

The Geopolitical Status of Kafr 'Aqab Village

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Geopolitical Status of Kafr Aqab Town

On June 28 1967, the Israeli government illegally and unilaterally annexed Jerusalem to the Israeli state and declared 'Unified Jerusalem' to be the eternal capital of Israel. When the Israeli government illegally redrew the municipal boundaries of Jerusalem (in 1967), it added vast areas of uninhabited land to Jerusalem city and excluded highly populated Palestinian neighborhoods from the city boundaries. From this point onwards, Israel embarked on a campaign to manipulate the demographic and geographical realities of the city in order to reinforce its claim to sovereignty over Jerusalem. Shortly after the occupation of the city, the Israeli government expanded East Jerusalem's municipal boundaries; increasing the city's municipal area from 6.5 km² to 71 km² and including areas from 28 surrounding Palestinian villages.

The Jerusalem Governorate is divided into two main regions: (J1 area) which is located inside the borders and under the control of the illegally and unilaterally expanded Jerusalem Municipality. The J1 area includes many Palestinian Jerusalemite communities such as the old city of Jerusalem (Beit Al-Maqdis), Beit Hanina, Beit Safafa, Sharafat, Al Isawiya, Jabal Al Mukkabir, As Sawahra Al Gharbiya, Shu'fat and Shu'fat Camp, Silwan and Athuri neighborhood, Sur Baher and Um Tuba, in addition to part of Kafr Aqab which amounts to 2,355 dunums of land, 35% of its total area, which is 6665¹ dunums.

This part of Kafr Aqab village lands (inside the J1 area, (35% of its total area)) was not subjected to the Oslo II Interim Agreement signed between the Palestinian Liberation Organization (PLO) and Israel on the 28th September 1995 which categorized the West Bank into areas "A"², "B"³ and "C"⁴, instead, this part remained as it was before this agreement, under the control of Jerusalem Israeli Municipality while the remaining part of the village fell under the OSLO II land classification of 1995.

The other classified region is J2 area. It is located outside the borders and control of the Jerusalem Israeli Municipality, but within the borders of Jerusalem Governorate. This area is under the Palestinian National Authority (PNA) control and includes its eastern and north western parts, such as the communities of Beit Iksa, Beit Surik, Beit Duquq, Qatanna, Beit Anan, Rafat, Beit Ijza, Biddu, Bir Nabala, Ar Ram, Al Jib, Al Judeira, An Nabi Samuel, As Sawahreh Ash Sharqiya, Ash Shiekh Saed, Az Zayem, Beit Hanina Al Balad, Al Izariya, Abu Dis, Hizma, Jaba', Mikhams, Qalandyia, the majority of 'Anata town lands and part of Kafr Aqab community, which stands at 4,310 dunums, 65% of its total land area.

¹ SOURCE: GEO-MOLG, 2016

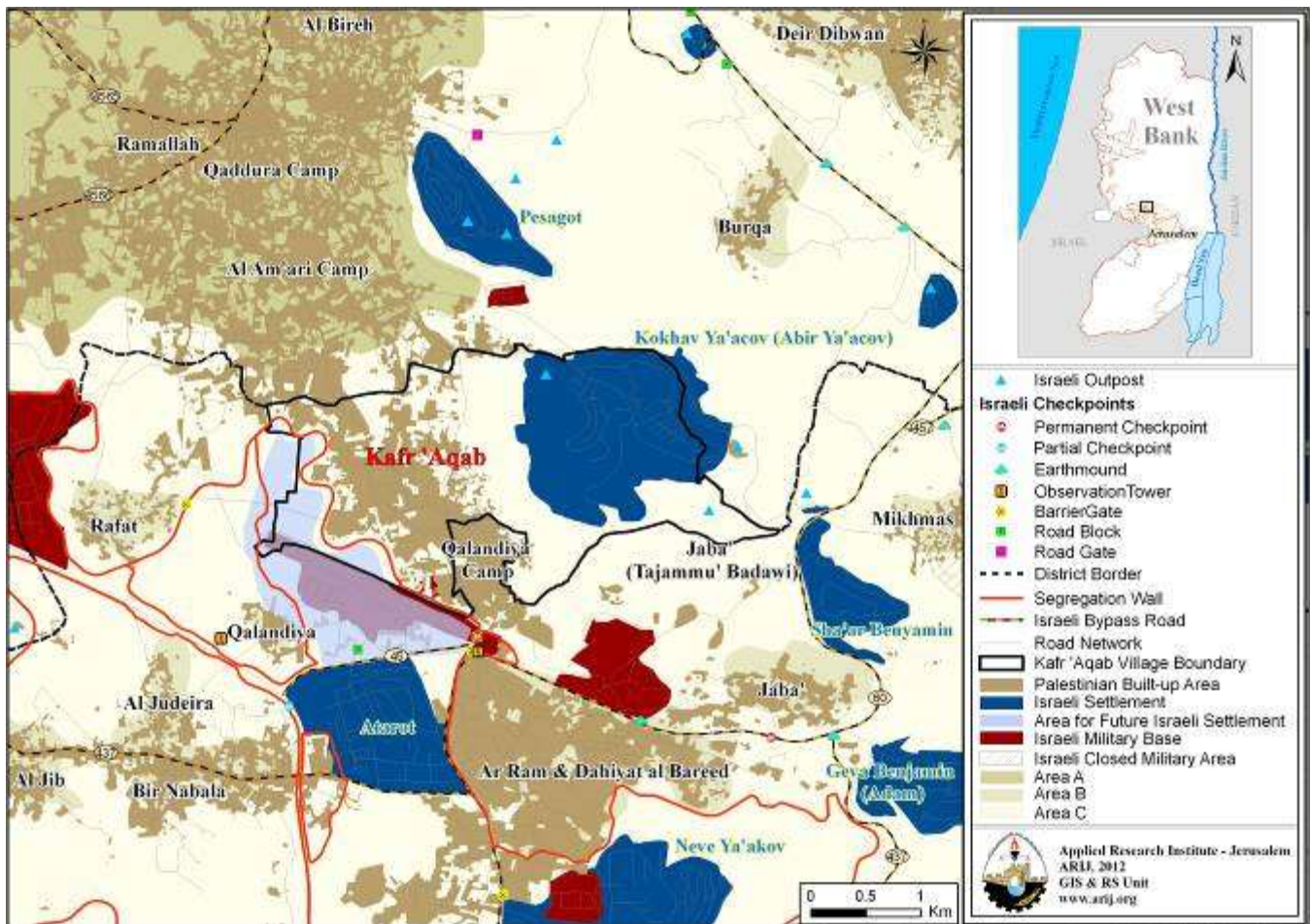
²Area A: over which the Palestinian National Authority (PNA) has full (security and administrative) control.

³Area B: where the Palestinian National Authority has a complete control over civil matters but Israel continues to have overriding responsibility for security.

⁴Area C: where Israel retains full control over security and administration related to the territory. In area C Palestinian building and land management is prohibited unless through a permit given by the Israeli Civil Administration. Most of the lands lying within the area "C" are agricultural land and open areas, fertile and rich in natural water sources, which constitute a major source of income for Palestinian families.

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This part of Kafr Aqab village (inside the J2 area (the 65% of its area)) fell under the OSLO II land classification of 1995 and the remained part of Kafr 'Aqab lands (the part inside J2 area) was classified to "Area C", a total of 4,310 dunums, 65% of the village's land area. Map 1



Kafr 'Aqab Village and the Israeli Occupation Practices

Since 1967, the successive Israeli Governments have actively supported Israeli settlers to establish settlements and construct bypass roads and set up outposts on hilltops and build other military installations in the occupied Palestinian territory by offering a variety of incentives to the settlers, including housing subsidies, income tax reductions, disproportionately generous budget allocations to the settlement areas, as well as business grants in areas of the occupied West Bank and with particular focus on Jerusalem. This trend heightened during the past two decades and has continued that way and even overly increased. These policies, aided by the construction of bypass roads to link the settlements, and the excessive control of the Israeli Army over the Palestinian land through military orders, the area annexed by Israeli settlements' has increased and settlements spread like tumor in all parts of the occupied West Bank. Analysis of high resolution satellite images during the period of 1992 and 2019 showed a constant increase in the area controlled by settlements in the occupied West Bank, from 77

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km² in 1992, to 170 km² in 2002, 190 km² in 2012, and 201 km² in 2019 (ARIJ 2022). In contrast, the number of Israeli settlers living in Israeli settlements increased from 248,000 settlers in the year 1992 to more than 418,000 in 2002, and 637 settlers in the year 2012 – and more than 954,000 Israeli settlers in the year 2022, (ARIJ, 2022).

Note that the settlements have not only seen displacements of the Palestinian villages and disruption of social and economic ways of livelihood but they are also a form of expanding Israel's control of land and natural resources with the purpose of creating irreversible facts on the ground that will become hard to change in the future.

As a result, villages in particular Kafr Aqab witnessed the loss of hundreds of dunums of its lands for the various Israeli colonial purposes, including but not limited to the construction and expansion of Israeli settlements, military bases, camps, outposts and bypass roads. Below is a detailed description of land confiscations in Kafr 'Aqab village.

Since the Israeli occupation of the Palestinian territory, 2,268 dunums of land has been confiscated from Kafr 'Aqab village (34% of the village's total land) to establish the Israeli settlement of Kokhav Ya'acov (Abir Ya'acov). Today, around 9,000 Israeli settlers (Table 1) live in the settlement.

Table 1: Israeli Settlements constructed over Kafr 'Aqab lands

Settlement Name	Year of construction	Area confiscated from Kafr 'Aqab (dunums)	Israeli settler population (2020)
Kokhav Ya'acov (Abir Ya'acov)	1984	2,268	10,072
Total		2,268	10,072

Source: ARIJ, 2022

Source: Israeli Ministry of Interior, Population Registry, 2022

In Kafr Aqab village, Israeli settlers have seized land from the village to establish the Israeli outposts of Kokhav Ya'acov South and Kokhav Ya'acov West. The two outposts are small in size and the number of mobile homes comparing to others in the occupied West Bank territory, but contribute much to the settlement's expansion. Furthermore, over the years of the Israeli occupation, Israel has also seized lands from Kafr 'Aqab village to establish other military installations on 24 dunums of village's land for the protection of the Israeli settlement built on land belonging to Kafr 'Aqab and neighboring Palestinian villages.

During the past twenty years, Israeli settlers have built 220 locations in the occupied West Bank, which became known as settlement outposts⁵. The Israeli outposts' phenomenon started back in the year 1996 by Israeli settlers who contrived to take control of hilltops in the occupied Palestinian territory. The outposts are usually located within 1-4 miles distant of an existing settlement. After 2001, the late Israeli

⁵ Settlements' outposts is a technique improvised by Israeli officials in cooperation with the Israeli settlers; under which the latter seize hilltops and certain locations in close proximity to existing settlements in order to annex the location to the settlement – if it exist within the master plan area of the settlements - all of which under the direct protection of the Israeli Army

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Prime Minister, Ariel Sharon, implicitly sanctioned the expansion of outposts, leading to an increasing number of outposts. Israeli occupation forces have assisted the Israeli settlers in moving to and settling in these outposts, in addition to protecting them and providing infrastructure to guarantee their continuing survival.

Although consecutive Israeli governments have not officially sanctioned these illegal outposts, but their state provisions such as full military protection, infrastructure services, subsidized living cost to the settlements and settlement dwellers have not only facilitated permanent existence of these settlements but also encouraged further expansion.

Israeli settlement plans in Kafr Aqab village

A new colonial neighborhood on lands of Kafr Aqab village

The Israeli Hebrew news website, WALLA⁶, reported on 5 June 2016 that the Jerusalem Municipality is promoting the construction of a new and huge settlement neighborhood on the old airport area north of the Atarot industrial settlement in occupied Jerusalem, in the area between Qalandyia and Kafr Aqab villages. The report cited that the new neighborhood will include the construction of 15,000 new settlement units in the area. The planned settlement neighborhood has not been approved yet, however, the newspaper reported that some officials at the Municipality of Jerusalem, namely the city's engineer, Shlomo Eshkol, and chairman of the Local Planning and Construction committee, are pushing the plan and intend to begin the process of planning and gain quick approval within a year as they are set to meet with the Ministry of Finance and Ministry of Planning to present the maps of the two aforementioned plans.

The plan to build this settlement neighborhood occurred almost a decade ago when the Israeli daily newspaper "Haaretz" reported on its website on 28 February 2007⁷, that a plan was submitted by the Israeli Ministry of Housing and Construction to establish a new Jewish neighborhood comprising of 11,000 housing units north of Jerusalem⁸. The area designated for the establishment of the new neighborhood is located within the Israeli illegally and unilaterally redrawn Jerusalem municipal boundaries of 1967, in an area that has been designated for decades as "no building zone" and Palestinians were denied rights to establish a community on their own land. The Haaretz newspaper also added that the published plan indicates a proposed tunnel beneath the Palestinian village of Kafr 'Aqab east of the proposed site for the new neighborhood, to be constructed in order to link the new neighborhood with Israeli settlements located outside the Municipal boundaries of Jerusalem city which are outside the route of the Israeli Segregation Wall such as the settlement of Kochav Yaccov, the closest Israeli settlement to the location of the projected Jewish neighborhood and other settlements nearby.

חשיפה: עיריית ירושלים מתכננת שכונת ענק יהודית מעבר לקו הירוק 6
<http://news.walla.co.il/item/2967549>

⁷ Gov't Promoting Plan for New ultra-Orthodox East Jerusalem Neighborhood
<http://www.haaretz.com/news/gov-t-promoting-plan-for-new-ultra-orthodox-east-jerusalem-neighborhood-1.214278>

⁸ "One more Obstacle to Peace": A new Israeli Neighborhood on the lands of Jerusalem city
<http://www.poica.org/details.php?Article=9538>

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The plan of the new Jewish neighborhood, if implemented, would be 'the largest' Jewish neighborhood to be constructed on the lands of the Illegally redrawn Jerusalem municipal boundary. The construction of this new neighborhood has far more implications than it appears to be: If constructed, (1) it will create a territorial contiguity between Israeli settlements in J1 area (in occupied East Jerusalem) and settlements located east of the segregation wall route (in the eastern part of Jerusalem Governorate) (2) the number of Israeli settlers set to reside in the planned neighborhood is considerably large; thus, increasing the number of Israeli settlers living inside Jerusalem city, and tipping the demographic balance of Jerusalem to the Israeli side; one step towards sustaining a Jewish majority in the city of Jerusalem at a time when the Israeli Segregation Wall around Jerusalem is taking entire Palestinian neighborhoods outside the city's boundary, 12 Palestinian communities of population exceeding +150,000 Palestinians.

The Trump Plan and Jerusalem

On January 28, 2020, the US President Donald Trump unveiled his long-awaited Vision for Palestinian-Israeli peace⁹. The broad lines of the Plan will allow Israel to annex 32 percent of the West Bank (WB) territory as follows: It designates an area that remains under full Israeli military occupation. **(1)** the western terrains of the WB; the western zone; the isolated area between the annexation wall and the 1949 Armistice Line (the Green Line), an area of about 12.5 percent (705 sq. km) of the WB including East Jerusalem (EJ); **(2)** the eastern terrains of the WB (the eastern zone); the Jordan Valley and the coastal areas of the Dead Sea, an area of about 18.5 per cent (1036 sq. km) of WB land; **(3)** 10 enclaves that incorporate remote Israeli settlements; **(4)** corridors intended to link the eastern and western zones of the WB, which simultaneously divide Palestinian areas from each other geographically into isolated entities. Within the total area (1763 sq. km) to be annexed according to the Trump Plan, lie 105 Palestinian localities; 33 of these are located in Area "B"¹⁰ (pop: 103,000), 52 localities are in Area "C"¹¹ (pop: 16,000), 20 localities in EJ (pop: 281,000), in addition to 56 Bedouin communities.

The plan also states that Jerusalem should not be divided and that the annexation wall that encircles Jerusalem will define the city's future border. This would greatly exceed the current marked boundary of Jerusalem that was unilaterally and illegally declared by Israel following the occupation of the east of the city in 1967. According to the Plan, Palestinian localities of Jerusalem outside the annexation wall, including Kafr Aqab, the eastern section of Shuafat (Shuafat camp), and Abu Dis, are areas that will constitute Palestinian Jerusalem.

The ramifications of the Trump Plan for geographical separation go beyond land and space, but really reflect the goal of demographic distribution sought by Israel on the ground by separating the Jerusalem localities outside the so-called Israeli Jerusalem municipality and excluding some +150,000 Palestinians from the new borders of occupied Jerusalem (what will be called "Greater Jerusalem"). This would reduce the Palestinian presence from the current rate of 37 per cent of the total population of Jerusalem to a range of between 15-18 per cent of the total number of residents of the occupied city. The Plan

⁹ [ANALYSIS OF THE GEOPOLITICAL ASPECTS OF THE TRUMP PLAN](#)

Jad Isaac and Suhail Khalilieh

¹⁰ A term used in the 1995 Oslo Accords, Area B constitutes 18.5 per cent of the West Bank. It designates an area that is administered by the Palestinian Authority but where Israel still has control of security.

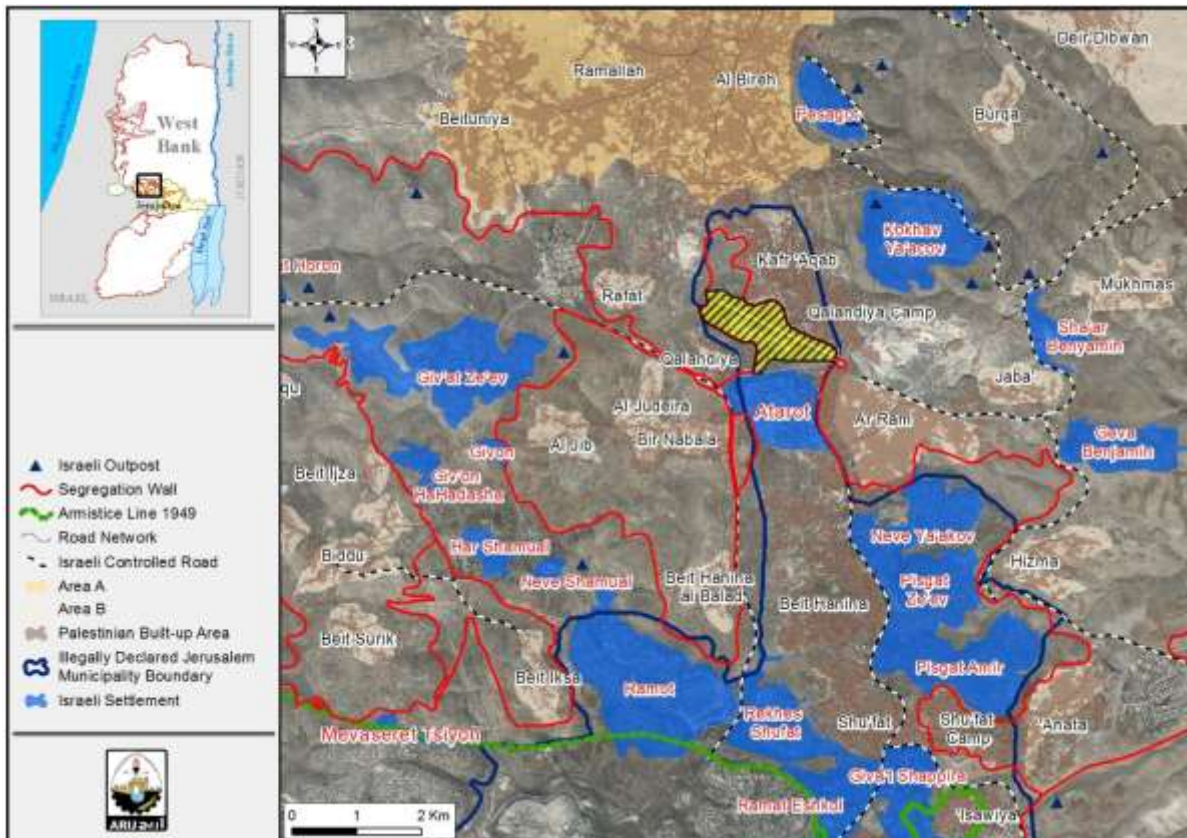
¹¹ A term used in the 1995 Oslo Accords. Area C constitutes 61 per cent of the West Bank. It designates an area that remains under full Israeli military occupation.

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provides Palestinians who remain within the illegally declared “capital” of Israel in occupied East Jerusalem with three options: **1)** to remain or become a citizen of the State of Israel; **2)** to become a citizen of the State of Palestine; **3)** to maintain their current status as permanent residents of Israel.

Additionally, under Trump plan, “the State of Israel should allow for the development by the State of Palestine of a *special tourism zone in Atarot*, in a specific area to be agreed upon by the par ties. *We envision that this area should be a world-class tourist zone that should support Muslim tourism to Jerusalem and its holy sites. We envision that this zone will become a thriving and vibrant tourism center that includes state-of-the-art public transportation that provides easy access to and from the holy sites.*”

Later on the 11th of February 2020, three weeks after the announcement of the Trump Plan, Israel re-initiated the announcement of the Atarot settlement where the Israeli Ministry of Housing submitted a building plan to the Jerusalem Municipality for the construction of a new 9,000-unit settlement at the site of the Atarot Airport, between the Palestinian communities of Kafr Aqab, Qalandiya and Ar-Ram in East Jerusalem as a first step in the plan approval process. The plan, as announced by the Israeli source¹² - **holds No. 764936** - and states that construction of the new settlement on the same area that was designated as a future “Palestinian tourism zone” within Trump’s so-called peace plan. Map 2



¹² Plan Advanced for a New Settlement in Atarot in the Heart of Palestinian East Jerusalem

<https://peacenow.org.il/en/plan-advanced-for-a-new-settlement-in-atarot-in-the-heart-of-palestinian-east-jerusalem>

Map 2: planned settlement neighborhood north of Jerusalem

Kafr 'Aqab Village and the Israeli Segregation Wall Plan

The Israeli Segregation Wall has a negative and destructive impact on Kafr 'Aqab Village. According to the last amendment, published on the webpage of the Israeli Defense Ministry (on the 30th April 2007), the Wall extends 3.6 km over Kafr 'Aqab's lands and isolates most of the village lands (92% of the total village's area (6,178 dunums)) by excluding the part of Kafr Aqab village located inside the Jerusalem Municipal boundary, to become on the eastern side of the wall, outside the municipal boundaries of Jerusalem, and separated from the rest of Jerusalem city.

The construction of the Israeli segregation wall on lands of Kafr 'Aqab village has set the entire village's built-up area outside the municipal boundaries and changed the village's status (mainly the built-up area) from being located inside the city's municipal boundaries to become on the other side of the wall and outside the city's municipal boundaries. This change have serious and significant consequences for Palestinians living in Kafr village, especially those holding blue¹³ Identity card (East Jerusalem ID card) who are threatened to lose their ID and city's basic, educational and medical services if they don't continue to reside within the city's municipal boundaries. **Table (2)** below details the lands that have been included within the Jerusalem municipal boundary from Kafr Aqab total land area

Table 2: Land Classification of the land of Kafr Aqab town inside the Israeli segregation wall (West of the wall)		
No.	Land Classification	Land Area (Dunums)
1	Agricultural areas	223
2	Israeli Military Base	24
3	Open Spaces	198
4	Wall zone	75
5	Military Tower	1
	Total	521

Source: ARIJ, 2022

The Segregation Wall has separated the whole area of (J1) from Jerusalem Governorate and excluded many Palestinian communities, including Kafr 'Aqab village, from the city's municipal boundary¹⁴ to become on the eastern side of the wall. The Israeli occupation Authorities have used the separation plan to illegally and unilaterally redraw the boundaries of Jerusalem Municipality and consequently alter the

¹³ Who Are East Jerusalem's Permanent Residents'? <http://www.haaretz.com/israel-news/.premium-1.630605>

¹⁴ Communities such as (Kafr 'Aqab town, Shu'fat Camp and part of Shu'fat town which is located under the control of Jerusalem Israeli Municipality, in addition to other communities whose part of their area was located inside the city's municipal boundary and were set outside the municipal boundaries of Jerusalem, east of the wall.

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demographic balance of Jerusalem in favor of the Israelis. Additionally, the segregation wall has caused a reduction in land available for the village's built-up area expansion in the future and has caused increased urbanization pressures and higher population densities in the village of Kafr 'Aqab.

Palestinian communities east of the Segregation Wall – occupied East Jerusalem

On 24th of July 2012, the Director General of the Israeli Municipality of Jerusalem asked the Israeli Ministry of Defense to take responsibility for handling civilian matters related to Palestinian communities in East Jerusalem which are excluded from the Jerusalem Municipality boundaries due to the construction of the Israeli Segregation Wall, and as a result lack municipal services ([Haaretz](#), 2012). The Municipality of Jerusalem has requested that the Ministry of Defense takes responsibility for monitoring construction in those communities (population +150,000) and providing sanitation services. The Israeli Municipality claims that this procedure would strengthen sovereignty and improve the quality of services for Palestinian Jerusalemites. However, rather than ensuring better services and better regulation in Palestinian areas of East Jerusalem, this policy aims to adjust the city's borders so that it excludes the high-density Palestinian communities in East Jerusalem outside the Municipality's borders, thus creating a Jewish demographic majority in the city. This was made clear in a statement made by Jerusalem mayor Nir Barakat on December 23 2011, asserting that 'Israel should relinquish Palestinian neighborhoods of the capital that are beyond the Segregation Wall, despite the fact that their residents carry Israeli identity cards [blue Jerusalem identity cards].' He added that 'the municipal boundary of Jerusalem and the route of the separation fence must be identical to allow for proper administration of the city' ([Haaretz](#), 2011).

On the 25th of July 2017, the Israeli daily newspaper, Haaretz¹⁵, again reported that Israeli Education Minister, Naftali Bennett, and the Israeli Jerusalem Affairs and Heritage Minister, Zeev Elkin (that time of 2017), have introduced the Knesset a bill that would change the so-called "Basic Law on Jerusalem" to allow the Israeli government to transfer areas of occupied Jerusalem to a new local authority at some time in the future, which would enable the government to split off the Shu'fat refugee camp and the Palestinian community of Kafr Aqab, both of which are within Jerusalem's borders but are on the West Bank side of the Segregation Wall. If the Israeli government goes ahead with bill, which introduces changes in the municipal boundaries of the occupied city, the two communities (Shu'fat camp and Kafr Aqab) would be outside of Jerusalem's unilaterally and illegally redrawn municipal boundaries but remain under Israeli sovereignty; applying significant demographic changes in the city's population, reducing the number of the city's Palestinian population and thus increasing the Jewish population.

Later on the 24th of April, 2018, Haaretz newspaper¹⁶ reported that the Israeli Jerusalem Affairs Minister, Zeev Elkin, has unveiled his own proposal for the municipal division of the occupied city of Jerusalem, which would see several Palestinian communities located east of the Segregation Wall (on the West Bank side of the wall) be split off from Jerusalem municipality's borders and be placed under the jurisdiction of one or more new council administrations. Elkin's proposal attempted to establish an extraordinary Israeli local council whose inhabitants are not Israeli citizens, but rather Palestinians with the status of permanent residents only. The Palestinian communities beyond (east) the segregation wall

¹⁵ [Bill Would Allow Parts of Jerusalem to Be Transferred to a New Israeli Local Authority](#), (October, 2017)

¹⁶ [Israeli Minister to Push Plan Aimed at Reducing Number of Arabs in Jerusalem](#) (April, 2018)

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are the Shu'fat refugee camp, Kafr Aqab, as well as Walajah, in the southern part of the city, and a small part of the As Sawahra, a total population estimated at between 100,000 and 150,000, one-third to one-half of whom have Israeli identity cards and residency status, (Haaretz, 2018).

Movement between Kafr Aqab and Jerusalem (and vice versa)

Thousands of Palestinian citizens in Kafr Aqab village (pop. +39,030)¹⁷ are cut off from the major urban centers where health, educational, and social services are located in Jerusalem city. Their mobility and movement is severely restricted, and transportation to or from the village to Jerusalem (in specific) and vice versa is extremely difficult as Palestinians holding Jerusalem ID cards are only able to access the city of Jerusalem through the Qalandyia terminal.

In September 2005, the Israeli Government announced the construction of 10 main terminals (passages) in the occupied West Bank Territory¹⁸ in addition to 23 crossing points along the path of the Segregation Wall. Some terminals were designed for commercial functions, where goods are transported through terminals using a 'back to back' system. These terminals are Tarqumiya (Hebron), Al Jalameh (Jenin), Mazmuriya (Bethlehem), Sha'ar Ephraim (Tulkarm) and Beituniya (Ramallah). The non-commercial terminals are Hasam Tzahub (Jordan Valley), Rachel (Gilo 300) (Bethlehem), Shu'fat, Az Za'ayyem and Qalandyia-'Atarot (Jerusalem). An additional eight terminals have been constructed on West Bank territory: Al Jab'a, Al Khader, Umm Salamuna and Al Walajeh (Bethlehem), Metar (south of Hebron), Hizma (East Jerusalem), 'Anata (northwest of Jerusalem), and Mechabim (west of Ramallah).

On many occasions, Israel has attempted to justify its terminals project by claiming that they are built to facilitate Palestinians' lives and create contiguity within Palestinian districts. Israel has also attempted to legitimize the terminals, which violate international laws concerning freedom of movement, through asking the World Bank to subsidize terminal projects; the World Bank refused this request, because the terminals are not constructed on the internationally recognized Armistice Line of 1949 and only facilitate the construction of the Segregation Wall in the occupied West Bank.

Qalandyia Checkpoint - Qalandyia terminal

Qalandyia checkpoint was constructed in the year 2000, on a flat and dusty area on the main road between Jerusalem and Ramallah in the vicinity of Qalandyia airport. The checkpoint cuts the historic link between Jerusalem and Ramallah and between the northern cities of the West Bank and the southern cities. Ever since the checkpoint was erected, it has been subjected to constant changes through the addition of magnetic ports, barbed wires and concrete blocks to disrupt the movement of Palestinians heading to their destinations. Additionally, the checkpoint (throughout the years) has proven to be a source of impediment to Palestinian movement, especially between the northern and southern West Bank Governorates, blocking the usual routes that were used by Palestinians before the eruption of the Second Intifada in 2000.

¹⁷ The Jerusalem Institute for Policy Research
Jerusalem Statistical Yearbook, 2022
[shnaton_C0522.pdf \(jerusalemstitute.org.il\)](https://www.jerusalemstatisticalyearbook.org.il/shnaton_C0522.pdf)

¹⁸ Haaretz online daily newspaper, September 9, 2005.

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In mid-2003, Israel began constructing the segregation wall on lands of Qalandyia and Kafr Aqab villages in Jerusalem Governorate. The implementation of the Segregation Wall has made the situation even more difficult in that it disrupts the links between the southern and northern Governorates of the West Bank. Following the construction of the Segregation Wall, the Israeli authorities revealed their plans of converting the checkpoint into a big crossing border. In March 2005, construction work began to replace Qalandyia checkpoint with a terminal (border crossing). The land upon which the terminal is located was confiscated under Israeli military order T/100/04¹⁹ (December 2004) and was designated for security purposes. Today, Qalandyia crossing border (terminal) forms a permanent obstruction between the northern districts of the West Bank and Jerusalem city, which is only accessible to Palestinians with an Israeli-issued permit. Qalandyia terminal is the only entrance point to Jerusalem for Palestinian Jerusalemites.

Israeli policies in East Jerusalem

Throughout its ongoing occupation decades, Israel purported demolishing Palestinian houses for various reasons, all of which evolve around the 'security needs' claim. The variation of the Israeli claims used to demolish Palestinian houses depended on the location of the house to be demolished. Israel always considered occupied East Jerusalem part of unified Jerusalem thus part of the Israeli State, which made the Israeli pretext to demolish houses for security purposes invalid; instead; the Israeli municipality of Jerusalem demolished Palestinian houses in East Jerusalem for build without license.

In its obvious mission of the Judization of Jerusalem, the Israeli government has created laws and implemented policies to the great disadvantage of the Palestinian people in the occupied city. The pressures applied on the Palestinian of Jerusalem in that process were enormous, and can be summarized in various political and legal problems²⁰, of which: **(1) Land Control:** A powerful tool applied by the Israeli government to further apply its expansionist policies in Jerusalem was the use of land control mechanisms. These mechanisms, which involved land confiscation, structural planning and zoning practices were detrimental to the Palestinian people of East Jerusalem. Structural Planning and zoning ordinances, as applied by the Israeli government and the Israeli municipality of Jerusalem, are unlike any other anywhere else. With the only objective of the Judization of Jerusalem, structural planning in Jerusalem has resulted in the following land use concerning the Palestinian lands in Jerusalem: **(a)** Palestinian land confiscated for Israeli Settlement purposes (Settlements, outposts and other military installations); **(b)** Palestinian land classified as "Green Areas" and "National Parks" where no Palestinian development can occur. **(c)** Palestinian land seized for bypass roads and infrastructure; **(d)** Palestinian lands remained un-zoned, **(e)** Palestinian lands with frozen Structural zoning and **(f)** a little land for Palestinians to build and develop. The land left for Palestinian to develop on are mostly utilized, but also, Palestinians could not expand vertically. The Israeli government has made it such that Palestinians are only allowed to build one or two stories high. The settlers, on the other hand, are allowed to build eight stories high. Further, while Palestinians are only allowed to a building to land

¹⁹ Israeli Military Orders in the occupied Palestinian Territory, 2022
Israeli Military order No. T/100/04

<http://orders.arij.org/searchMONoResult.php?MONo=83>

20 Demolishing Palestinian Houses

<http://poica.org/2009/12/demolishing-palestinian-houses/#:~:text=The%20demolition%20of%20Palestinian%20homes,prayers%20near%20the%20Western%20Wall.>

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ratio of 50 to 70 percent, Israeli settlers are allowed up to 200 percent. **(2) Restricting of Palestinian Development:** The Israeli government has employed city structural planning for restricting Palestinian development in the city. The Israeli municipality has defined 40 percent of Palestinian land as “Green Areas.” These are areas where no construction activities can take place. In other word, 40 percent of the Palestinian lands in Jerusalem have lost their economic value to the huge economic loss of the Palestinian people of Jerusalem. The “Green Area” classification of lands only applies to Palestinians. This classification can be changed if a Jewish settlement will be built on the land. In 1973, the Israeli settlement of Ramot was built on land classified as “Green Area” in 1968. The land was confiscated from the Palestinian neighborhood of Shua’fat. Over 2500 housing units were built over 500 acres of this land. Another example of lifting the “Green Area” classification of lands was the case of Jabal Abu Ghneim (Har Homa). Over 2000 dunums of “Green Area” were reclassified for housing development for Jewish settlement purposes. **(3) House Demolition:** The demolition of Palestinian homes and driving them out of the city has been a policy of the Israeli government since the occupation of the city in 1967. Soon after the occupation, the Israeli government demolished 115 homes in the Maghrebi quarter to accommodate Jewish prayers near the Western Wall. The demolition of homes continues today under the pretext of “building without a permit.” Today, more than 1,900 Palestinian homes were demolished between 1993 and 2019 and around 27,000 of Palestinian houses in Jerusalem live under the threat of demolishing by the Israeli municipality of occupied East Jerusalem.

The Kafr Aqab community was no different from the rest of the Palestinian communities in occupied East Jerusalem, where throughout the years of the Israeli occupation, the municipality of Jerusalem failed to ensure better services (medical, education, infrastructure and sanitation) for Palestinians; and also denied them land zoning and building policies despite their desperate need to build and develop to cope with the natural population growth. Therefore, in the absence of planning policies and with nearly no chance of obtaining building permits, Palestinians are forced to build without valid license and live under the constant threat of demolition (many Palestinian already faced demolition). In the last 20 years, the Israeli settlement organization Peace Now released data²¹ showing that of 57,737 housing units approved in construction permits in Jerusalem from 1991 – 2018; of which Permits for only 9,536 housing units (16.5%) were approved for construction in Palestinian neighborhoods; Permits for 21,834 housing units (37.8%) were approved for construction in Israeli settlements in the occupied city; and permits for 26,367 housing units (45.7%) were approved for construction in West Jerusalem. This clearly shows that a discriminatory procedure is being applied on Palestinians when it comes to building in the city with the attempt to limit Palestinian urban expansion in the city, while at the same time, unleashing Israeli settlement plans.

The Jerusalem 2000 Master Plan

The Jerusalem 2000 Master Plan published in September 2004, laid out objectives until the year 2020; its main function is to ‘reinforce the status of Jerusalem and ensure its continuous development as the capital of Israel and the center for the Jewish people and a sacred city for all religions’. In 2005 the percentage of Jewish inhabitants of Jerusalem was 66% and Palestinians, 34% (Jerusalem Institute for Israel Studies). The Master Plan proposed policies to combat Palestinian population growth, as it is

21 Jerusalem Municipal Data Reveals Stark Israeli-Palestinian Discrepancy in Construction Permits in Jerusalem

<https://peacenow.org.il/en/jerusalem-municipal-data-reveals-stark-israeli-palestinian-discrepancy-in-construction-permits-in-jerusalem>

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considered a threat to the Israeli plan to maintain a Jewish majority in the city. The policies of the Master Plan, not only failed to meet the needs of the Palestinian population for the coming years but actively try to make life for Palestinian Jerusalemites extremely difficult, encouraging them to 'voluntarily' leave the city. Furthermore, the Master Plan offered no solutions to the increasing housing demands of Palestinian Jerusalemites, instead proposing new settlements that will be constructed on confiscated lands to house further Israeli settlers in East Jerusalem. Furthermore, the Master Plan didn't not propose any new industrial, institutional, commercial, cultural, educational, medical, or service areas in East Jerusalem for Palestinian residents. Today, the percentage of Jewish inhabitants of Jerusalem was 80% and Palestinians, 20%.