



# ARIJ Daily Report

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## Israeli Violations' Activities in the oPt 30 June 2019

The daily report highlights the violations behind Israeli home demolitions and demolition threats in the occupied Palestinian territory, the confiscation and razing of lands, the uprooting and destruction of fruit trees, the expansion of settlements and erection of outposts, the brutality of the Israeli Occupation Army, the Israeli settlers violence against Palestinian civilians and properties, the erection of checkpoints, the construction of the Israeli segregation wall and the issuance of military orders for the various Israeli purposes.

*The Violations are based on reports provided by field workers and/or news sources.*

*The text is not quoted directly from the sources but is edited for clarity.*

*The daily report does not necessarily reflect ARIJ's opinion.*



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## Brutality of the Israeli Occupation Army

- The Israeli Occupation Army (IOA) invaded the al-'Isawiya town, in occupied Jerusalem, and removed the mourning tent of Mohammad Samir Obeid, 21, who was killed by the army. The IOA attacked many Palestinians in the tent, and surrounding areas, tore posters of slain young man and caused many injuries among the Palestinians, including the children and the elderly. The IOA also invaded Silwan town, Shu'fat town, and Shu'fat refugee camp, in Jerusalem, and fired live rounds, gas bombs, concussion grenades, and rubber-coated steel bullets at the protesters. The invasion led to massive protests, while the army fired live rounds, rubber-coated steel bullets and gas bombs. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) invaded and ransacked Obeid's home, tore his posters and removed Palestinian flags from the buildings. It is worth mentioning that, after killing Obeid, the IOA took his corpse, and did not return it to the family for burial. (IMEMC 30 June 2019)

## Israeli Arrests

- The Israeli Occupation Army (IOA) detained many Palestinians, including Jerusalem Minister at the Palestinian Government, Fadi al-Hadmi, during the ongoing invasions and violent searches of homes in the town of al-'Isawiya, and other parts of occupied Jerusalem. The IOA and many intelligence officers invaded the home of al-Hadmi in the Suwwana neighborhood in Jerusalem, and ransacked it, before detaining him. The detention of al-Hadmi came after he welcomed the Chilean President and toured with him in a visit to Al-Aqsa Mosque, an issue that was regarded by Israel as "violating its sovereignty" in Jerusalem. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) continued, for the second consecutive day, the massive and very violent invasions and searches of homes in al-'Isawiya town, and detained many Palestinian

youngsters related to Mohammad Samir Obeid, 21, who was killed by the army on June 27<sup>th</sup>. The IOA invaded his home, and his mourning house, and assaulted many residents, before removing Palestinian flags and posters. Among the detained Palestinians is a medic, identified as Fuad Obeid, in addition to Mahmoud Assem Obeid, Mahmoud Issam Obeid, Mohammad Sa'id Obeid, Mahmoud Mohammad Obeid and Fayeq Habash. (IMEMC 30 June 2019)

- The Israeli Occupation Army (IOA) invaded Shu'fat town, and fired many live rounds, rubber-coated steel bullets, gas bombs and concussion grenades at Palestinian protesters. Invasions and protests were also reported in many parts of Jerusalem, including its Old City, in addition to Silwan and several other areas. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) invaded al-Makassed Hospital in at-Tour town, after surrounding and isolating it, and searched its various sections, looking for wounded Palestinians, before detaining Haidar Dirbas and Ala' Dirbas. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) detained Ala' Johar and his son, Mohammad, in Abu Dis town, east of Jerusalem. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) detained Ehab Sa'id, from Anata town, northeast of the city of Jerusalem. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) invaded and ransacked homes in Ethna town, west of Hebron, and detained Ismael Talab Nattah. (IMEMC 30 June 2019)
- The Israeli Occupation Army (IOA) searched homes in Yatta town, south of Hebron, and detained a university student, identified as Abed al-'Arouri. (IMEMC 30 June 2019)
- In Hebron city, the Israeli Occupation Army (IOA) searched homes and detained Nasr Ammar Abu 'Aker, in addition to installing several military roadblocks. The Israeli Occupation Army (IOA) stopped and searched dozens of Palestinian cars, and interrogated many residents while inspecting their ID cards. (IMEMC 30 June 2019)

## Israeli Settler Violence

- Dozens of Israeli settlers stormed Sebastia archaeological area north of Nablus, amid Israeli occupation army protection and carried out Talmudic rituals. (Wafa 30 June 2019)

## Home Demolition & Demolition threats

- The Israeli Occupation Army (IOA) ordered a halt on works on a road in the village of Battir, near the occupied West Bank city of Bethlehem. The IOA accompanied by staff of the so-called Israeli Civil Administration raided an outskirt of the village and forced the staff working on the road to stop, under the pretext that the area is classified as Area C. The IOA ordered the Battir municipality to hand over the vehicles working on the road to the Israeli authorities. Area C, which constitutes about 60 percent of the West Bank, is under full Israeli security and civilian control. (Wafa 30 June 2019)

## Israeli Military Orders

- The Israeli Occupation Army (IOA) invaded Karm Hadidon area, east of Battir town, west of Bethlehem in the occupied West Bank, and stopped the town's local council from paving a new road. The IOA accompanied by personnel of the "Civil Administration Office" invaded the area, and halted the work, under the allegation that the lands are in Area C of the occupied West Bank, under full Israeli military and administrative control. The IOA held the ID card of Taiseer Qattoush, the Mayor of Battir, and ordered him to stop the work. The IOA also fired many gas bombs and concussion grenades at the Palestinians, and tried to confiscate the machines used in the work. (IMEMC 30 June 2019)

## Expansion of settlements

- A Jerusalem district court judge has accepted a legal theory put forward by the government, which may set a precedent allowing for the legalization of settlement homes built on privately owned Palestinian land. A final ruling in the case, involving the northern West Bank settlement of Alei Zahav, could provide judicial grounds for the legalization of up to 2,000 homes in West Bank settlements whose legal status has been in dispute. In his ruling last month regarding Alei Zahav, District Court Judge Carmi Mossek accepted the state's position

that settlement construction on private Palestinian land can be legalized retroactively if the land had mistakenly been thought to belong to the state. The state has been relying on this legal argument for a number of months, basing its position on market overt – that transactions conducted in good faith under certain circumstances are considered valid even when there are problems with legal title. The same legal concept, however, is also to be taken up by the High Court of Justice in another case involving the West Bank outpost of Mitzpeh Kramim. Judge Mossek's ruling is the first accepting the state's position. As a result, four homes that had been built on what had believed to be state land will be legalized despite the fact that the land involved was owned by Palestinians. In the Alei Zahav case, the state relied on a military order applying the market overt concept in the West Bank. The order provides that if the Israeli Civil Administration in the West Bank has allocated land to a West Bank settlement in the genuine belief that it was state land, settlement construction on it will be deemed legal even if it is later discovered that the Civil Administration was mistaken. As with other land in settlements in the West Bank, the site of the homes in question in Alei Zahav was thought to be state land based on old maps which crudely designated land boundaries based on what is now antiquated technology. A team from the Civil Administration has been reexamining the land boundaries in the West Bank and has found that some plots in West Bank settlements, including the homes in question at Alei Zahav, were built on land owned by Palestinians. On May 14 Judge Carmi Mossek ruled that the military order containing the market overt concept applies to Alei Zahav and the residents of the land in question are fully entitled to exercise their ownership interests to the land. The judge gave the state until September to complete the technical requirements for legalizing the buildings on the plots. Among the other recent cases in which the state has relied on the military order was one involving a dispute over the ownership of land in the northern West Bank settlement of Nili. In that case, the state's legal counsel said that position was in accordance with a legal opinion issued by Attorney General Avichai Mendelblit. The state invoked a similar argument last year before the Jerusalem District Court involving efforts to legalize the unauthorized outpost of Mitzpeh Kramim near Ramallah. The court in that case also agreed that the market overt principle applied but the facts of the case were somewhat different in that the state had been deeply involved in selecting the location of the outpost, despite the fact that the outpost was unauthorized. The dispute is now before the High Court of Justice. The High Court also has a case pending before it challenging a law passed by the Knesset in 2017 that would

retroactively legalize the seizure of some privately owned Palestinian land on which settlement construction has been built in good faith or with government encouragement. It is assumed that the High Court will strike down that law, and therefore the attorney general's staff has looked to other legal principles that would accomplish a similar result, including the market overt principle. (Haaretz 30 June 2019)

## Other

- On Sunday, 30 June 2019, representatives of the Trump administration Ambassador to Israel David Friedman and Special Representative Jason Greenblatt will participate with Israeli government ministers in inaugurating a new tunnel under the houses of residents in Wadi Hilweh, Silwan. When asked about how this move in one of the most contentious areas of the conflict will impact a future peace deal, Friedman answered, "I do not believe that Israel would ever consider such a thought. The City of David is an essential component of the national heritage of the State of Israel. It would be akin to America returning the Statue of Liberty." The disputed tunnel is a controversial and poorly regulated archaeological dig that has been carried out in recent years at the initiative of the Elad settler association under the houses of the Palestinian neighborhood of Silwan, dozens of meters from the Al-Aqsa Mosque and the Temple Mount. The tunnel, about 850 meters long and 8 meters wide, was intended to expose an ancient street from the Roman period that led from the Siloam Pool to the Temple Mount. It passes under the houses of the Wadi Hilweh neighborhood, running under the wall of the Old City and ending south of the Western Wall plaza. The Government of Israel invested at least NIS 40 million in the project under the title "Pilgrimage Road," a reference to the Jews who lived during the Second Temple Period. According to Jerusalem Mayor Nir Barkat, anyone who visits the tunnel **"knows exactly who is the landlord of this city."** This statement hints in no uncertain terms that this project is meant to solidify Israeli control over the Holy Basin despite the area being one of the core issues in the conflict, to be left to final status negotiations, for which success rests on Jerusalem being a capital for both Israel and a future Palestinian state. The tunnel is being dug about 3 to 4 meters below the homes of the residents of Silwan. Since the digging of the tunnel began, cracks have opened in many houses, there have been collapses, and holes have opened in the excavation area. About five Palestinian families were forced to leave their homes because of the damage caused to them and the municipality's subsequent decision that the buildings were dangerous. It should be noted that when

contractors excavate underground tunnels, they are required to undergo extensive engineering approvals and close supervision to ensure that there will be no harm to the ground and buildings above them. By contrast, in Silwan, where digging occurs 3m below the houses, the Elad Association and the Antiquities Authority are satisfied with the instructions of their internal engineer, without any external supervision, since it is an archaeological excavation that does not require a building permit. The excavation is also controversial from an archeological standpoint. Documents from the Antiquities Authority revealed by the Emek Shaveh NGO show that senior officials at the Israel Antiquities Authority disavowed the excavation, calling it "bad archeology," and that it found faults and safety problems, mainly because the excavation was done "from the side" in the tunnel. Archaeological excavations are always carried out from top to bottom, layer by layer, enabling the study of their findings and precise connection to each time period. Excavation "from the side" disregards all the layers and the full context of the findings and it is liable to damage these findings. Moreover, from a scientific and historical point of view, this Herodian street was known to researchers from the early 20th century in excavations conducted in Silwan. The digging of this tunnel was intended to expose the street to the public, in opposition to the excavation that was intended to study and investigate the archeology. The decision to expose the street means not only the removal of thousands of tons of dirt from the ground, but also the dismantling of findings in order to expose others. The tunnel was dug in one of the most politically sensitive areas in the Israeli-Palestinian conflict. The neighborhood of Wadi Hilweh in Silwan is located next to the Al-Aqsa Mosque/Temple Mount compound and the Old City, where the remains of ancient Jerusalem are located (hence the nickname "City of David"). This neighborhood is where the reality of a Palestinian neighborhood in East Jerusalem under Israeli control since 1967, and of an Israeli settlement in the heart of the neighborhood since the early 90's meets all the national, religious, and symbolic elements of the conflict. Unstable and unresolved, the Jerusalem Old City and its surrounding can be described as the conflict's active core. The compromise in Jerusalem as part of a two-state solution is well known: the Palestinian neighborhoods will be part of a Palestinian capital (Al-Quds), the Israeli neighborhoods will be part of the capital of Israel (Yerushalayim), and the Old City and the historical sites in its vicinity will be subject to a special arrangement. The Israeli government has invested hundreds of millions of shekels in recent years in building touristic settlements to change the public domain in the Old City and Holy Basin in order to make it more "Israeli," and to strengthen

Israelis' sense of ownership to this space, in order to prevent a political compromise. The political sensitivity around Silwan and tunneling is not new. In September 1996, shortly after Benjamin Netanyahu was first elected prime minister, he opened an exit from the Western Wall tunnels adjacent to the Temple Mount/Al-Haram al-Sharif, provoking the "tunnel intifada" in which 15 Israeli soldiers and 70 Palestinians were killed. In September 2009, shortly after Benjamin Netanyahu was elected prime minister for the second time, he planned to visit Silwan and inaugurate the "drainage canal," a narrow tunnel much smaller than the current tunnel under Silwan. The news of the prime minister's arrival reached the ear of the White House, and the Obama administration made it clear to Netanyahu that the act was undesirable, to say the least, and the event was canceled. (About a month later, when Secretary of State Clinton visited Israel, Netanyahu exposed the story while denying his intention to inaugurate a tunnel. And yet, the exposure confirmed that he had intended to reach Silwan and that the plan had been foiled). The excavation of the tunnels, including under residential buildings, reinforces Palestinian fears of attempts by Israel to build under Palestinian East Jerusalem, and of an Israeli takeover from the tunnels to Al-Aqsa. The fact that the uncovered tunnel in Silwan was intended to reconstruct the path taken by Jewish pilgrims to the Temple, where one of the holiest sites in Islam is located today, adds a deeper symbolic dimension to the tunnel and its inauguration. The mayor of Jerusalem, Nir Barkat, defined this clearly: The excavations were meant to teach the world that the Jews are the owners of the Temple Mount/Haram al-Sharif and its surroundings in Jerusalem. In a tour for Likud members in August 2016, Barkat described the ambitious plans in Silwan and the exposure of "Pilgrimage Road:" (PEACENOW 30 June 2019)