

Update on House Demolition Policy, Part III, Section 5 E 3, 1967-Occupied Arab Territories, p. 114

In 2006 there was a marked decrease in East Jerusalem home demolition statistics. During that year 81 structures were demolished, of which 18 were pirate gas stations; in other words, 63 residential buildings were destroyed. There was also a decrease in the amount of square metres demolished during the year – 6,000 sq.m.

| Year | Home Demolitions | Square Metres |
|-------------|-------------------------|----------------------|
| 2004 | 152 | 9,000 |
| 2005 | 94 | 12,000 |
| 2006 | 81 | 6,000 |

The reason for the reduction in the statistics is due to various reasons. According to the Municipality's explanation, it was due to the measures of enforcement used by the Municipality, which (in their words) proves that their policies are "bearing fruit."

ICAHD believes that the reason for the reduction is because three high ranking officials in the Municipality who had been involved in the demolition industry were, in fact, neutralized. One was the Superintendent of the Inspection Department, Micha Ben-Nun, who resigned from his position, in the wake of rumours of a pending investigation. The second was the City Engineer, Uri Shitreet, who concluded his period of service (under normal conditions), and the third was the Municipal Legal Adviser, Yossi Havilio, who was involved in a war of survival against the Mayor, who wanted to dismiss him. Therefore, the entire apparatus of inspection was paralysed for a considerable time.

This year, too, the Municipality confiscated building machinery, especially cement mixers, causing the price of building cement to rise very considerably. It also caused problems for people who wished to build without building permits.

Another phenomenon which stood out during the past year was the high level set for financial guarantees paid to the Court on the spot by people seeking freeze or prevention of demolition orders, when the bulldozers were already standing by to demolish. Today, the average price of a financial guarantee at Court is between 30,000 to 50,000 shekels, which is the cost assessed by the Municipality for the bulldozers to demolish a home. In this prohibitively expensive situation, people are prevented from undertaking this path to save their homes.

Attached to this report is ICAHD's review of the 2006 Annual Report of the Municipal Comptroller, which confirms what ICAHD has frequently stated as to the discrimination of the Municipality as to East Jerusalem Palestinian residents.

Finally, we would like to express our concern and worry as to the probability of impending demolitions in 2007. We base this concern on the statements of senior officials at the Municipality and from the advertisement, published in the press, of the Municipality (already distributed, but also attached herewith). For example, we are extremely troubled by the proposed Eastern Ring Road route through Wadi Kadoum, Silwan, which is due to cause the demolition of tens of homes.

ICAHD Review of Annual Report of the Municipal Comptroller, 2006

Reporting on the functioning of the Building Inspection Department of the Municipality, the Comptroller discovered what we have known for a long time – that the Municipality discriminates against the east of the city, and that its activities are functioning without regulation. In official, customarily understated language, as such reports are always written, Adv. Shlomit Rubin nevertheless writes clearly and uncompromisingly that the use of demolition orders “are not always equal” and to leave no doubt, she adds “the number of orders signed and implemented in East Jerusalem are far more than in the west of the city and the number of orders which remain unsigned, and which it is therefore unfeasible to implement, is far greater in the east than the west of the city.” The statistics which the Comptroller found for the years 2004 and 2005 prove that of 85 signed demolition orders delivered in the west of the city, 39 were implemented (45%), whereas in the east, out of 233 signed demolition orders, 191 were implemented (82%).

The Comptroller states that the Municipality works without clear regulations and there are no definitive written guidelines, although she found that there is verbal agreement as to the guidelines but she says that demolition of structures is an irreversible and violent action and therefore the guidelines must be written and transparent.

The Comptroller also found that many files which were passed to the Mayor's Office for signature disappeared from there and there is a basis for worry that this constitutes criminal activity of subverting legal process. The most extraordinary thing is the response of the Mayor to the question as to why files had been held up in their processing by his office. The Mayor's bureau chief sent a letter in which she said that the Mayor exploits his authority to check the demolition orders because, to her regret, the Mayor had discovered on various occasions that demolition orders had not been in order as he would have expected. On one occasion which the Comptroller checked, the Mayor said that he had refused to sign a demolition order because the information which he had been given by the Building Inspector was not in accordance with the planning specifications.

Submitted by the Israeli Committee against House Demolitions (ICAHD)