, Palestine derives its status from international law and UN resolutions<sup>1</sup> as well as from the inalienable rights of the Palestinian people for self-determination, independence and sovereignty on their homeland. In addition, since the occupation of Jerusalem and its annexation by the Israeli occupying forces 50 years ago, international legitimacy and consensus have affirmed and reaffirmed time and again their rejection of the Israeli military occupation and unequivocally stated that East Jerusalem is the capital of the independent State of Palestine on the pre-June 1967 borders. Thirdly, Arab and Islamic consensus has constantly stressed the centrality of the Palestinian cause and the significance of the spiritual and religious status of the city of Jerusalem for the Muslim world. Arab and Muslim countries have denounced Israeli attempts to alter the historical and legal status of Jerusalem, and condemned all illegal Israeli measures that may prejudice the rights of the Palestinian people to full sovereignty in the city as the capital of the State of Palestine.

### Fifty Years of Military Occupation in Jerusalem

Since the occupation of the city of Jerusalem in 1967, the Israeli occupying authorities have pursued systematic unilateral policies to erase the Arab cultural heritage; the Christian and Muslim character of Jerusalem. The Israeli occupying forces have made tremendous efforts to entrench their distorted narrative by adopting illegal measures aimed to Judaize the city of Jerusalem, imposing its vision of what so called "Greater Jerusalem" enterprise, and falsely promoting Jerusalem solely as the "united capital of the Jewish people." For the past 50 years, Israel has implemented its settlement and Judaization project

<sup>1</sup> Inter alia UNSC Resolutions 242, 338, 252, 476, 478, 2334 and relevant UNGA resolutions.

with the objective to erase the indigenous population from the city and replace them with Israelis. In addition, the Israeli authorities aim to isolate the city from its Palestinian environment and the rest of the West Bank.

Israel continues its policy of ethnic cleansing on two parallel levels. First, it is represented by the policy of expansion, including attempts to Judaize and annex Jerusalem, intensify the settlement enterprise, home demolitions, forced displacement, land confiscation, ID revocation, illegal exploitation of Palestinian natural resources, imposition of blockades, incursions, extrajudicial killings, shutting down Palestinian institutions, and other unilateral violations that contradict international law. Second, it is represented by the continuous threat Israeli settlers pose to Palestinian presence in Jerusalem through systematic terrorization of the Palestinian people, aiming to expel them from their land and homes, through the support of Israeli occupying forces.

Since the start of the Israeli military occupation of East Jerusalem, these measures have constituted a smokescreen of legislation toward the Judaization of the city and transforming it into a part of the so called united capital of Israel. Moreover, racist and discriminatory laws passed by Israel have directly and deeply impacted the lives of the Palestinian population in the city, threatening Palestinian social fabric and adversely affecting the holy city's status.

## **Trump's Declaration of Jerusalem the "Capital of Israel"**

In an unprecedented and flagrant violation of international law and UN resolutions, U.S. President Donald Trump declared on 6 December 2017 that Jerusalem is the capital of the State of Israel and his intent to relocate the US Embassy from Tel Aviv to Jerusalem. In effect, the U.S. decision evades its obligations within international lawfulness and previous commitments toward the two state solution.

In addition, the US administration refused to condemn Israel's settlement activities which in effect supports extremist, right-wing Israeli policies. As a result the administration has recognized the *de facto* Israeli military occupation, and acquiesced to the establishment of the settler-colonial enterprise on occupied Palestinian territory. Consequently, the US administration has effectively acknowledged the annexation of East Jerusalem and large parts of the West Bank to Israel, and accepted the Israeli Apartheid regime.

Trump's unilateral declaration and claim that removing Jerusalem from final status negotiations, coupled with financial coercion pressure, including withholding financial commitments toward UNRWA, is a desperate attempt to alter the legal status of Jerusalem and shy away from international consensus. Trump's decisions are an attempt to force the Palestinian people to compromise their inalienable rights.

In essence, the ramifications of the US decision has served as a wake-up call for the international community to the grave danger facing not only the Palestinian cause, but also the whole international system. A system that is anchored in the principles and rules of the protection of human rights from the tyranny of power.

The international community should be concerned that Trump's decisions will ignite sectarian conflicts and encourage extremism, while incapacitating the forces of peace and moderation.

## **The Colonial Regime and its Tools to Alter the Character of Jerusalem**

### **1. Racial and Discriminatory Laws and Legislations Endorsed by the Israeli Government in 2017**

Israel, the occupying power, has created a *de facto* situation on the ground with the objective to establish a settler-colonial enterprise through legislation of racist laws in support of the military occupation and settler-colonialism. In the 20<sup>th</sup> Knesset session from May 15 to July 2017, 150 racist draft laws were introduced. The purpose of most of these laws is to impose Israeli control across the West Bank, including East Jerusalem. In addition, these laws attempt to legitimize settlement activities and annex more Palestinian land. Effectively, these laws aim to prevent the creation of a sovereign, independent Palestinian state that enjoys territorial contiguity.

Most notable are the Nationality Law, the Jerusalem Law, the Law on the Annexation of Settlements to Israel, and the Law on Settlements.

It is worth mentioning that these racist laws not only discriminate against Palestinian in occupied territory, but also racially discriminate against Palestinian citizens of Israel, including legislation to demolish more than 50,000 Palestinian homes and structures.

- Annexation of Settlements Law: In 2017 the Israeli Knesset endorsed in a final reading, a law that retroactively legitimizes Israeli settlements. The law legalizes stripping and confiscating privately-owned Palestinian land for the benefit of Israeli settlers.
- Jerusalem Law: This law was proposed in 2017 and provides that any change to the Basic Law's Jerusalem, Capital of Israel article, requires a majority of 80% vote in the Knesset. The draft law was endorsed in the final reading in January 2018. It merits mention that during the first reading of the draft law, a special provision on the application of the law to an area of influence to be decided by the municipality of the occupying power in Jerusalem was added to pave the way to segregating large Palestinian suburbs from the city center of Jerusalem.
- In 2017, 12 racial draft laws were proposed in support of military occupation and settlement activities,<sup>2</sup> including the following:
  - Nationality Law: This law was endorsed in May 2017 in a preliminary reading and it is still being amended. It is one of the most dangerous racist laws that seeks to erase the Palestinian refugee issue and the rights of Palestinian refugees to return to their homeland. The law seek to ignore Israel's responsibility for the tragedy of Palestinian refugees and the *Nakba*, and denies Palestinian presence in the historic land of Palestine.
  - Administrative Courts Law on Settlements and Settlement Councils: In a preliminary reading the Knesset endorsed a draft law providing for applying the Administrative Courts Law to settlements and settlement councils, and the so-called "civil administration" in the occupied West Bank with regard to all matters that are pertinent to settlements and settlers. The law is one of the laws that aims to impose Israeli "sovereignty" on settlements and settlers.
  - Draft law to annex settlements in Jerusalem and isolate the three Palestinian suburbs of Shu'fat refugee camp, Kufir Aqab and Anata. This draft law proposes the annexation of the entire settlement of Ma'ale Adumim that encompasses Palestinian land from the villages of Al Ezariye, Abu Dis, and Khan Al-Ahmar area in the Eastern Jerusalem governorate. The draft law also proposes the annexation of Giv'at Ze'ev settlement built on Palestinian land from the villages of Al-Jeeb and Beitunia north of occupied Jerusalem, as well as the annexation of the Gush Etzion settlement area, including Bitar Illit and Ephrat settlements constructed on Palestinian land, confiscated from villages located south and west of the city of Bethlehem.
  - Draft laws providing for imposing "Israeli sovereignty" on Area C in the West Bank, enforcing 'Israeli sovereignty' on settlements in the Jordan Valley, on the annexation of Gush Etzion settlement area, and a fourth law on the annexation of Ariel settlement.
  - Draft law on the bodies of Palestinian martyrs that provides for "withholding the corpse of martyrs affiliated with a political faction that keeps an Israeli captive or dead body."

## 2. Illegal Expansion of the Settlement Enterprise and Activities in 2017

- In 1967 the Israeli occupying authorities unilaterally expanded the municipal borders of Arab Jerusalem from 6.5 km<sup>2</sup> to 72 km<sup>2</sup> in order to entrench its control into the West Bank territory.
- Israeli authorities appropriated 35% of the entire area of occupied Jerusalem and earmarked the confiscated areas for the expansion of existing settlements and the construction of new ones. In addition, the government of Israel declared 30% of the appropriated land as organizational structure zones and 22% of it as "green areas" where construction is prohibited. Only 13% of the total area of Jerusalem has been granted for use by Palestinians. This has directly led to the rise in the number of

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2 The Palestinian Forum for Israeli Studies (MADAR).

Israeli settlers, whose presence was almost nonexistent before 1967, to more than 220,000 to date.

- The plan of Jerusalem municipality known as “Jerusalem 2020” identifies the policies that Israel takes in order to control Palestinian land and allot them to meet the needs of Israeli settlers in the settlements of Jerusalem. The plan seeks to secure an Israeli settler majority in Jerusalem through creating a framework that empowers the Israeli occupying authorities to develop the holy city as the capital of the “Jewish” State and the seat of its government. In fact, Israel hopes to achieve its long-term goal that reflects its future vision of the city.<sup>3</sup>
- Since 1967 Israel has drafted numerous illegal laws in order to acquire and appropriate thousands of acres of privately-owned Palestinian land for the benefit of settlement activities under the pretext of “state land,” “closed military zones,” “military training zones” or “absentee property.”
- During 2017 the Israeli occupying forces disclosed the issuance of 174 structural plans for the construction of no less than 12,939 new settlement units in West Bank territory, including occupied Jerusalem.<sup>4</sup>
- The Israeli Land Authority, Ministry of Housing and Construction, Ministry of Finance, and the Custodian of Abandoned Government Property issued 25 bids for the construction of 14 illegal settlements in the occupied West Bank, including 3,238 settlement units in occupied Jerusalem.<sup>5</sup>
- The number of Israeli settlers in Palestine rose to more than 630,000 settlers and to more than 220,000 settlers in Jerusalem alone. It should be noted that the number of Israeli settlers tripled since the signing of Oslo Accords to date.

## **Colonial Settlement Enterprises in Occupied Jerusalem** <sup>6</sup>

- The Israeli occupying authorities issued around 31 plans for the construction of more than 3,155 settlement units in Jerusalem, concentrated mainly in Palestinian neighborhoods.
- The Infrastructure Committee of the Israeli Ministry of Finance kicked off discussions on implementing a tourism settlement project in the town of Silwan in Jerusalem that includes the construction of a cable car connecting West Jerusalem with the Old City of Jerusalem south of the Al-Aqsa Mosque Compound, Mount of Olives and the Church of the Gethsemane. Similar discussions also took place for the construction of Kedem Center settlement project in the Old City of Jerusalem that will be used solely by Israeli settlers and international tourists.
- An underground tunnel at the depth of 720 meters was inaugurated underneath the Silwan Mosque and Palestinian homes in order to connect illegal Israeli settlers residing in Silwan, to the Al-Aqsa Mosque Compound. The tunnel is part of a larger settlement project underneath Al-Aqsa Mosque.
- The Israeli occupying authorities, in cooperation with Elad Settler Organization, embarked on the completion of plans to construct a new commercial center in Silwan, 100 meters from the Al-Aqsa Mosque Compound. The center will comprise an underground parking lot for 400 vehicles and it will connect to the Al-Buraq Wall through tunnels that run underneath the wall of the Old City of Jerusalem close to the Mughrabi Gate. In order to implement this project, the Israeli occupying authorities and Elad Settler Organization demolished dozens of Arab Islamic archaeological sites dating back to the Canaanite Period.
- The Israeli occupying authorities is resolved to demolish 5 Palestinian residential apartments in Umm Haroun area in Sheikh Jarrah neighborhood for the construction of 15 settlement units to accommodate illegal Israeli settlers, as well as for the construction of a settlement building consisting of 6 floors. Moreover, the Israeli occupying forces created a structural plan for the construction of a religious school, *yeshiva*, in the same neighborhood.
- The municipality of the Israeli occupying authorities has plans to build 8 settlement units in Beit Orot settlement situated in the Al-Tur Palestinian neighborhood, in addition to Jewish tourist projects

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3 Master Plan for Jerusalem – Jerusalem Municipality (2004), p. 202.

4 Anti-wall and settlement commission violation report (2017)

5 Ibid.

6 IRAMIM

in Al-Suwaneh neighborhood on the foot of Mount of Olives. The municipality is also planning to build a ritual bath in the illegal settlement of Nov-Etzion in Jabal Al-Mukaber neighborhood.

- The Israeli occupying authorities have plans to construct a settlement project in the Old City of Jerusalem close to Jaffa Gate near Omar Ben Al-Khattab Square. Ateret Cohanim settler group claims it has bought two hotels from the Greek Orthodox Church and is now seeking to establish control over them for the benefit of this settler project. Moreover, the Israeli authorities seek to deepen control over Omar Ben Al-Khattab Square that extends from Jaffa Gate through the Armenian Quarter to the Jewish Quarter.
- Israel does not only concentrate its settlement plans in the heart of Palestinian neighborhoods, but also in areas around settlements with the view of expanding and connecting them through the annexation and expansion wall, and the construction of a road network for the exclusive use of Israeli settlers. The dual aim Israeli settlements seek to achieve is expanding the scope of connection within Israeli areas while keeping a minimum Palestinian population within the borders of occupied Jerusalem, thereby territorially isolating the city from the rest of the West Bank. Israeli plans include the expansion of settlements as follows:
  - The construction of 1,040 units in the settlement of Gilo in Beit Jala and the settlement of Har Homa in Sur Baher; the construction of 15 new units south of occupied Jerusalem; 1,138 units in the settlements of Pisgat Ze'ev in Hizma and Neve Ya'acov in Beit Hanina; the construction of 396 units in the settlement of Ramot in Shu'fat, in the north of Jerusalem.

### 3. Forcible Transfer

The Israeli colonial project involves the withdrawal of residency rights from Palestinians, the prohibition of family reunification, home demolition and evictions, restrictions on construction, confiscation of land and property for the benefit of settlement expansion, and restrictions on free access and movement. The Israeli policy of forced displacement against Palestinian residents of Jerusalem and depriving them of the right to adequate housing constitutes a gross violation of international human rights law, including the UN Charter and the International Covenant on Economic, Social and Cultural Rights.

- During 2017, the Israeli occupying authorities carried out 6 evacuation operations in the Old City of Jerusalem, Silwan, Sheikh Jarrah and Jabal Al-Mukaber, resulting in the displacement of **9 Palestinian families** consisting of 36 individuals, including 13 children. One example highlighting illegal Israeli policies is the forced displacement and removal of the Shamasneh family from their home in Sheikh Jarrah in occupied East Jerusalem. Their home was subsequently granted to illegal settlers following a petition the settlers brought before a court in which they claimed ownership of the house since 1948. As a result, two families consisting of 8 individuals, including one child, were rendered homeless.<sup>7</sup>

### Home Demolitions

Since the occupation of Jerusalem in 1967, the Israeli occupying authorities developed a set of discriminatory policies in organization and planning, allowing Palestinians to live in and construct on only 13% of the entire area of East Jerusalem. Moreover, the Israeli authorities have imposed coercive measures, including arduous restrictions on the acquisition of construction licenses, which has forced many Palestinians to engage in construction without permits, in order to cope with the natural growth of their families and communities. In East Jerusalem, there are currently around 44,000 unlicensed homes threatened with demolition.<sup>8</sup> Furthermore, the Israeli occupying forces exercise collective punishment against families of martyrs, including home demolitions.

- In 2017 the Israeli occupying forces bulldozed 163 homes across Palestine, including more than 388 structures, and another 35 self-demolished by families pursuant to demolition orders they received from the Israeli authorities. Around 104 of the structures demolished by the Israeli forces in 2017 were funded by international donors.<sup>9</sup>

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7 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

8 Anabtawi, Khalid (2017). Israeli Policy in East Jerusalem from Marginalization to Annexation. The Palestinian Forum for Israeli Studies (MADAR).

9 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

- In East Jerusalem alone, the Israeli occupying forces demolished 108 structures, of which 34 structures and 80 homes, were forced self-demolitions by their owners. The number of Palestinian civilians affected directly by the demolitions reached 631 civilians, including 283 children. More than 233 Palestinian civilians, including 133 children, were displaced. In addition, the Israeli occupying forces evicted and closed one Palestinian home in Jabal Al-Mukaber in occupied East Jerusalem, resulting in the displacement of an entire family consisting of 5 individuals, including 4 children.<sup>10</sup>
- In 2017, the Israeli occupying forces continued to target Bedouin communities, on the eastern entry point to Jerusalem. At least 18 communities have been seriously affected by the Israeli settlement project "E1". The Israeli occupying forces carried out 13 demolition operations targeting 34 structures, including 21 homes, and resulting in the forced displacement of 141 Palestinians civilians, including 81 children, and affecting the lives of 354 others.<sup>11</sup>

For example, in April 2017 the Israeli occupying forces demolished 5 retaining walls in Silwan and one agricultural structure owned by the Alqam, Abbasi and Natsheh families, under the pretext of unlicensed construction.<sup>12</sup>

## **ID Revocation and Family Reunification Prohibition**

In an attempt to retain a Jewish majority in the city of Jerusalem, the Israeli occupying authorities continue to revoke residency rights of Palestinians and prohibit the reunification of Palestinian families:<sup>13</sup>

- Between 2013 and 2017, the Israeli authorities revoked 287 Palestinians of their residency rights in Jerusalem, using various draconian laws to achieve the Israeli colonial-settlement project.
- During 2017, the Israeli occupying authorities approved 46 requests for family reunification out of a total of 445 requests submitted by Palestinian families.
- The drop in the rate of approval of family reunification requests in the last five years has continued unabated. In 2013 the rate of approval of requests reached 66% of the total number of requests submitted by Palestinian families compared to 10% in 2017.

## **4. Settler Violence and Terror**

Backed and protected by the official political, religious and military organizations of Israel, organized settler gangs continue to carry out violent attacks against unarmed Palestinian civilians and their property in occupied Palestine territory. Settlers regularly terrorize Palestinians either by physically assaulting them or through incitement campaigns calling for the killing of Arabs. Other attacks include the desecration and vandalism of Christian and Muslim holy sites, confiscation of land and property owned by Palestinians, burning down trees, and forcible and armed evacuation of Palestinian civilians from their homes. According to Yesh Din, an Israeli human rights organization that documents settler attacks against Palestinians, approximately 92% of complaints filed by the organization between 2005 and 2017 were closed without investigation, and none of the settlers were charged, resulting in continued impunity for settler violence.<sup>14</sup>

- During 2017, Israeli settlers carried out 37 terror attacks against Palestinian land, property and holy places in occupied Jerusalem. In September 2017, Palestinian civilian Fadi Sbeih was physically assaulted by Israeli settlers while returning from work to his home in Shu'fat, a Palestinian neighborhood in East Jerusalem.<sup>15</sup>

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10 Ibid.

11 Ibid.

12 Palestinian Monitoring Group

13 Jerusalem Legal Aid and Human Rights Center (JLAC)..

14 The Application of the Law to Israeli Civilians in the West Bank. Yesh Din Organization Data Sheet 2005-2017, p. 2. <https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/December+2017+Law+Enforcement+Datashet/LAW+ENFORCEMENT+Data+12.17+-+ARABIC+.pdf>

15 Palestinian Monitoring Group

## 5. Premeditated Killings

- In 2017 the Israeli occupying forces and settlers killed 84 Palestinian civilians across Palestine, including 21 children (25%). Twelve Palestinians were killed in Jerusalem alone. To cite an example, in January 2017, a settler deliberately ran over and killed Shayma Jaabees, a 9-year-old Palestinian girl from Jabal Al-Mukaber, in occupied East Jerusalem. Similarly, in May 2017, Israeli occupying forces positioned in the Old City of Jerusalem opened fire and killed 16-year-old Fatima Afif Hjeji. (See Annex 2).<sup>16</sup>

## 6. Withholding Bodies of Martyrs

The motivation behind this illegal, inhumane policy of withholding the bodies of Palestinian martyrs are to deepen the humiliation of the Palestinian people, conceal the real cause of death, and entrench Israel's policy of collective punishment. This policy reveals Israel's cruel attempts to control not only the lives of Palestinians, but their deaths, grief and burial rites. The Israeli occupying authorities withhold bodies, using them as a tool for control and power.

- Since 1967, Israel has illegally withheld the bodies of approximately 268 Palestinian martyrs, holding them in the so-called cemeteries of numbers. During the military offensive on the Gaza Strip in 2014, Israeli military forces withheld 19 Palestinian bodies. Israel is currently withholding the bodies of 15 Palestinian martyrs, including 3 martyrs from Jerusalem of those killed in the past two years, in addition to the 268 in the cemetery of numbers.
- Under international humanitarian law, Israel, as the occupying power, is obliged to respect the dead and their places of burial: "The remains of persons who have died for reasons related to occupation or in detention resulting from occupation or hostilities ... shall be respected."<sup>17</sup>
- In the context of the systematic incitement exercised by Israel on the official level, the Israeli Minister of Justice Ayelet Shaked wrote: "Next week I will distribute a legal memo allowing for withholding the corpses of Palestinians for the purpose of negotiation."<sup>18</sup>
- The right-wing Knesset member Bezalel Smotrich (Jewish Home Party), submitted two draft laws in January 2017. The first draft law concerns the burial of Palestinians in special cemeteries and withholding the bodies from their families. The second aims to prevent Israeli courts from repeal the conditions the occupying authorities place on the families related to funeral procedures of Palestinian martyrs.<sup>19</sup>

(See Annex 3).

## 7. Wounded Palestinians

According to the Palestinian Ministry of Health, approximately 6,318 Palestinian civilians were injured in 2017 across Palestine, including 1,808 injured as a result of Israeli use of live ammunition and rubber-coated steel bullets. More than 4,167 Palestinian civilians were asphyxiated as a result of tear gas inhalation, while others were wounded in direct physical assaults. The number of injured Palestinians in Jerusalem that sought medical treatment at hospitals and clinics in the period of this report reached 250 civilians. An example is the deliberate targeting by a settler who ran over 4 children in Silwan in August 2017, seriously injuring 9-year-old Anas Al-Haymouni; 7-year-old Youssef Mazin Rumman; 10-year-old Amir Abu Sbeih; and 6-year-old Hamza Abu Sbeih<sup>20</sup>

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16 Ibid.

17 Article 34(1), 1977 Additional Protocol I.

18 "Follow Ups from the New Media in Israel" (13-16 January 2017) issued by The Palestinian Forum for Israeli Studies (MADAR).

19 The Palestinian Forum for Israeli Studies (MADAR).

20 Palestinian Monitoring Group.

## 8. Raids, Closures and Arrests

- In 2017, Israeli occupying forces carried out more than 667 raids on Palestinian civilian homes in the Jerusalem governorate, and as collective punishment, blocked more than 30 streets and public roads in Jerusalem suburbs, cities, and neighborhoods in order to restrict Palestinian movement. The Israeli forces also set up 278 flying military checkpoints throughout the Jerusalem governorate and intensified their military measures at checkpoints around Jerusalem, denying Palestinians free access to and from the city, and isolating Palestinian communities from one another and the city.<sup>21</sup>
- In 2017 Israeli occupying forces arrested more than 2,436 Palestinian civilians in Jerusalem including 800 minors (750 boys, 6 girls and 54 children under 12 years old), in average of 36% of the total arrests. One third of the total number of arrests was concentrated in Jerusalem. The Israeli occupying forces continue to wage a systematic and targeted arrest campaign against Palestinian minors in Jerusalem, including children under the age of 12, and subject them to the most terrible forms of physical and psychological torture during investigation and interrogation. Many of the Palestinian children are also subjected to long periods of administrative detention, and some to house arrest, in clear violation of the provisions international human rights law and international humanitarian law<sup>22</sup>
- During 2017 the rate of child arrests rose by 20%, compared with 2016. The two youngest children arrested by the Israeli military authorities are 6-year-old Qusai Al-Rajabi from Silwan, and 7-year-old Tamer Awadallah from Shu'fat refugee camp in occupied East Jerusalem.<sup>23</sup>

In December 2017 the Israeli occupying forces arrested 15-year-old Palestinian child Abdel Jabbar NazeHH Al-Natsheh from Shu'fat refugee camp on charges of stone throwing. He was released on 9 January 2018 and referred to house arrest for 24 hours in the village of Umm Al-Fahim, located in Israel. He was released on bail and was fined NIS 5,000 (equivalent to USD 1,470) and his parent were forced to sign another bond in the amount of NIS 7,000 (equivalent to USD 2,059). Another child, 17-year-old Majed Kamal Ahmad Al-Our from Silwan was placed under house arrest for five days, from 6 to 11 May 2017. He was arrested again on 20 July 2017 and was placed under house arrest since.<sup>24</sup>

## 9. Closure of Palestinian Institutions in Jerusalem

- Since 1967, the Israeli occupying authorities have shut down more than 120 Palestinian institutions in Jerusalem, 88 of which have been closed permanently. The other institutions were forced to move their premises and activities from occupied East Jerusalem to other locations in the West Bank.<sup>25</sup>
- In 2001, the Israeli occupying authorities shut down the Orient House, founded by the late Faisal Husseini at the end of the 1980s. As a result, a huge vacuum was created in the lives of the Palestinian population in Jerusalem as the Orient House used to provide them with necessary services that promoted their steadfastness and resilience in the city.
- Between 2001 and 2003, the Israeli occupying authorities shut down no less than 22 Palestinian civil society institutions in East Jerusalem.<sup>26</sup>
- Disregarding and indifferent to their obligations under international law and resolutions, as well as under the agreements signed between Israel and the PLO, the Israeli occupying authorities renew and extend closure orders of the most important Palestinian institutions in Jerusalem every six months. In fact, UN Security Council Resolution 476 "Reconfirms that all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the

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21 Ibid.

22 Minister Issa Qaraqe, Director of the Palestinian Prisoners Affairs Commission, in a press conference, Al-Quds Arabic daily, 10 January 2018.

23 Ibid.

24 Mufid Al-Haj, a lawyer from the Palestinian Prisoner's Club.

25 Al-Maqdisi Institution.

26 Ibid.

Middle East.” In addition it, “*Reiterates* that all such measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council[.]”

For example, in March 2017 the Israeli occupying forces raided and shut down the Mapping and Geographic Information Systems Department of the Arab Studies Society in occupied Jerusalem, arrested its Director Khalil Tufakji, and confiscated documents, computers and other equipment.<sup>27</sup>

## 10. Attacks on Holy Sites and Places of Worship

### Al-Quds and Al-Aqsa Mosque Uprising:<sup>28</sup>

The year 2017 was the year of Palestinian steadfastness and resistance to the discriminatory and racial policies of Israel and its oppressive regime. The will of the Palestinian people and their continuous struggle thwarted Israeli plans that sought to alter the existing historical and legal status of the city of Jerusalem, and partition the Al-Aqsa Mosque Compound in terms of time and space, as well its attempts to shift the conflict into a religious conflict. Palestinian resistance was evident in defying deliberate and calculated Israeli attacks on Jerusalem and the holy places, including Al-Aqsa Mosque, in what has come to be known as the Al-Aqsa Uprising that began in July 2017, following the closure of the Al-Aqsa Mosque Compound and the installation of electronic gates and surveillance cameras at the entrance to the mosque.

The Palestinian people are still suffering as a result of the Israeli attacks on their holy places and denying them access to places of worship in Jerusalem, either by means of refusing to give them entry permits through the so-called “permits regime” or by setting up military checkpoints at the entrances to the city of Jerusalem, especially the Old City. This constitutes a grave violation of the freedom of worship and the right to exercise religious rites guaranteed in international charters and instruments, especially international human rights. While the Israeli occupying forces deny Palestinian Christians and Muslims access to places of worship in the holy city, they at the same time grant free movement to thousands of Israeli settlers and give them free access to Al-Buraq Wall.

- Israeli occupying forces carried out no less than 1,210 attacks on the Al-Aqsa Mosque in the Old City of Jerusalem, Al-Ibrahimi Mosque in the Old City of Hebron, places of worship, Islamic shrines and cemeteries. The peak of Israeli attacks on the Al-Aqsa Mosque took place in July 2017 when the Israeli occupying authorities imposed an unjust siege on the mosque that lasted 14 days, from 14 through 27 July 2017.
- Israeli occupying forces prevented worshippers from praying at the Al-Aqsa Mosque for three consecutive days, and that was the first time that the mosque was closed since 1969.
- The Israeli occupying forces attacked and arrested worshippers and Al-Aqsa Mosque guards, and expelled others. Israeli forces also raided the Al-Aqsa Mosque Compound and allowed worshippers access to it only after the installation of electronic gates at the entrances to the mosque.
- Israeli occupying forces installed surveillance cameras at the entrances to the Al-Aqsa Mosque Compound, but Palestinian worshippers refused to enter the mosque through the electronic gates and held worship instead on the streets around the mosque. Eventually, and as a result of the ‘*Ribat*’, steadfastness of Muslim worshippers, Israeli forces were forced to remove the electronic gates and dismantle the surveillance cameras.

In addition to Israeli violations on the rights and freedom of religious practices, the Israeli forces imposed a siege in and around the Al-Aqsa Mosque Compound, and searched its premises and facilities including clinics, offices, library, minarets and museum, and caused damage to them. Furthermore, the Israeli occupying forces confiscated the keys of Al-Aqsa Mosque from the Islamic Waqf Department, in violation of the historic status quo agreement.

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<sup>27</sup> Interview with Khalil Tufakji, Director of the Mapping and Geographic Information Systems Department of the Arab Studies Society (January 2018).

<sup>28</sup> Public relations Department at the Palestinian Islamic Waqf Ministry

## Israeli Incitement

During the period of closures and blockades of the Al-Aqsa Mosque by the Israeli occupying forces in July 2017, Israeli government officials made racial and inciting statements against Palestinians in Jerusalem and the Al-Aqsa Mosque. Israeli government officials issued provocative statements against Palestinians and called for the necessity of imposing "Israeli sovereignty" over the Al-Aqsa Mosque and changing the current status quo for the benefit of Israeli settlers. The following are examples of Israeli incitement:<sup>29</sup>

- **Israeli Minister of Transportation and Intelligence Yirsrael Katz:** "The Temple Mount is in our hands and we shall not give up sovereignty. The State of Israel has the responsibility to keep the rule of law and order in the Temple Mount."
- **Knesset Member Bezalel Smortich (Jewish Home Party):** "I would like to erect a Jewish shrine on the Temple Mount today, this morning. If any person thinks that through terror and violence and the slaughter of a family will weaken our sovereignty – if this is the case and if I were the prime minister – I would from this morning close the Temple Mount before Arab worshippers and establish a synagogue. And if terror perseveres I will shut down the Temple Mount before Arabs and only Jews will have access to it."

## 11. Attacks on Hospital and Medical Staff

During 2017, Israeli occupying forces raided Palestinian hospitals, attacked medical staff (especially in the city of Jerusalem), and terrorized patients, in flagrant violation of international and human rights customs and charters. Israeli occupying forces significantly escalated their attacks during the siege of Al-Aqsa Mosque in July 2017. The following are examples of Israel attacks on Palestinian hospitals and medical staff:<sup>30</sup>

- On 1 February 2017 Israeli occupying forces raided al-Makassed Islamic Charitable Society Hospital in the city of Jerusalem, closed all its entrances, and arrested 1 civilian who was escorting his sick mother to the hospital.
- On 17 July 2017 Israeli occupying forces raided al-Makassed Hospital, attempted to arrest a wounded Palestinian civilian, but failed because he was undergoing surgery. On the same day, Israeli forces fired a stun grenade at a Palestinian Red Crescent ambulance and assaulted medical staff in the vicinity of Lions Gate (one of the gates of the old city of Jerusalem that lead to Al-Aqsa Mosque) and attacked a paramedic inside the ambulance.
- On 19 July 2017 Israeli occupying forces continued to hinder the work in the clinic of al-Makassed Hospital in the area of Bab Al-Ghawanmeh in the old city of Jerusalem. As part of their oppressive measures, Israeli forces set up a military checkpoint at the entrance to the clinic and denied medical staff and patient's access to it.

## 12. Attacks on Palestinian Journalists and Media Staff <sup>31</sup>

Israeli occupying forces target journalists and media staff in order to silence and prevent them from transmitting the truth to the rest of the world and expose systematic criminal actions and violations Israel commits against the Palestinian people and their land and property. Israeli attacks include shooting live ammunition and rubber-coated steel bullets, throwing stun grenades, and shooting tear gas canisters at civilians. In addition, Israeli occupying forces continue to arrest, detain, physically assault and raid the homes of journalists and confiscate their equipment. The peak of such attacks took place in December 2017 following President Trump's declaration of Jerusalem as the "capital of Israel."

- There are to date 20 male and female journalists in Israeli detention.
- The Israeli occupying authorities carried out 528 attacks against journalists and media institutions in different Palestinian governorates.

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29 Israeli Incitement Monitor (2017) PLO – Department of Culture and Information, monthly report.

30 Palestinian Monitoring Group.

31 Palestinian Ministry of Information.

- The City of Jerusalem registered the highest number of violations amounting to 153 attacks, followed by Ramallah and Al-Bireh with 64 attacks, and Hebron with 51 attacks.
- For example, in July 2017, Israeli occupying forces physically attacked Rajai Al-Khatib, a producer and photographer for German network RTL, and also worked as a correspondent for Jordan TV while covering the siege around the Al-Aqsa Mosque. Al-Khatib was seriously injured in the knee and his camera microphone was destroyed.

### 13. Attacks on the Education Sector

Since the Israeli occupation of the City of Jerusalem in 1967, the Palestinian education sector has suffered from continuous Judaization policies. The Israeli occupying authorities have attempted time and again to impose the Israeli academic curriculum on Palestinian schools with the objective to falsify the Palestinian narrative and create a new Palestinian generation ignorant of their national identity and history. In addition, the Israeli occupying forces exercise financial extortion by linking the issue of financial support with the need to adopt the Israeli curriculum, control the Palestinian curriculum, and delete content that runs counter to their Israeli colonial policies based on the Israelization and Judaization of the holy city. Moreover, Israeli occupying forces continue to attack schools and raid university campuses in Jerusalem.

- There is an acute shortage of 2,200 classrooms in the schools of Jerusalem. The existing number of classrooms is not enough to accommodate all pupils.<sup>32</sup>
- The rate of truancy in East Jerusalem schools reached 13% in 2017, and in the secondary stage alone, the rate of truancy reached 50% of the total number of pupils.<sup>33</sup>
- The budget allocated to treat the phenomenon of truancy in East Jerusalem schools of the Israeli occupying authority municipality for 2017 did not exceed one-third of the budget required to address this phenomenon seriously.<sup>34</sup>
- The Israeli occupying authority municipality employs 17 officers in West Jerusalem schools to control the truancy of pupils, compared to only 4 officers in East Jerusalem schools, only one of whom is full-time.<sup>35</sup>
- The construction of the annexation and expansion wall resulted in the isolation of 140 Palestinian civilians from their city of Jerusalem. Furthermore, the Israeli military checkpoints set up at the entry points to the city impede the access of pupils and teachers to and from their schools, not to mention the subjection of pupils and teachers to search and arrest at checkpoints.

The main Israeli attacks on the Palestinian education sector include the following incidents.

- In August 2017 the Israel occupying forces denied pupils of the Al-Aqsa Shari'a School for Boys from entering their school located in the Al-Aqsa Mosque Compound under the pretext that the textbooks the pupils receive conformed to the Palestinian educational curriculum.
- In addition, the Israeli occupying forces raided the Islamic Orphans School in the Old City of Jerusalem and arrested 2 pupils under the pretext of stone throwing.
- In November 2017, Israel occupying forces raided Zahwat Al-Quds Kindergarten in Beit Hanina, north of the Old City of Jerusalem, searched classrooms, and arrested 4 female teachers, including the headmistress. The Israeli occupying forces shut down the kindergarten and told parents to transfer their children to other schools.<sup>36</sup>

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32 Interview with the Head of Education in Jerusalem Samir Jibril.

33 Ibid.

34 East Jerusalem: Facts and Data 2017, The Association for Civil Rights in Israel, <https://www.acri.org.il/?p=5316>

35 Ibid.

36 Palestinian Monitoring Group.

## Conclusion

The Palestinian people and their leadership are adamant and unwavering in the face of Israeli settler-colonialism and violations by the Israeli occupying authorities. Our position remains in line with international legitimacy, rejecting and condemning illegal Israeli practices, including Israeli war crimes and crimes against humanity. International legitimacy will continue to reject the Israeli colonial and settlement project and any attempts to Judaize the city of Jerusalem.

The Palestinian stance does not recognize the Israeli occupation and annexation of Jerusalem, and considers the holy city part and parcel of Palestine occupied since 1967. The sovereignty of the State of Palestine cannot be realized without East Jerusalem, as its eternal capital. The State of Palestine respects the freedom of worship at religious sites and allows full access to them inside East Jerusalem. The State of Palestine will take all necessary measures to protect and preserve holy sites and their sanctity and dignity. In addition, the Palestinian position reiterates adherence to the unity of the State of Palestine and rejection of any and all attempts to partition the land of Palestine or the creation of new facts on the ground.

The question of Jerusalem concerns all Arab Muslims and Christians, and all advocates of justice and peace in the world. We call on the international community to bear legal and political responsibility toward holding the Israeli occupying authorities accountable for the ramifications of 50 years of belligerent military occupation of the land of Palestine. We invite the international community to support the steadfastness of the Palestinian people in Jerusalem and support the legal and diplomatic steps of the Palestinian leadership in international forums, including Palestine's accession and membership to international instruments and UN organizations. We call on the international community to hold Israel accountable, provide international protection to our people, recognize the State of Palestine as a full UN member, and put an end to the Israeli military occupation and create a sovereign State of Palestine.

We also affirm our rejection of the unilateral US decision on Jerusalem as the capital of Israel and of transitional or temporary solutions. We affirm that international law and resolutions constitute the terms of reference for any just and comprehensive two-state solution of Palestinian rights on the pre-June 1967 borders.

Our Palestinian Arab people have been rooted on their land for thousands of years and they have the right to defend their land, property and holy places in accordance with the provisions of international law. The Palestinian people determined to continue their struggle, oppose and confront all Israeli measures by all possible and available means until they acquire freedom and establish their Palestinian state on the pre-June 1967 borders with Jerusalem as its eternal capital. Finding a just solution to the Palestinian refugee question pursuant to UNSC Resolution 194, the Arab Peace Initiative, and the release of all Palestinian political prisoners from Israeli jails are imperative.

## ANNEX I

### Summary of Israeli Violations throughout Occupied Palestine by Type and Number<sup>37</sup>

(Jan 1<sup>st</sup> 2017 – Dec 31<sup>st</sup> 2017)

TYPE OF VIOLATION	WEST BANK INCLUDING OCCUPIED EAST JERUSALEM	GAZA STRIP	TOTAL
Killings	58	26	84
Withheld Martyrs' Bodies (1)	10	5	15
Injuries (2)	1675	539	2214
Raids	6396	68	6464
Detentions (3)	6654	88	6742
Temporary Detentions	427	11	438
Flying Checkpoints	5381	-	5381
Israeli Gunfire Attacks	2572	910	3482
Demolitions Operations (4)	163	-	163
Destruction/ Confiscation of Properties	724	14	738
Settler Violence/Terrorism	482	-	482

## ANNEX II

The following are the names of the 12 Palestinian and Arab Martyrs<sup>38</sup> who were deliberately killed during 2017 in Jerusalem

Number	Name	Age	Place of Residence	Place of Killing	Date of Killing
1	Fadi Ahmad Hamdan Qanbar	28	Jerusalem	Jerusalem	8/1/2017
2	Shayma Daoud Ga'abees	9	Jerusalem	Jerusalem	30/1/2017
3	Ibrahim Mahmoud Matar	25	Jerusalem	Jerusalem	13/3/2017
4	Siham Rateb Nimer	49	Jerusalem	Jerusalem	29/3/2017
5	Ahmad Fathi Zaher Ghazal	17	Nablus	Jerusalem	1/4/2017

<sup>37</sup> Main Source: Palestinian Monitoring Group (PMG)

(1) National Campaign for the Retrieval of the Palestinian and Arab War Victims' Bodies

(2) Source: Palestinian Ministry of Health

(3) Palestinian Prisoners Club

(4) United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Every Demolition Incident / Operation may lead to the destruction of one or more homes or other structures

<sup>38</sup> Palestinian Monitoring Group

6	Fatima Afif Abdel Rahman Hajji	16	Ramallah	Jerusalem	7/5/2017
7	Abdullah Salim Al-Kassaji	57	Jordan	Jerusalem	13/5/2017
8	Adel Hasan Ahmad Ankush	18	Ramallah	Jerusalem	16/6/2017
9	Bara Ibrahim Saleh Ata	18	Ramallah	Jerusalem	16/6/2017
10	Usama Ahmad Mustafa Ata	19	Ramallah	Jerusalem	16/6/2017
11	Muhammad Mahmoud Sharaf	17	Jerusalem	Jerusalem	21/7/2017
12	Muhammad Hasan Abu Ghannam	20	Jerusalem	Jerusalem	21/7/2017

## ANNEX III

**The Israeli Occupation Authorities still hold the bodies of the following Martyrs:<sup>39</sup>**

Name	Age	Place of Residence	Date of Killing	Days
Abdel Hamid Abu Srouf	19	Bethlehem	18/4/2016	623
Muhammad Nasser Tarayra	17	Hebron	30/6/2016	550
Muhammad Jebara Ahmad Al-Faqih	29	Hebron	26/7/2016	524
Rami Muhammad Awartani	31	Nablus	31/7/2016	519
Misbah Abu Sbeih	38	Jerusalem	9/10/2016	449
Fadi Qanbar	28	Jerusalem	8/1/2017	358
Bara Ibrahim Muhammad Saleh	18	Ramallah	16/6/2017	199
Adel Hasan Ankush	18	Ramallah	16/6/2017	199
Usama Ahmad Mustafa Ata	19	Ramallah	16/6/2017	199
Nimer Mahmoud Abu Gamal	27	Jerusalem	26/9/2017	97
Bader Kamal Sbeih	23	Gaza	3/11/2017	59
Ahmad Hasan Al-Sabakhi	22	Gaza	3/11/2017	59
Shadi Sami Al-Hamri	24	Gaza	3/11/2017	59
Ala Sami Abu Ghrab	25	Gaza	3/11/2017	59
Muhammad Kheir Eddin Al-Buheisi	21	Gaza	3/11/2017	59

<sup>39</sup> National Commission for the Recovery of the Bodies of Martyrs