

# Stories of daily disposessions

## #SaveSusiya, STOP THE WALL Factsheet

### HIGHLIGHTS

- Susiya residents are at constant risk of demolitions and forcible transfer;
- Decision to issue a new demolition order has now been postponed, but Israel is still determined to take over Susiya's land;
- As an occupying power, Israel has an obligation to protect Palestinian civilians. The confiscation of private property, as well the forcible transfer of residents from their own lands is forbidden by international law and considered as a war crime. Forced population transfer is as well one of the elements constituting the crime of Apartheid;
- In area C, residents cannot build on their own lands without a permission that is nearly impossible to get, and are forced to live in temporary dwellings and deprived of basic services, such as water and electricity;
- Since 2001, settlers have frequently prevented residents from accessing their lands, often using physical violence.

### Introduction

Among the many faces of Occupation, daily demolitions play a relevant and devastating role of land theft and ethnic cleansing of the Palestinian people. This policy is part of the two key overall plans of the Israeli administration: The 'Relocation Plan' aimed at clearing Area C in the West Bank from the Palestinian communities in order to prepare it for definitive annexation, as well as the Israeli master plan to 'Judaize' Jerusalem, the Galilee and the Naqab and the confiscation of large parts of the West Bank.

Every day numerous demolitions and land expropriations take place in East Jerusalem, the

Jordan Valley, Hebron and Bethlehem area, and many other areas of Palestine. Linking the dots on the map, it becomes clear how one of the key objectives of the current Israeli policy is the final 'Bantustanization', i.e. the reduction of areas accessible to the Palestinian population to fragmented cantons, and the annexation of the remaining land and natural resources. The complicity of international organizations and multinational corporations is particularly visible in the rapidly increasing construction and expansion of the settlements and their infrastructure on this land,

which allow the Israeli state to continue its plan of erasure of Palestine as a national and territorial entity.

Susiya is only one of the many



examples: a village whose people live in constant fear of being ejected from their land and deported, as has already happened three times in the last thirty years.

### Once upon three times

Susiya, a small village in southern Hebron, was originally inhabited by some 25 families, living mainly on farming. In 1983 Israel established a new settlement nearby, with an almost identical name "Suseya". The settlers of Suseya were charged by the Israeli government with the management of the newly discovered archeological site in the area, which was used as an excuse to forcibly eject residents of Susiya from their lands in 1986.

Therefore Susiya villagers moved into caves and tents on their privately-owned lands in Rusum al-Hamri, but Israeli military expelled them again, without any explanation. So they had to move further from their original site, to a land they privately owned.

In 2001, after the murder of Yair Hair Sinai, a settler killed by Palestinian non-residents in Susiya, Israeli military retaliated against the people of Susiya demolishing their tents, destroyed water cisterns and

sealed off caves. Right after that, residents petitioned the High Court of Justice against expulsion, but without receiving any permit to build on their land.

Demolitions and forced population transfer started a vicious cycle whereby Palestinians cannot obtain construction permits, having no choice but living in temporary dwellings. These are considered illegal by Israeli Civil administration, and often demolished.



In June, 1982, Att. Plia Albeck, Head of the Civil Division in the Israeli State Attorney Office, wrote an internal opinion, stating: “ The synagogue is located in a place called Khirbet Susiya, and it is surrounded by an Arab Village that lies amid ancient ruins. There is also a former registration of the land of Khirbet Susiya within the Land Registry, according to which this land, amounting to approximately 3,000 *dunams* is privately held by many Arab owners. Therefore the area proximal to the synagogue is in all regards privately-owned.”

## Palestinian Grassroots Anti-Apartheid Wall Campaign

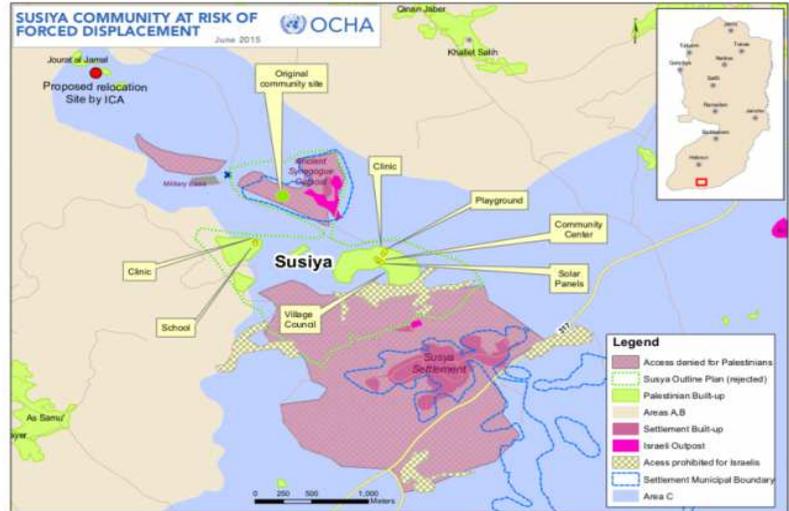
Ramallah, Occupied Palestine

Tel: +972-2-2971505

Fax: +972-2-2975123

global@stopthewall.org

www.stopthewall.com



## Legal KEY FACTS

After the 2001 expulsion, Susiya residents launched several legal actions against the demolitions in their community. Below we are giving the salient points of this legal battle within the framework of the Israeli judiciary. It becomes evident that the Israeli court system is following laws and regulations put in place in order to give a 'legal' justification for grave violations of international law and human rights, such as systematic policies of forced population transfer and the denial of access to adequate housing and livelihood. This is yet another example of the institutionalized nature of Israel's apartheid regime.

**2010:** petition to High Court of Justice to grant the access to their lands and to prevent settlers to seize them. As a result, the Israeli military signed a number of closure orders against Israelis only;

**2012:** Suseya settlers along with the right-wing organization Regavim, petitioned the court to expedite the demolition orders in the village of Susiya. The Even though the Court rejected both petitions arguing that the State was handling both demands (Susiya villagers' petition in 2010). As a result of the settlers' petition, dozens more demolition orders were distributed in the village;

**Late 2012:** Palestinian residents submitted to the Israeli authorities five alternative outline plans for their village;

**2013:** the Israeli Civil Administration Planning Committee rejected all plans; therefore the residents were just offered to plan had no other choice but build without permit;

**2014:** residents petitioned the court against the rejection and submitted a motion for an interim order to freeze the realization of demolition orders against the village;

**2015:** after the State postponed for more than one year the decision to release an interim order, in March the State submitted its objection to the motion for an interim order. Generally speaking, the State agrees to interim orders on demolition petitions, but this time, exceptionally, the State opposed the motion. The State explained its objection by saying the petition must be rejected out of hand because, on the supervision level, the State acted within its powers without prejudice, whereas the residents of the village took the law into their own hands and continued to build in violation of orders and in lack of good faith. On the planning level, argued the State, the village has no feasibility or

justification;

**May 2015:** the court rejected the motion for an interim order, agreeing on the possibility to move Susiya residents in the near village of Yatta (Area A). The judge's decision de facto allows the State to realize the demolition orders in the village. It also legalizes the forced transfer of protected persons in an occupied territory – a forbidden act under international law.

**July 2015:** IOF warns Susiya residents that demolitions will take place after the end of Ramadan and before the 3rd of August; this date has been later postponed by HCJ's decision.

*“They’re calling our village an illegal outpost. These lands are ours before there was a State of Israel, my father is older than your state – and I am an illegal alien on my own land. I ask, where is justice?”*

**- Nasser Nawaja, Susiya resident and activist**

