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Haqel (The Field): Jews and Arabs in Defense of Human Rights

## **PRESS RELEASE**

### **Israel is Seeking to Immediately Demolish One-Fifth of the Village of Susya, Leaving Dozens of Women and Children Homeless**

Nov. 22 2017 Jerusalem Israel -- Yesterday, Tue Nov. 21st, the State Attorney's Office submitted its response in the petition submitted by residents of the village of Susya against the rejection of their proposed master plan for their village. The state announced that it wishes to demolish within 15 days some 20 buildings included in 15 demolition orders in the area of the village, representing approximately one-fifth of the total number of buildings in the village.

The state's response noted that the Civil Administration's Supreme Planning Council is due to examine the legal principle of the planning issue of "adjacent side," which may have ramifications for the planning and regulation of the village. The response added that pending its decision on this issue, no steps will be taken to demolish the entire village, subject to the provision that there be no further construction.

However, the state seeks to demolish some 20 buildings immediately. The state's claim – denied by the petitioners – is that these buildings were constructed in violation of a judicial order, despite the potential to regulate the village and find a solution.

This position on the part of the state implies the immediate destruction of residential buildings, a clinic, and livestock pens, causing mortal and irreversible damage to the basic rights of some 100 residents of the village (half of whom are children) who have nowhere else to live, particularly in the current winter season, and creating humanitarian distress. Haqel today submitted an application to submit an immediate response and to freeze the proceedings.

Attorney Quamar Mishriqi-Assad, who is representing the residents of the village, explains: "The demolition of one-fifth of the village is an extreme step that will damage the most basic humanitarian needs and the very humanity of those involved, without it even having been proved that they have violated the law. As winter arrives, the imminent demolition will leave 100 people, half of them children, without shelter. The occupation regime wants to demolish one-fifth of the village at this stage, and later to destroy it all, with the goal of expelling the residents from the area, despite the residents' desire to regulate their community. This is contrary to Israel's obligations under international law. Israel is guided neither by law nor justice, but by the desire to evacuate the area.

"While it is wrong to compare the status of the residents of Susya to that of the settlers, we should note that there are currently some 184 illegal buildings in the area of the settlement of

Susya alone, most of which are the subject of demolition orders. However, the state is taking no action on the matter.

“It is neither reasonable nor fair that in this case, which involves protected residents on their private land, the respondents are refusing to freeze the execution of the demolition orders pending the clarification of the chances to regulate the planning of the village”.

### The Palestinian Village of Susya: Background

The Palestinian village of Susya is home to some 300 residents. The residents were expelled from their original village 30 years ago without the state assuming responsibility for their fate and without providing them with any housing solution.

To this day, the residents are forced to manage for themselves on their land, which has been recognized by the state as their private land, in shacks and tents, without basic infrastructure. They face the constant threat of expulsion .

Over the years, the residents have attempted to regulate their residence of their land. However, all their requests for permits, appeals, and a plan have been rejected. Not even a single building has received a permit.

The day on which the residents are expelled from their land will seal their fate as a farming community with a unique tradition. It will also seal the fate of their farmland, since settlers from the adjacent settlement will then gradually invade their land without the law enforcement authorities taking any action to prevent them. This is precisely what has already happened to 400 dunams of land belong to the neighbors of the residents, who despaired of the situation over the years.

This reality has nothing to do with democracy or the rule of law. The residents of Susya have never been given a chance to regulate their homes and village. The military regime has violated its obligations toward protected residents living under occupation.

The occupation regime was imposed by force on the residents of Susya. In accordance with international law, Israel has no right to change the local legislation, including local practices relating to property and settlement, unless there is a clear security need to do so.

Without comparing the status of the residents of Susya to that of the settlers, whose presence is illegal under international law – the Palestinians have no influence and are not represented in the realm of government (legislature, judiciary, and executive) that determine their fate.