

Dislocated Communities in East Jerusalem

THE BIR NABALA / TEL AL 'ADASSA BEDOUIN COMMUNITY

The Bir Nabala / Tel al 'Adassa Bedouin community consists of nine families who are part of the Ka'abne tribe, which was originally displaced from what is now southern Israel to the Hebron area in 1948. Community residents have lived in the area between Ramallah and Jerusalem since the late 1950s, under an informal arrangement with land owners from the adjacent town of Beit Hanina

al Balad. Within this area, since the mid-1990s, they have been settled in the Tel al 'Adassa area, just inside the municipal boundary of Jerusalem, following previous demolitions.

All of the residents hold West Bank ID cards. As a result, under Israeli legislation, their presence within the Jerusalem municipal boundary is illegal, unless they obtain permission

from the Israeli authorities. In 2002, following a wave of violent attacks against Israeli civilians, the Israeli authorities began building a Barrier with the stated aim of preventing such attacks. The vast majority of the Barrier's route, however, is located within the occupied West Bank, rather than on the Green Line, separating Palestinian communities and farming land from the rest of the West Bank and contributing to the fragmentation of the occupied Palestinian territory (oPt).

The Barrier was completed in the Bir Nabala area in September 2007, with a devastating impact on the Tel al 'Adassa Bedouin community; residents found themselves located on the "Jerusalem" side of the Barrier, physically separated from their service centre of Bir Nabala and the rest of the West Bank, and unable to legally enter East Jerusalem.

The Tel al 'Adassa Bedouin community is one of at least 16 Palestinian communities (combined population of 2,500) located on the "Jerusalem side" of the Barrier, although the majority of

"We collectively decided to move out of the area, not because we want to leave, but because we want to avoid movement restrictions, fines, demolition and intimidation by the Israeli authorities. Even going to school was a dangerous journey for our children. We want to stay where we were, but who can protect us? We cannot take any more. It is enough."

Ali, 62-years-old



their residents hold West Bank ID cards. All these "dislocated" communities face a range of movement and access restrictions that isolate them from the remainder of the West Bank, contribute to high levels of vulnerability and place them at risk of displacement.¹

For the Tel al 'Adassa Bedouin community, that risk has become a reality: in 2010/2011, the first few



families were forced to leave, due to tight restrictions on movement and access. Then, in August 2013, Israeli forces demolished all the structures in the community, and, the remaining families were left with no alternative but to move to the “West Bank” side of the Barrier, after being instructed to do so by the Israeli authorities. This community is now dispersed into three separate locations on the “West Bank” side of the Barrier (*see map*).

DIMINISHED ACCESS TO SERVICES AND LIVELIHOODS

For much of the period since the Barrier was completed, the Israeli authorities have issued neither permits for residents to continue legally residing in their homes, nor provided for a coordination mechanism allowing passage through the nearest checkpoint. As a result, most residents left only when necessary, fearing that they would be barred from returning to their homes; women have been particularly isolated.

Families with school-age children have been especially affected by restrictions on movement and uncertain residency status. There are a total of 27 school

students from the community. Some families have been separated, with students who are studying in Bir Nabala or Jaba’ villages, living in rented apartments, so that they can easily access their schools, which were previously only a 15-minute walk away. One member of the community, Amneh, a 45-year-old mother of eight, reflected on the toll the Barrier’s construction has taken on her family’s daily life:

After the Barrier was completed in 2007, our living conditions deteriorated and our life turned upside down. We were isolated, stuck between two places, Ramallah and Jerusalem, able to go to neither. My school-age children were forced to sneak and sometimes to jump over the Barrier in order to reach school. I ended up eventually sending my sons and daughters to go and live in Jaba’ in a rented house in order to make their life easier. I wanted them to be able to go to school without suffering each morning or being a target for arrest by Israeli forces. The separation was difficult on everyone. All the while, we suffered harassment and intimidation from the Israeli authorities to leave our community.

The community has also faced difficult access to health services since 2007, especially given their inability to move

in the surrounding East Jerusalem areas, due to their lack of permits. Ali; who has diabetes, reported: *“In the past, I tried to go to Al Maqased hospital because I was suffering from pain in my leg, but Israeli forces caught me while I was riding on the bus en route to the hospital and ordered me to go back.”*

Restrictions on movement and Barrier construction have also had a significant impact on the community’s source of livelihoods. In 2007, the community owned over 600 head of sheep. At present, the community owns less than 300 sheep, the primary source

“Is this our destiny? Is it my fate to live in uncertainty, without even a hope of living in dignity and with respect?”

Amneh, 45-years-old



of income for the remaining families. According to residents, through an agreement with a land owner in the area, they were previously able to graze on and cultivate a piece of nearby

BEDOUIN COMMUNITIES AT-RISK OF FORCED DISPLACEMENT IN THE JERUSALEM PERIPHERY

Bedouin communities are among the most vulnerable in the West Bank and have been identified by the humanitarian community as a priority group for assistance. To the northwest of Jerusalem, the Al Khalaleh Bedouin community has experienced gradual displacement since construction of the Barrier, due to demolitions by the Israeli authorities as well as restrictions on movement and access and tenuous residency status; only one household remains in the community. To the east of Jerusalem, there are some 2,300 Bedouin and herders who are at-risk of forced displacement due to a “re-location” plan advanced by the Israeli authorities. Over 80 per cent of the residents are refugees, who were originally displaced from southern Israel in the early 1950’s. The communities have gradually lost access to much of their grazing land due to Israeli settlement expansion and most of the families have pending demolition orders against their homes.

land. However, according to Ali, who grew up in the area, once construction of the Barrier began, the situation grew worse and many of their coping mechanisms were eroded:

After the Barrier, our grazing areas became very limited, access to Ramallah became impossible, and access to our markets in Jerusalem became a crime. First, we received some permits, but those stopped. I do not know why. I personally sold more than half of my sheep to pay money for a lawyer and to pay fines to the Israeli authorities, but, in the end, they demolished all of our structures anyway.

DEMOLITIONS

Since 2002/2003, all the structures in the community have had demolition orders issued against them by the Israeli authorities, due to lack of building permits. Only 13 per cent of the West Bank areas annexed to Israel and incorporated into the Jerusalem Municipality is available for Palestinian residential construction, and most of this is built up already. In the remainder, Palestinians are unable to obtain building permits, as the land is allocated either for an Israeli settlement (35 per cent), a “green” or public area (22 per cent), or has never been planned (30 per cent) by the municipal authorities.

In May 2012, the community reports that several families received fines of 30,000 NIS for building without permits. A year later, in early June 2013, residents reported receiving verbal orders from the Israeli authorities to permanently leave their homes and move to the “West Bank” side of the Barrier.

On 19 August 2013, Israeli forces, under order from the Ministry of Interior, demolished all 21 structures in the community, including 10 residential structures. Israeli forces also damaged eight fodder containers, fodder for the entire herd, and two water tankers, which were also confiscated. As a result of the demolitions, 39 people, including 18 children, were displaced. Residents report that Israeli forces instructed them to move permanently to the “West Bank” side of the Barrier within 10 days, or be subjected to arrest, fines and seizure of their sheep. No alternative land, to which the community could re-locate, was provided by the Israeli authorities.

On 25 August 2013, the remaining members of the Tel al ‘Adassa Bedouin community, along with most of their herd, left Tel al ‘Adassa and crossed over to the “West Bank” side of the Barrier; 13 newborn sheep, left without



In a July 2004 Advisory Opinion, the International Court of Justice determined that the Wall, where it is located in the occupied West Bank, is inconsistent with international law and should be dismantled.

According to the UN Office for the High Commissioner for Human Rights, “the permanent removal of the families from Tel al Adassa may amount to a violation of the prohibition on the forcible transfer of individuals or communities under article 49 of the Fourth Geneva Convention. The case also raises concerns regarding the prohibition on forced eviction under international human rights law, and the enjoyment of the rights to adequate housing and freedom from arbitrary or unlawful interference with privacy, family and home.”²

shelter, died in the days following the demolition.

The community dispersed into two separate locations. Amneh described the events that led to their departure:

We had demolition orders for our structures and fines as well. After finally demolishing all of our structures, the Israelis threatened that if we do not move to the other side of the Barrier in the West Bank, we will be fined huge amounts of

money and risk arrest. To be honest, we just are not able to pay any fines. We have no money. I have two sons in the university and I still have not been able to cover their tuition. Any money I have, should go to them first, and not to the Israeli authorities. So we decided to move, in hopes that we will find better living conditions and no longer be faced with the Israeli authorities’ intimidation.

ENDNOTES

1. Only some of these communities are located within the Jerusalem municipal boundary; the rest are in Area C.
2. Daily Press Briefing of the Spokesperson for the UN High Commissioner for Human Rights, Geneva, 27 August, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13662&LangID=E>.

