

The Geopolitical Status of Shu'fat Town



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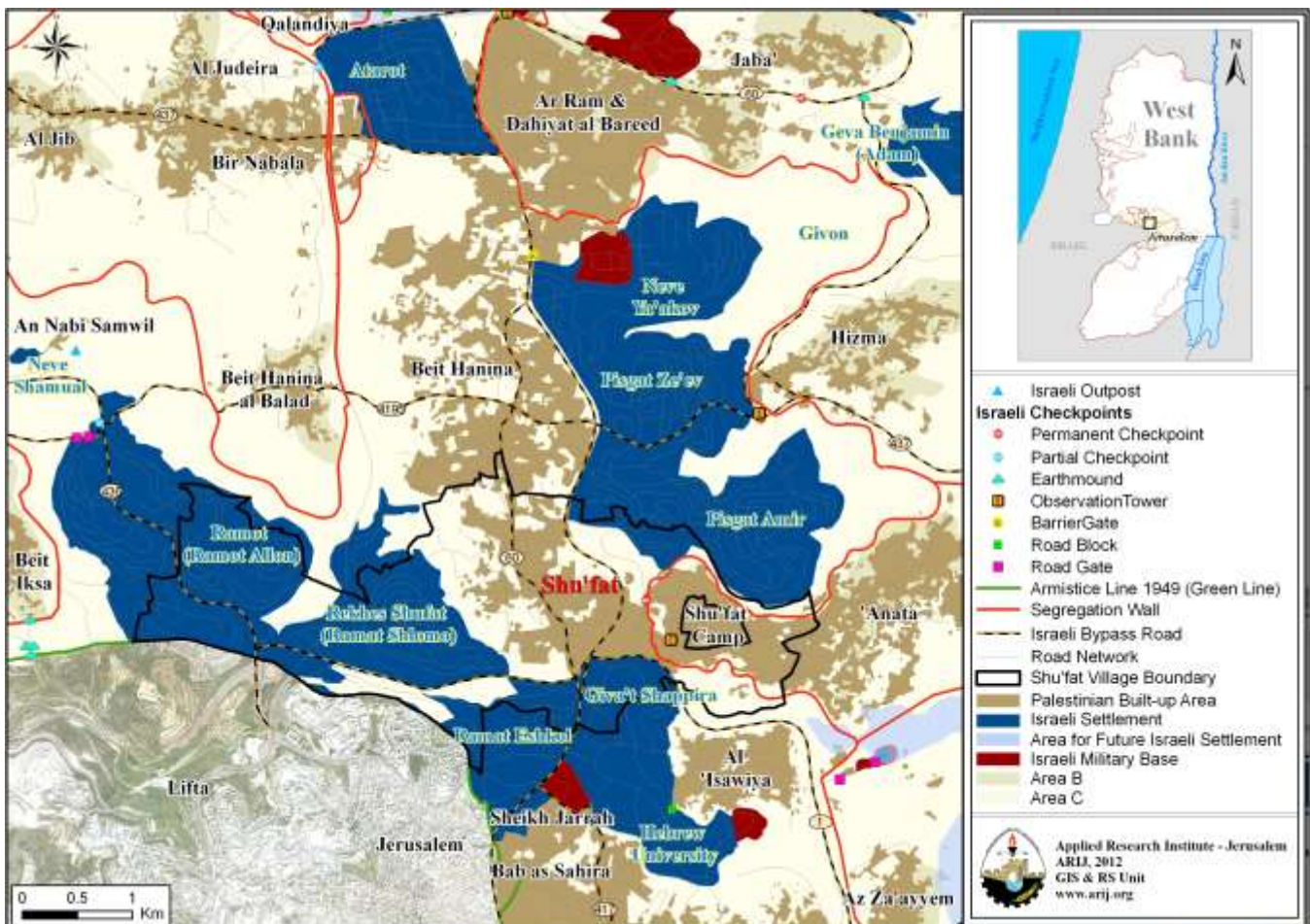
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Shu'fat Town Profile

Location

Shu'fat is a Palestinian town in Jerusalem Governorate located to its north City. It is bordered by Hizma and 'Anata communities and the settlement of Pisgat Amir to the east, Beit Hanina and the settlement of Pisgat Zeev to the north, the settlements of Reches Shu'fat and Ramat Shlomo to the west, and the settlements of Giv'at Shapira and Ramat Eshkol to the south (ARIJ, 2022) (see map 1). The town of Shu'fat is home to 23,890 Palestinians (JIPC, 2022), most of whom are Jerusalem ID holders.

Map 1: Shu'fat location and borders



Source: ARIJ, 2022

Geopolitical status of Shu'fat town

Most of the land of Shu'fat town, which covers an area of 8,494 dunums, is located under the control of Jerusalem Israeli Municipality, which was declared illegally and unilaterally in 1967 after the Israeli Occupation of the West Bank including East Jerusalem, the Gaza Strip and other Arab lands, except for a small area of land, around 59 dunums of land that is located outside the Jerusalem Municipal Boundary. Jerusalem Governorate was divided into two main regions. The first is the J1 area, which is located inside the borders and under the control of the Jerusalem Municipality. The J1 area includes many Palestinian Jerusalemite communities such as those in the Old Town and Jerusalem City (Beit Al-Maqdis), in addition to Shu'fat town which is located in the north of the J1 area. The other classified region is J2, which is located outside the borders and the control of Jerusalem Municipality. This area is under the Palestinian Authority's control within Jerusalem Governorate and includes the eastern and western parts.

According to the Oslo II Interim Agreement signed between the Palestinian Liberation Organization (PLO) and Israel on 28th September 1995, the town of Shu'fat was not subjected to the West Bank area classification scheme, which categorizes the West Bank into areas "A," "B" and "C." Instead, the areas remained as they were before this agreement, under the control of Jerusalem Israeli Municipality. It is noted that the Israeli Occupation Authorities have used the separation plan, which is represented by the construction of the Segregation Wall, to redraw the boundaries of Jerusalem Municipality illegally and unilaterally. The Segregation Wall has separated the whole area of J1 from the Jerusalem Governorate except for Kafr 'Aqab town, Shu'fat Camp and part of Shu'fat town which are located under the control of Jerusalem Israeli Municipality, as the Wall has excluded these localities outside the J1 area.

Shu'fat town and Israeli Occupation practices

Due to its strategic location to the north of Jerusalem city, Shu'fat town has been subjected to numerous Israeli confiscations for the benefit of various Israeli objectives. These confiscations were carried out to enable the construction of Israeli settlements, military bases, and military checkpoints and bypass roads on the town's land and its surroundings. The Israeli segregation plan has also confiscated thousands of dunums of the town's land. That which follows is a breakdown of the Israeli confiscations of Shu'fat town territories:

During Israel's Occupation of the Palestinian territory, the Israeli government confiscated 3,813 dunums in Shu'fat town (45% of the total town's area) to establish five Israeli settlements, which surround the town on all sides. The settlements are currently inhabited by more than 83,000 Israeli settlers.

The town has been disastrously affected by these settlements and is now a closed canton surrounded by settlements and the Segregation Wall. The five Israeli settlements which have been built on the town's territories are: Rekhesh Shufat (Ramat Shlomo) settlement south west of the town, Pisgat Amir settlement to the north west, Ramat Eshkol and Giva't Shappira (French Hill) south of the town and Ramot (Ramot Allon) settlement to the west (see table 1).

Table 1: Israeli settlements constructed on Shu’fat lands

Settlement name	Year of construction	Area confiscated from Shu’fat (dunums)	Settler population (2018)
Rekhes Shufat (Ramat Shlomo)	1990	1135	14,760
Ramat Eshkol	1968	400	11,620
Pisgat Amir	1985	261	Combined population with Pisgat Ze’ev Settlement
Giva't Shappira (French Hill)	1968	345	8,690
Ramot (Ramot Allon)	1973	1673	48,140
Total		3813	83,210

Source: population stats- Jerusalem Center for Policy Research, 2018
 Source: Settlement Area – Applied Research Institute- Jerusalem, 2018

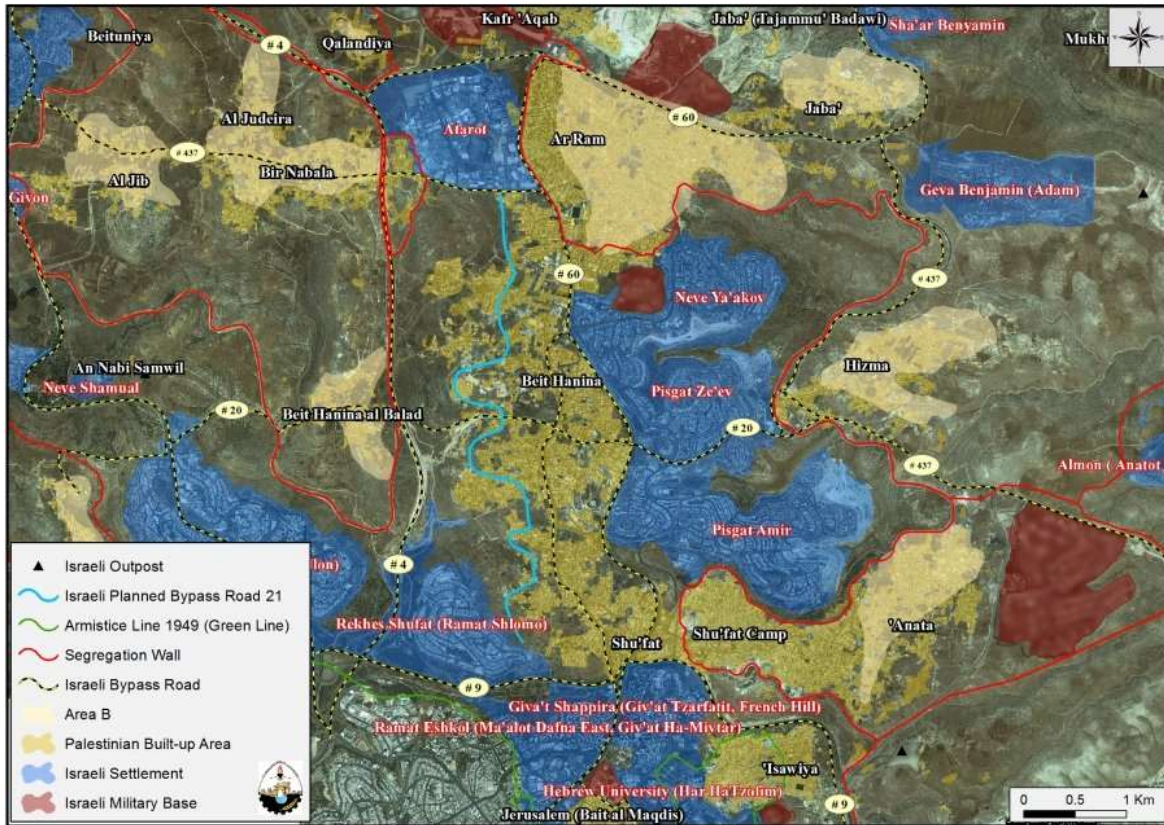
Israeli bypass Roads on lnds of Shu’fat Town

Israeli has confiscated yet more lands in Shu’fat town to construct the Israeli bypass road no.436, which passes through Ramot (Ramot Allon) settlement and continues south towards the Israeli settlements in Jerusalem city. The real threat of bypass roads lies in the buffer zone formed by the Israeli Occupation Army (IOA) along these roads, extending approximately 75m on each side of the road.

Israeli Bypass Road 21 on lands of Beit Hanina and Shu’fat lands

- On 21 January 2013, the Israeli Occupation Army (IOA) attacked, without prior notice, Shu’fat town to the north of occupied Jerusalem city and razed tens of dunums of owned Palestinian lands living in the town. This attack was based on the Israeli aim to construct a new bypass road connecting the Israeli settlements in the south of occupied Jerusalem city with those north of the city. The road facilitates the movement of Israeli settlers between settlements in occupied Jerusalem and other settlements in the rest of the Palestinian governorates. The route of the bypass road No.21 starts from the bloc of settlements - Ramat Shlomo (Rekhes Shu’fat), Giv’at Shapira and Ramat Eshkol – in the south. The road then continues northwards breaking through the Palestinian residential area of Shu’fat town first, up to Beit Hanina town to intersect with the Israeli Bypass Road No. 20, and again continues northwards - to the industrial Israeli settlement “Atarot”, to finally connect with the Israeli bypass Road Number 45 that serves the settlements located in the northwest Jerusalem city. The Israeli bypass road No. 21 created a territorial contiguity between Israeli settlements north of Jerusalem City, and facilitated the movement of Israeli settlers between the settlements located within the illegally and unilaterally expanded Jerusalem Municipal boundaries (J1) and those outside (J2). However, this process is harmful for the Palestinians, their lands and properties in Shu’fat and Beit Hanina towns, as large tracts of land have been confiscated for that purpose; and the road has also fragmented the geography of

the two towns which have always been connected geographically and are interdependent in terms of services and infrastructure. Map (2)



Map 2: Israeli Bypass Road 21 on lands of Beit Hanina and Shu'fat lands

The Israeli Municipality of Jerusalem is creating a kind of territorial contiguity between the Israeli settlements north of Jerusalem in order to facilitate the movement of Israeli settlers between the Israeli settlements in and outside the city through the construction of the Israeli bypass road no. 21. At the same time, this road was constructed over Palestinian land in Shu'fat and Beit Hanina towns (north Jerusalem city), and will confiscate land and dismember the two towns which are geographically connected, and dependent on each other for many economic, educational and health services.

Shu'fat Town and the Israeli Segregation Wall Plan

The construction of the Israeli Segregation Wall has a negative impact on Shu'fat town. According to the last amendment of the plan that was published on the so-called "Israeli Defense Ministry" webpage on 30th April 2007, the segregation wall isolates 7,715 dunums of Shu'fat town lands within Jerusalem Municipal boundary¹ through the construction of the wall; and sets the remaining area of the town, 779 dunums (10.2%) of Shu'fat town land, on the eastern side of the wall (the Palestinian side) and excludes

¹ The New boundary that is being illegally redrawn by the construction of the wall.

them from the illegally and unilaterally expanded Jerusalem Municipal boundary of 1967, isolated from the town's center. The isolated area includes the town's refugee camp, "Shu'fat Refugee camp

Shu'fat refugee camp is located east of the town and houses a population of +21,680 Palestinians ([JIPR](#)). It is the only Palestinian refugee camp located inside Jerusalem's municipal boundaries. The path of the Segregation Wall disconnects the camp from Shu'fat town and Jerusalem city, while it connects the numerous Israeli settlements in the area around Jerusalem such as Ramot and Rekhes Shu'fat from the west, Pisgat Amir and Pisgat Ze'ev from the north, Giv'at Shappira and Ramat Eshkol from the south. The Segregation Wall has serious, but different impacts on both Palestinian communities.

The path of the Israeli Segregation Wall ensures that the Israeli settlements surrounding the Town of Shu'fat and the refugee camp are situated on the Israeli side of the wall (inside Jerusalem's municipal boundary) and are connected to Jerusalem. However, the wall, which encompasses the surrounding Israeli settlements, disconnects Shu'fat camp from Shu'fat town and Jerusalem city. In addition to the serious impacts, the wall has on the affordability of services to the camp, but it also affects those who work in Jerusalem city and those living in Palestinian communities located *outside* the Wall plan and receiving services from communities segregated *inside* the Wall. Shu'fat camp represents a problem to the Israeli government due to its location inside Jerusalem Municipality boundaries. Politically administered, it is located within the Municipality boundaries, but the Wall has located it outside due to its high population density. This comes as part of Israel's plan to extend the boundaries of Jerusalem and de-Palestinianize the local population in occupied city to consolidate Israel's larger plan of a "Greater Jerusalem".

The Greater Jerusalem Plan necessitates annexing the three major settlement blocs that surround the city of Jerusalem – the Gush Etzion settlement bloc in the south²; the Ma'ale Adumim settlement bloc in the east³; and the Giv'at Ze'ev settlement bloc in the northwest⁴ - to the city's new boundary which Israel is illegally and unilaterally redrawing through the construction of the wall; while de-Palestinizing its populations within the boundaries of the "Greater Jerusalem Plan, to ensure that Palestinians are no longer able to continue their livelihoods in the city and make their access to Jerusalem increasingly difficult.

The construction of the Israeli Segregation Wall has affected the educational systems in the camp, as well as the health services, relations between families, the natural territorial expansion and the physiological wellbeing of the people. Prior to the construction of the wall, Palestinian refugees living within the Jerusalem Municipality boundaries, had many problems with Israeli organizations/companies that are supposed to provide them with services as they provide to residents of Jerusalem city.

A total area of 7,715 dunums of Shu'fat town lands has been isolated by the Segregation Wall inside Jerusalem City's boundary (91% of the town's total area), and disconnected from the Shu'fat refugee camp which is tied to the town through history and relations. The isolated lands contain most of the town's residential areas, the settlements constructed on the town's land, open spaces, agricultural areas, forests and others (table 2).

² The Gush Etzion settlement bloc consists of 11 illegal Israeli settlements, spanning an area of 73 km² and with a population of more than 83,000 Jewish settlers.

³ The Ma'ale Adumim settlement bloc in East Jerusalem with an area of 72 km² and with a population of over 50,000.

⁴ The Giv'at Zeev settlement bloc northwest of Jerusalem city with an area of 30 km² and a population of over 21,000.

Table 2: The isolated areas to the west side of the Segregation Wall in Shu’fat Town - Jerusalem Governorate

No.	Land classification	Area (dunums)
1	Agricultural areas	658
2	Forest & Open spaces	1729
3	Artificial surfaces (Parks, parking lots, cemeteries, roads	206
4	Palestinian built up area	1253
5	Israeli settlements	3813
6	Wall zone	56
Total		7,715

Source: ARIJ, 2022

The Segregation Wall causes suffering to Shu’fat town residents

Since the outbreak of the Second Intifada in September 2000, Palestinians of Shu’fat town in the north of Jerusalem City have lost their association with the Palestinian cities of the West Bank. This was caused by the separation of lands in Jerusalem City with surrounding towns such as Shu’fat from the lands of the West Bank. This was achieved through the construction of the Segregation Wall, which was constructed to isolate Shu’fat and many other Jerusalemite neighboring towns from the Palestinian body.

Here, the citizens of Jerusalem who hold the Jerusalemite identity (the Blue Identity) can enter West Bank areas through Israeli terminals/crossings, which often witness huge congestion, and they are subjected to inspection from Israeli occupation army (IOA) manning the terminals/crossings, which restrict Palestinians’ freedom of movement. However, Palestinian citizens of the West Bank who hold the Palestinian Identity Card (the Green Identity Card) are denied entry to the city of Jerusalem and its surrounding towns because of the Segregation Wall. This restricts such residents from accessing services in the sectors of; health, education and socio-economic facilities. In reality, this represents a restriction to hospitals, schools and medical centers, in addition to isolation from their places of work in Jerusalem. Those with West Bank ID cards will not be able to reach the city except for those who have special Israeli permits, which are rarely issued, and through the military checkpoints where they precisely inspected on a daily-basis. This causes suffering for Palestinians and difficulty in movement and interaction, and also causes the dismantling of family bonding social interaction and dispersal of many Palestinian families, especially in cases where one of a couple holds Palestinian identity (Green), and the other one the Jerusalemite identity (Blue). Moreover, the Segregation Wall has prevented the Palestinians from reaching the places of worship in the Holy City and has deprived them from practicing their religious rituals in Jerusalem.

Upon the Segregation Wall plan published on the webpage of the so-called “Israeli Defense Ministry” in 2007, the lands of Shu’fat town are isolated from neighboring Palestinian towns and villages, where the Segregation Wall along with the settlement’s belt around Jerusalem City are isolating East Jerusalem area from the rest of West Bank. The existing Segregation Wall is surrounding the town from the east

and west and is isolating it inside Jerusalem city boundaries, while cutting part of its lands east of the Wall. The town now sits directly in the middle of Israel's occupation practices and the actions of settlers.

Parallel to the establishment of the Segregation Wall, the Israeli occupation Authorities constructed a settlement belt around Shu'fat and around Jerusalem City, which aims at founding an isolation area, in addition to the prevention of urban expansion in the Palestinian towns of Jerusalem. The Israeli occupation Authorities have constructed these settlements close to the urbanized areas in the Jerusalemite towns, which has led to the increase of the total area confiscated in these towns, and minimizing the area available for future urban expansion for the people. In addition this move has created a new reality on the town residents that will be difficult to change.

These Israeli policies and plans in Jerusalem, have led to the creation of high population densities as a result of the lack of lands needed for urban expansion which has forced people to expand internally and vertically. Jerusalem city and its surrounding towns are considered to have one of the world's highest population densities. The population density in the Palestinian neighborhoods in East Jerusalem is about 13,517 person/ km² compared to 16,000 person/ km² in the settlements of East Jerusalem and ===== person/ km² in West Jerusalem.

Palestinian communities east of the Segregation Wall in 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 (including the Shoafat refugee camp and Kafr Aqab), and as a result, lack municipal services ([Haaretz](#), 2012).

The Municipality of Jerusalem has requested that the so-called "Israeli Ministry of Defense" to take 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, Haaretz⁵, 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

⁵ [Bill Would Allow Parts of Jerusalem to Be Transferred to a New Israeli Local Authority](#), (October, 2017)

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 newspaper⁶ again 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 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).

The dilemma of land and building licenses in Shu'fat town

The problem of the land and building's licenses is considered one of the most difficult problems in Shu'fat town. The reason for this is two-fold; the high prices of lands and the very high cost of licenses for construction. Shu'fat town is characterized by its strategic location in East Jerusalem by its close proximity to the Old City and Al-Aqsa Mosque. This has made it an important target for Juadization and colonization in addition to restrictions related to buildings' licenses imposed by the Israeli forces. Regarding the availability of lands, Shu'fat town is lacking lands and open spaces for Palestinian urban expansion and is suffering from a high population density. According to the citizens of Jerusalem towns, the prices of the lands (one dunum) -which are rarely available- are estimated at hundreds of thousands of dollars, and are doubled in places closer to the old city center, where the prices reach millions of dollars. The Israeli Occupation Authorities have used the money as an effective instrument to buy the Palestinian lands in Jerusalem for enormous prices and 'Juadize' these lands by implanting Jewish settlers in the city. Israeli forces offer Palestinians unlimited prices for such lands and houses especially in the city center and its neighborhoods. For anyone in Jerusalem who has a land and want to build a house, or buy additional land, has to take authorization and permission from the Municipality of Jerusalem which puts obstacles in the way of Palestinians who want to get a license for the building.

Obtaining a licensee from the Israeli Authorities (in this case, the Jerusalem Municipality) is not an easy process. One of the important obstacles in the way of being granted a license is that one has to prove the ownership of the land. Moreover, Israelis have put limitations on areas allocated for Palestinian construction and future development which is threatening the Palestinian presence, as these areas do not

⁶ Israeli Minister to Push Plan Aimed at Reducing Number of Arabs in Jerusalem (April, 2018)

meet the population increase, thus, most Palestinian resort to construct outside the occupied Jerusalem Israeli borders, such as Kafr 'Aqab locality near Ramallah. According to a report which was prepared by Bimkom Organization (Planners for Planning Rights), approximately 50% of the East Jerusalem lands are unregistered in the archive of ownership such as the towns of; Kafr 'Aqab and the area extended from El 'Isawiya in the north to Sur Bahir in the south. In addition, there are approximately 25% of the lands which are in the process of settlement and registration (Shu'fat), and 25% of the lands in East Jerusalem which are officially registered, which include parts of; Al Bireh, Qalandiya, Beit Hanina, Hizma and 'Anata, Ash Sheikh Jarrah and Beit Safafa (Bimkom, 2004).

Any Palestinian from Shu'fat town (in particular) and in Jerusalem in general who wants to get a license for building, the licensing procedure is lengthy (sometimes lasting years) and carries very high costs. Depending on the land area and type of building for which a permit is being sought, the license will cost between 250,000-500,000 NIS. Because of the political problem of land registration and ownership, the unreasonable prices of licenses, in addition to the lengthy time it takes to secure licenses; many citizens because of humanitarian needs and the natural family growth resort to building without licenses or after rejection from the Municipality. In these cases, the Israeli occupation authorities usually demolish the building and force the owner to pay the fine and even the cost of demolition. Subsequently, the owner must submit a new application for the license with new fees and new time procedure. On top of this, the majority of Palestinian people within Jerusalem are living in difficult conditions because of high poverty rates, which is a consequence of Israeli occupation closures, which restrict Palestinians' movement, thus preventing them from reaching work, which also increases the unemployment rate in the occupied territory. These Israeli restrictions and harassments against the Palestinians in Jerusalem, along with the problems of housing, inflation, lack of lands and jobs, force many Jerusalemites to migrate outside the borders of the Municipality towards the West Bank or even outside the country to find an improved humanitarian situation. This forced migration of Jerusalemites and Palestinians is the ultimate goal of the Israeli policies and practices in the occupied territory.

The Israeli Authorities adopted many policies that aim at enacting pressure on Jerusalemites to leave Jerusalem city. For example, the Israeli Master Plan 2020 for Jerusalem regarding the demographic situation and urban growth in the city of Jerusalem, the area allocated for the development of the Palestinian communities in occupied East Jerusalem (under the jurisdiction of the Jerusalem Municipality) is estimated at approximately 9,200 dunums; which represents only 13% of the total area of occupied East Jerusalem. It is further noted that most of this part has already been exploited for Palestinian construction. The remaining area is classified as Israeli settlements, green areas -which are forbidden to be used for the Palestinian urban growth-, public buildings, roads and others. Furthermore, the Israeli Authorities often don't prepare the needed Master Plans for the Palestinian neighborhoods in East Jerusalem which are necessary for the urban planning process. In the cases where such plans are prepared for Palestinian communities in occupied East Jerusalem, the Israeli Authorities usually put restrictions and give limited areas for Palestinian urban expansion. These areas are always well below the needed areas for natural urban growth which varies between 25%-75%. If one compares these percentages with the percentage of lands used for Israeli settlements, it is found that urban growth varies between 75%-120% (CCJ, 2009).

Dangerous Israeli Escalations in Jerusalem Housing Demolitions

During the past years, the Israeli Occupation Authorities have escalated their attacks against the houses of Palestinians living in Jerusalem and targeting them through demolitions under the pretext of “unlicensed construction.” An estimation carried out by ARIJ shows that since 1993, the Israeli Occupation have demolished more than 2,000 houses in occupied East Jerusalem in addition to thousands of other constructions (ARIJ, 2022). It is further noted that there are dozens of houses under threat of demolition in Shu’fat under the pretext of “unlicensed construction”, despite the fact that the residents are fulfilling the needed procedures for the license. In the majority of cases, the Jerusalem Municipality procrastinates in granting the license and finally they refuse the request under non-justified pretexts.

The Municipal Tax (Arnona) negatively affects the living status and economic situation of Palestinians in Jerusalem

The Municipal tax, which named in Hebrew as “Arnona Tax”, is imposed by the Jerusalem Municipality on the holders of buildings and lands in Jerusalem. This tax is one of the greatest burdens on Palestinian residents of the city, including the residents of Shu’fat. The Israeli Authorities use this tax as an instrument to put pressure on Palestinians to force them to leave the city. Even though Israelis pay the same amount of the Arnona tax, it is more concerning receiving services in return, in addition to the poor economic situation of Jerusalemites compared to Israelis.

The “Arnona” tax, which is imposed on Jerusalemites by the Municipality, is calculated based on criteria that take in consideration the classification of area and land-use classification of the master plan (residential areas, commercial, industrial, agricultural, public buildings, parking... etc). They also consider the zone type, the type of use and the area of building or land (Jerusalem Municipality,). Regarding the residential areas for instance, they classify them into four categories (A, B, C and D)⁷, and based on this zoning, along with the area of building, they determine and calculate the amount of tax that must be paid for the municipality. For example, the tax tariff in the residential areas varies in the four zones between 40-113 NIS/m² which is equivalent to approximately 12-34 US\$/m², meaning that a small house with an area of 120 m² will cost its owner around 12,000 NIS yearly for the “Arnona.” At the time of writing this was equivalent to approximately 3,400 US\$.

In terms of economic impact, the segregation plan which has focused on the isolation of Jerusalem city from the Palestinian Territory, had a huge negative impact on the economic situation of the Palestinians living in Jerusalem in general and on the commercial sector particularly, which has also suffered from global recession. Much of the trade in Jerusalem is largely dependent on the Palestinian visitors of the Holy City from the West Bank, Gaza Strip and the Palestinians from the occupied land in 1948, but the Israeli closure of the city has negatively affected the economic situation of the city and its residents. Despite these difficult situations, the Israeli occupation Authorities impose taxes without taking into consideration the situation of the Jerusalemites, who represent the poorer class in the Holy City. Moreover, the Municipality by the beginning of 2020 decided to increase the “Arnona” by approximately 3%, which increases the burden on Palestinians in Jerusalem.

⁷ Tariffs for Residential Assets
<https://www.jerusalem.muni.il/en/residents/arnona/arnonarates/>

It is further noted that, in the case of Jerusalem, Palestinians are forced to pay these taxes in order to preserve their presence in the city without receiving a decent level of Municipal services. The planning process in the Municipality of Jerusalem focuses on the political-demographic dimension that aims to Judaize the city more than planning for the purposes of prosperity and well-being of its citizens. Furthermore, the Palestinian neighborhoods and communities in Jerusalem are deliberately neglected in the different services provision. For instance, the municipality rarely makes the needed maintenance for the infrastructure of the Arab neighborhoods, including; roads, water and wastewater networks, solid wastes and others. The most obvious problem that the people of Jerusalem suffer is the lack of cleaning service and the accumulation of solid wastes despite their commitment in paying the taxes for the Municipality. This can be easily understood if we compare the situation of the Palestinians in Jerusalem with the situation of the settlers living in Israeli settlements in the occupied city of Jerusalem who get all the facilities and services in order to stay in the Holy City, while Palestinians are living in poor conditions lacking any services and rights that they should receive in return of these taxes.

Israeli Military Orders Issued in Shu'fat Town

Israeli Military Orders Protecting human and humanitarian rights requires the establishment of the rule of law at both the national and international levels. Once a state becomes a party to an international convention, such as the Geneva Conventions I-IV, the state is obligated to not only respect and protect human rights, but also fulfill the rights guaranteed in the convention at both the international and domestic levels. One instrument employed by Israel to circumvent international human and humanitarian rights legislation in respect to the occupied Palestinian territories, including East Jerusalem, is the use of “Military Orders.”

Israeli military orders are decrees issued by “Israeli military commanders that immediately become law for all Palestinians living in the area.” The military orders have the force of law, without any democratic control or parliamentary approval. The Israeli Occupation Forces (IOF) affecting the infrastructure, law, and administration of Palestinians in the occupied Palestinian territories, including East Jerusalem, has historically carried out these orders. As a result, Israel’s use of military orders drastically changed the entire legal systems of the West Bank and Gaza Strip.

Military orders are enforced in military courts rather than criminal and civil courts. When legal and administrative separation occurred between the West Bank and Gaza Strip, separate Israeli military commanders and civil administrators were appointed. The military commander in each area issued hundreds of distinct military orders for the West Bank and Gaza independently of each other. With Israeli disengagement from Gaza, military orders are now only issued for the West Bank. They cover everything from criminal to civil matters as well as security and military concerns. Between 1967 and 1992 approximately 1300 Israeli military orders were issued⁸. Between 1993 and September 2022, more than 5,900 military orders were issued⁹. In 1948, Israel incorporated the 1945 Defense (Emergency) Regulations used by Britain to rule the British Mandatory Palestine into their national laws. These regulations came to inform Israeli military orders issued in the occupied Palestinian territories, including East Jerusalem: “the establishment of military tribunals to try civilians without granting the right of appeal; allowing sweeping searches and seizures; prohibiting publication of books and newspapers; demolishing houses; detaining individuals administratively for an indefinite period; sealing off particular

⁸ Nathan Brown (2003) *Palestinian Politics After the Oslo Accords*, p. 47

⁹ Applied Research Institute – Jerusalem Israeli Military Orders Database. <http://orders.arj.org/> (accessed 11 July 2022)

territories; and, imposing curfews.¹⁰ In 1951, some members of the Israeli Knesset attempted to abolish the 1945 Defense Regulations because they ran counter to democratic principles and ideals. However, their attempt failed to gain approval by the majority of the Knesset¹¹. Israeli military orders form the foundation upon which the occupation of Palestine sits. The implementation of the military orders has allowed for the complete domination of the occupied Palestinian territories, including East Jerusalem, subjugating the Palestinian population and extending Israel's "security" domain.

In the case of Shu'fat town, the Israeli Occupation Authorities have issued a set of military orders to confiscate lands in Shu'fat town for different military purposes. The following are some of the main orders issued:

1. Israeli military order no. 70/07/T: Issued on the 8th February 2007 to confiscate areas of lands from Shu'fat town for the construction of the Segregation Wall.
2. Israeli military order no. 71/07/T: Issued on the 8th February 2007 to confiscate areas of lands from Shu'fat town for the construction of the Segregation Wall.

Shu'fat Terminal/crossing:

By the end of the 2011, Israeli occupation Authorities (IOA) started to convert Shu'fat old checkpoint into a military terminal/crossing, which is considered the largest terminal/crossing among all Israeli terminals located along the path of Segregation Wall, which surround Jerusalem city. Shu'fat terminal/crossing is the 11th terminal constructed around Jerusalem, and contributes in the isolation plan that aims to isolate the Palestinian communities with high population density out of Jerusalem city to change the demographic situation for the interest of colonization and Jewish presence in the city. This terminal/crossing along with the Segregation Wall isolate tens of thousands of Jerusalemites (around 40,000) who are living mainly in Shu'fat Camp and 'Anata town, in addition to the neighborhoods of Ras Khamis, Ras Shihada and As Salam suburb, which are all surrounding Shu'fat Camp and are located within Shu'fat town, on the Israeli side of the wall. In spite of that these Palestinian communities are located within the boundary of Jerusalem Municipality except 'Anata town, the Segregation Wall has excluded them out of the city, which reveal the Israeli Jerusalem Municipality plan to draw new boundaries for its jurisdiction by the establishment of the Segregation Wall. These are examples of the Israeli policies, which aims at a demographic change in Jerusalem defined by the Segregation Wall route, which has already isolated Palestinian communities outside the occupied Jerusalem Israeli borders.

The Israeli occupation authorities' established Shu'fat terminal/crossing on a land with an area of 30 dunums, which has been confiscated from the town's territory. The Israeli authorities through the establishment of this terminal/crossing restrict the movement of Palestinians, monitor their movement and keep them under the Israeli control and oppression. Israeli forces are further trying to beautify their image and their colonial plans by claiming that they established this terminal to mitigate the suffering of Palestinians and to facilitate their crossing into Jerusalem. This was claimed to be done through the expansion of the terminal and increasing the number of lanes to six for the vehicles and two lanes for the

¹⁰ 4 B'Tselem Defense (Emergency) Regulations

¹¹ IBID.

pedestrians, and by equipping the terminal with modern technologies and cameras for inspecting Palestinian citizens.

However the reality which is witnessed daily by Palestinians is that such terminals in addition to the Segregation Wall have one clear target of ethnic cleansing against Jerusalemites, by which the Israeli authorities are trying to draw the boundaries of their State in a unilateral way in the heart of the West Bank and the occupied Jerusalem.

Shu'fat's old checkpoint, before it was converted to a terminal/crossing, witnessed painful violations against Palestinians such as killing, detention, oppression, shooting, and birth incidents. Since the outbreak of the second Intifada in September 2000, the citizens living around Shu'fat Camp in neighborhoods that follow to Shu'fat town have lost their free connection with their town and their relatives in the city of Jerusalem.