

INTRODUCTION

The Civic Coalition for Palestinians' Rights in Jerusalem wishes to bring certain specific issues relating to violations of the International Covenant on Economic, Social and Cultural Rights (ICESCR) by the State Party affecting Palestinians living in the Occupied Palestinian Territory (OPT) to the attention of the Committee on Economic, Social and Cultural Rights (the Committee).

This document is an alternative report on Israel and focuses on the following issues:

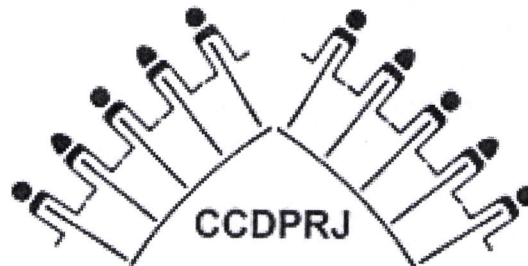
- Article 11 – The right to an adequate standard of living
- Article 13 – The right to education
- Article 15 – Cultural Rights

The report is not intended to comprehensively cover all violations but rather focuses on the certain issues that have been identified as particularly affecting Palestinians living in the OPT at the time of reporting. The information is relevant for the Committee's entire reporting period.

OHCHR REGISTRY

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الاتحاد الاهلي للدفاع عن حقوق الفلسطينيين في القدس
The Civic Coalition for Defending the Palestinians' Rights in Jerusalem

The Civic Coalition for Palestinian Rights in Jerusalem's Alternative Report on Israel to the Committee on Economic, Social and Cultural Rights 47th Session, (14 November - 2 December 2011)

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The Civic Coalition for Palestinian Rights in Jerusalem is a nongovernmental nonprofit coalition of institutions, societies, associations and individuals with experience and mandate of working in Jerusalem on human rights issues. The Coalition was established in 2005 and currently has a membership of 22 institutions.

Our vision: To promote and protect Palestinian rights in Jerusalem and combat Israeli government violations of their human rights.

Our mission: To mobilize efforts, capacities and resources to protect the political, civil, economic, social and cultural rights of Palestinians in Jerusalem based on international and human rights law.

- *Water shortage*

Over half of the population, about 160,000 Palestinian residents have no suitable and legal connection to the water network and 50km of main sewage lines are lacking. They are left no choice but to rig makeshift connections to water mains or to homes that are legally connected to the water network, or to suffice with stored containers of fresh water. Therefore the water pressure is weak and the supply irregular; stored water is exposed to a range of pollutants, from bacteria that thrive in standing water to dead fowl.

- *Health hazard*

The lack of fresh water, the chronic shortage of sanitation facilities and regular sewage overflow reduces the hygiene level (showers, dish-washing, and house-cleaning etc.), creating ideal conditions for the spread of infectious diseases. This situation severely undermines the East Jerusalem residents' rights to adequate living conditions, to dignity, and to health.

2. Freedom of movement

The route of the separation barrier and its associated permit regime continue to have a serious humanitarian, social and economic impact on Palestinian life. It continues to sever the connection between East Jerusalem and the wider West Bank and between Palestinian communities in East Jerusalem itself. More than 100,000 East Jerusalem residents who live in neighborhoods on the east side of the Separation Barrier (most in areas which are still within the Jerusalem Municipality boundaries) have been disconnected from the city, which had always been the focal point of their lives.

Palestinians who do not have residency rights in East Jerusalem or do not have Israeli citizenship need a permit to enter Jerusalem. Access for those Palestinians granted permits is restricted to three out of the 14 barrier checkpoints: Qalandiya, Gilo and Zaytoun. The permit is difficult and time limit or a ban on driving a car or staying overnight. West bank ID holders with permits for Jerusalem or Israel must enter and exit through the same checkpoint and risk having their permits revoked if this is not complied with. Permits are suspended during security closures and often during Jewish holidays.

3. Residency status

Restrictive measures continue to apply in relation to the ID and residency status of Palestinians from East Jerusalem. Following the Israeli occupation of East Jerusalem in 1967, Palestinian residents of the city have been given the civil status of "permanent residents" of Israel. This status gives them the right to live in Jerusalem and work in Israel without the need for a special permit. To retain this status, residents are forced to regularly prove that they adhere to the strict criteria that demonstrate Jerusalem is the centre of their life. If they fail to convince the Israeli authorities their status is revoked and they lose their right to reside in the city. Between 1967 and 2010, some 14000 Palestinian residents of Jerusalem have gadded their status revoked. Unlike Israeli citizenship, permanent residency is not automatically passed on to non-Jewish children, who only receive permanent residence under certain conditions. This leads to difficulties in the registration of children with the Jerusalem Centre for Socio-Economic Rights estimating that there are as many as 10000 unregistered children in East Jerusalem. This makes it difficult to them to access basic education, health and other social services. Around 5500 children in school age are not registered and therefore do not attend school.

Palestinians residents of East Jerusalem, who marries a Palestinian from West Bank or Gaza strip, must apply for family unification. Applications for family reunification and ID cards and identification for

1. Article 11 - The right to an adequate standard of living

The States Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realisation of this right, recognising to this effect the essential importance of international co-operation based on free consent.

1. Poverty (report ACRI)¹

At the end of 2009, approximately 303,429 Palestinians were living in East Jerusalem, constituting an estimated 36% of the total Jerusalem population of 835,450. East Jerusalem is one of the most poverty stricken areas in Israel. Jerusalem Institute data published in 2008 indicates that 65.1% of Palestinian families in Jerusalem (as opposed to 30.8% of the city's Jewish families) live below the poverty line. The incidence of poverty among Palestinian residents of Jerusalem is also considerably higher than the rate of 23.7% among the general population in Israel. The poverty statistics for children are even graver: 74.4% of Palestinian children in East Jerusalem are beneath the poverty line, as opposed to 45.1% of the city's Jewish children. Over 95,000 children in East Jerusalem live in a perpetual state of poverty.

Life in East Jerusalem can be described as a continuing cycle of neglect, discrimination, poverty, and shortages. These, compounded by construction of the Separation Barrier cutting Jerusalem off from the West Bank, have led to the social and economic collapse of this part of the city. A large majority of East Jerusalem residents do not receive, and cannot afford to buy, the most basic services. The primary victims are the vulnerable populations: the aged, the disabled, and children. The chronic state of poverty has also had serious social ramifications, such as damage to family relationships; an increase in the rate of family violence; a decline in the functioning of children, reflected in high rates of school dropout and early entrance into the job market; crime; drug use; and health and nutritional problems.

• Limited services

The poverty line in 2007 was a monthly income of \$770 for a family of two and \$1,400 for a family of five. Palestinians faced discrimination in almost all sectors of life. Israel's policy for the past four decades has taken concrete form as discrimination in planning and construction, expropriation of land, and minimal investment in physical infrastructure and government and municipal services.

Despite the conditions, only 10 per cent of East Jerusalem's 300,000 Palestinians have access to social services to help remedy the situation, the organization said. Furthermore, the number of welfare offices in East Jerusalem is disproportionately low compared with the number of offices in West Jerusalem: 3 versus 20.

Economical pressure is just one of the elements used by Israelis to succeed in their plans - to get the Palestinians to leave Jerusalem and to replace them with settlers. Only 19 per cent of social worker positions in Jerusalem serve the Palestinians, who make up a third of the city's residents, and generally are in a much worse socio-economic state.

Despite the fact that the Arab population of East Jerusalem has increased 450% since the annexation of East Jerusalem, the possibility of issuing legal building permits for new construction in East Jerusalem has been practically non-existent for decades on end.

The result of the discrimination in planning is that most buildings in East Jerusalem were built, and continue to be built, without permits. They are densely crowded, and their occupants live in constant fear of home demolitions.

- *Israel's continued policy of illegal house demolitions and evictions in occupied East Jerusalem*

Since 1967, Israel has continued to demolish and evict Palestinians from their homes in East Jerusalem. According to UN OCHA data, 82 houses were demolished by the Israeli authorities in 2010. In addition, as reported by the Special Reporter, in its latest Report on the situation of human rights in the oPt, in 2009 more Palestinians (approximately 4,577) were stripped of their residency rights than in any year between 1967 and 2007.ⁱⁱ

In 2010, East Jerusalem was targeted by Israel in a campaign to forcibly remove Palestinians from the city and supplant them with Jewish settlers. The areas targeted have been Sheikh Jarrah, Silwan, Ras Al Amoud, Beit Hanina and the Old City. In the last months of 2010 in particular, following Israel's failure to renew the freeze on settlement building, the number of Palestinian home demolitions and forced evictions in East Jerusalem escalated in line with its broad geo-political, demographic objectives for Jerusalem.

Israel's home demolition is aimed at exerting pressure on Palestinian communities to leave their neighborhoods in East Jerusalem, which over time has resulted in transfer of population. Indirect forcible transfer is one of the methods by which Israel creates 'facts on the ground' in the oPt, including in East Jerusalem.

As the Committee on Economic, Social and Cultural Rights is aware, home demolitions are usually carried out because of unlicensed construction, arising from discrimination against Palestinians in the planning system.ⁱⁱⁱ Amir Cheshin, advisor on Arab Affairs to the former Israeli Mayor of Jerusalem, Teddy Kollek, notes that since 1967: "Israel's leaders adopted two basic principles in their rule of east Jerusalem. The first was to rapidly increase the Jewish population in East Jerusalem. The second was to hinder growth of the Arab population and to force Arab residents to make their homes elsewhere."^{iv} As evidenced by the Master plan this policy continues and demolition of Palestinian homes continues unabated and is accelerated by the Master plan. For example, in the Atarot/Kalandia planning area, the proposed total 'real capacity' for building housing units for Palestinians is 259: 33 less than the number of housing units that currently exist; an outcome which would require demolition of at least 33 Palestinian homes; in the Old City the figure is 512 housing units (Master plan, p.199) and the document states bluntly that: "The Old City's population density will be decreased by governmental intervention" (p.148). While acknowledging that the Master plan has still not received final approval, the Civic Coalition is concerned about the fate of 15,000 Palestinian housing units which the Master plan states are 'unlicensed', particularly in light of the Master plan's recommendation for 'enforcement of planning laws' (p. 18).

Registration to Jewish-owned properties in the Old City with the Israeli land registry, and Article 215/5 of the Building and Planning Law. Israel has continued over the last six years to use its planning regime in East Jerusalem to impose measures designed to change the legal, geographic and demographic status of East Jerusalem in violation of United Nations Security Council Resolutions.^v Recent developments include the registration of Jewish-owned properties in the Old City of Jerusalem within the Israeli land registry, normalizing Israeli jurisdiction over East Jerusalem; and racial discrimination arising from use of article 212/5 of the Building and Planning Law (1965) to demolish Palestinian homes in Silwan, occupied East Jerusalem, 'in the public interest' as part of a process of 'Judaization'.

children and spouses involve a long, expensive bureaucratic process. In 2003, Israel introduced the Nationality and Entry into Israel Law which disproportionately impacts residents of East Jerusalem, under which they are forbidden from family unification not only with their spouses, but also with their children.

In 2010 the Israeli authorities invoked “breach of loyalty to the state of Israel” in order to withdraw the residency rights for three members of the Palestinian Legislative Council as well as for a former Palestinian Minister of Jerusalem Affairs.

4. The right to adequate housing

- *Urban planning*

The planning regime of the Jerusalem municipality remains a source of concern as it places severe restrictions on the building of Palestinian housing in East Jerusalem. Many Palestinians live under the threat of having their house demolished and being evicted, adding to the existing tensions. These restrictions result in a housing shortage in East Jerusalem and regular demolitions of Palestinian-owned structures.

According to the planning regime, 13% of the land in East Jerusalem is currently zoned for Palestinian construction. Only within this 13%, which is already densely built upon, Palestinians have the possibility of obtaining an Israeli-Issued permit to build, repair or maintain their homes and livelihood-related structures. Administrative requirements, however, make it extremely difficult for Palestinian residents in East Jerusalem to obtain such permits. In addition, the procedures take several years and usually entail a prohibitive cost.

Over the past years Palestinians have received fewer than 200 building permits per year. Based on the population growth, permits for 1500 housing units annually would be necessary to cover the housing needs. As a consequence of the restrictive planning regime, there is an acute housing shortage in East Jerusalem. In addition, Palestinian houses are overcrowded and in a bad condition. The planning regime poses a difficult dilemma for Palestinian families: they have the choice between migrating outside the municipal area of Jerusalem (and losing their residency status) or building without the necessary building permit. According to UN OCHA, at least 32% of Palestinian structures in East Jerusalem lack such a permit, putting approximately 88000 Palestinians at risk.

Buildings constructed without a permit are considered illegal by the Israeli authorities who issue demolition orders against them. Unofficial sources estimate that up to 1500 ‘illegally’ built residential buildings in East Jerusalem currently have demolition orders against them. In the course of this year, UN OCHA recorded the demolition of 50 Palestinian owned structures in East Jerusalem, thereby affecting over 250 people (half of whom are children). Families are not only fined for having constructed their houses without a permit, they can also be charged for the costs of the demolition. As a means to avoid such fines, some Palestinian families are carrying out so-called self-demolitions.

The Jerusalem municipality acknowledges the planning crisis in East Jerusalem. The city’s new planning policy for East Jerusalem, presented in December 2009, aims at a “significant expansion of the number of floors and of the building ratio with regard to the approved plan, many solutions for adding residential units in the area, and a response to the existing hardship”. According to some planning experts, however, the new policy will not cause any significant progress in the densely populated and poorly-maintained Palestinian neighborhoods.

In its treatment of occupied East Jerusalem, the Master plan has implemented measures that will result in violations of the Fourth Geneva Convention, including the transfer of Israeli civilian population into occupied territory through construction of illegal settlement housing units and demolition of Palestinian homes. In the introduction to the Master plan document, the Director General of the Municipality explicitly links the Master plan to the Jerusalem Light Rail project,^{ix} which is designed to support the settlements. Expansion of settlements and supporting infrastructure in East Jerusalem is ongoing regardless of formal ratification of the Master plan.

Further, on 24 October 2010, the Israeli Knesset's Ministerial Committee on Legislative Affairs unanimously approved a draft law to officially judaize Jerusalem as a Jewish "national priority" area of the first order, including Palestinian neighbourhoods in occupied eastern Jerusalem based on amendments to the Regional Urban District Plan MM1m under 'Plan Number 30'. According to Plan 30, Jerusalem will be promoted as the "united Jewish capital" for the Jewish majority as "the heart of the Jewish people" and the cultural and spiritual centre for Jews in Israel and the world-over.

The Plan grants financial and national priority status to the development of Jerusalem in housing, employment, education, welfare, culture, industry, tourism, public infrastructure and immigration absorption in an effort to encourage young Jews to settle in Jerusalem as part of the implementation of the government's demographic policy to preserve a 70 per cent Jewish majority by offering affordable housing and tax benefits.

A greater budget has been allocated for the construction of new Jewish settlements in Jerusalem to be supported by the construction of an advanced transportation network (railway, roads, bridges) linking Jewish settlements to the city. This will necessitate the confiscation of land and the forced displacement of Palestinians through home demolitions and forced evictions in order to make way for the construction of the planned settlements. Together with the Annexation Wall, it is envisaged that this will intensify Palestinian experiences of family separation and geographic isolation from other Palestinian communities.

In the context of this plan, the Civic Coalition takes this opportunity to draw attention to the new Israeli high-speed train (Plan A1 and Railway 29) being constructed to connect Tel Aviv to Jerusalem, Israel's two main metropolitan centers, which has been under construction since 2001. The planned route crosses into the 1949 cease-fire line ('green line') border and continues running at least 6 kilometers into the West Bank, where it expropriates part of the privately-owned Palestinian land of Beit Surik and Beit Ikka for the construction of the route, and roads and tunnels forming part of the rail project for the exclusive benefit and use of Israeli citizens.^x The train has been described by the CEO of Israel Railways, Yitzhak Harel, as "the largest and most complex project in Israel". The A1 train implements the national priority plan, discussed above, for the development and expansion of the Israeli railroad network under the Jerusalem Municipality's sub-district Plan Number 30 designating Jerusalem, including Palestinian neighborhoods in the occupied eastern part of Jerusalem, a Jewish national and financial priority area.

2. Articles 13 and 14 - Right to Education

The States Parties to the present Covenant recognise the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship

The take-over of Palestinian property is often associated with the eviction of Palestinian residents. Throughout 2010 there have been 3 cases where Palestinians have been forcibly evicted, 2 in the old city, 1 in Jabal Mukabber. In these cases, the properties have been taken over by Israeli settlers or settler organizations under police protection. These evictions have affected approximately 70 people in 2010. In Sheikh Jarrah, over 60 Palestinians lost their homes over the past years and an estimated 500 remain at risk of forced eviction, dispossession and displacement in the near future.

The Civic Coalition is concerned by the Israeli government's use of section 212/5 of the Israeli Building and Planning Law (1965) to demolish homes 'in the public interest,' as a tool to promote the 'Judaization' of Jerusalem.^{vi} Demolition of Palestinian homes is usually carried out under section 205 of the planning law, which allows for demolition on the basis of unlicensed construction. Section 212/5 is usually employed where the person responsible for construction cannot be found, for example if they have died.

Israel has expropriated more than one-third of East Jerusalem land which was privately owned by Palestinians, on which it has built more than 50,000 homes for the Jewish population. Virtually no permits for Palestinian housing construction have been issued for decades.

- *The Jerusalem Master plan*

Israel's Local Outline Plan Jerusalem 2000 was approved for depositing by the Jerusalem District Committee for Planning and Building. Yet, it has not been formally finalized. Notwithstanding, the Israeli Government and the Jerusalem Municipality have endorsed it. As such, the plan promotes expansion of settlements and demolition of Palestinian homes in occupied East Jerusalem contrary to international humanitarian law.

On 14 September 2004, the Israeli-Jerusalem municipality disclosed the Jerusalem Master plan 2000 to serve as a mandatory map for land use in Jerusalem, including East Jerusalem until the year 2020. Since then Israel has continued to implement discriminatory urban planning policy in order to change the demographic composition of the whole of Jerusalem in favor of a Jewish majority. As part of this, Israel has continued to implement measures designed to change occupied East Jerusalem's legal status, demographic composition and geographic character in violation of numerous United Nations Security Council Resolutions^{vii} and the prohibition in Article 2(4) of the UN Charter prohibiting the acquisition of territory by the threat or use of force. The **Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967** ('the Special Rapporteur on the oPt') as well as the Committee on Economic Social and Cultural Rights have also expressed their concern about Israel's discriminatory planning policies in this regard.

In particular, the Civic Coalition draws the Committee on Economic, Social and Cultural Rights' attention to the Local Outline Plan Jerusalem 2000 (2004, 2006) (the Master plan) which has been endorsed by the Israeli Government and the Jerusalem Municipality. The plan outlines measures to enact demographic engineering in order to create a 70 to 30 per cent ratio of Jews to Palestinians within Jerusalem (treating West and occupied East Jerusalem as a single unit). Measures outlined include an increase in the number of settlement housing units in occupied East Jerusalem and the promotion of 'spatial segregation' between Jewish and Palestinian communities.

Israeli laws provide legal mechanisms to enforce the preferential treatment of Jews in the fields of land and housing within Israel and since 1967 this regime of racial discrimination has been extended to the oPt including East Jerusalem. Implementation of key aspects of the Master plan's recommended policy of 'spatial segregation' will facilitate further racial discrimination against Palestinians in planning and other sectors and entrench the segregated system which **the Special Rapporteur on the oPt** has compared to apartheid.^{viii}

Israeli authorities are trying to change the Palestinian syllabus by removing considerable parts, pages and sections related to the Palestinian history and identity in the region. This action clearly shows Israel's intention to change and control the way subjects are taught, modifying the perspective of Palestinian students. By expressing the intention to impose its curriculum and teaching materials on the Palestinian children in Jerusalem, Israel attempts to reinforce the policy of 'Judaization' of East Jerusalem, severely infringing upon the right of education of the Palestinian students, which clearly requires that the substance of the curriculum and the teaching methods are acceptable to the students and, in appropriate cases, their parents.

Israel's comprehensive strategy aimed at undermining the Palestinian culture and its social development in East Jerusalem is pursued by means of enactment and implementation of discriminatory legislation, among which the one that outlaws teaching about the history of the 'Nakba.' In this way, Israel is trying to paint a one sided version of the events that occurred in the region, thus severely weakening Palestinians' possibility of expressing their identity, developing their own way of thinking and pursuing social changes in the way that they consider more suitable.

Being considered an essential tool in the development of individuals' human personality and in the preparation of their ability to effectively and positively contribute to progress of the society, the right to education must be protected and promoted at all levels, since it is considered as an indispensable mean of realising other human rights. Accordingly, Israel has the obligation to guarantee the right of Palestinians to education and it must refrain from implementing policies that would result in violations of fundamental Palestinian's rights and that they may severely damage the Palestinian society.

3. Article 15 – Cultural Rights

The steps to be taken by the States Parties to the present Covenant to achieve the full realisation of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

1. Palestinian Institutions

Arab and Palestinian social, cultural and political organizations are being repressed by the Israeli authorities within Jerusalem as part of the ongoing program of 'Judaization' highlighted by the Special Rapporteur on the oPt. Severe restrictions on Palestinian cultural activity in Jerusalem are imposed by the Israeli occupying authorities with the effect of preventing expression of Palestinian cultural, social and political identity. Various Palestinian communal and human rights organizations which provide aid to East Jerusalem residents have been closed off by the police on "security grounds", which remain vague and unspecified.

There have been numerous such closures since the start of 2008. On 2 April a social event for Palestinian Prisoners Day, also at al-Hakawati Theater, was forcibly closed. On 1 May Israeli forces shut down the opening ceremony of the Samed Association for Social Education in the Aqabat al-Khalidyay quarter of Old City on orders of Israeli Internal Security Minister Avi Dichter. The Turkish ambassador Organ Ozer, who was attending the ceremony was ejected, the Palestinian organizers were removed for interrogation. Samed is an independent association, registered with the Palestinian Interior Ministry, which works on social issues. On Friday 23 May 2008 Israeli police and special forces raided the Palace Hotel in

among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

• *Educational infrastructure*

The most pressing of the many serious problems in education in East Jerusalem is the shortage of classrooms, a reality which effectively denies many children their right to education. Inadequate numbers of classrooms, the substandard condition of existing facilities and several access restrictions have a severe impact on the educational sector in East Jerusalem. Many students fail to complete the secondary cycle and the drop-out is much higher than in West Jerusalem. Palestinian students face serious difficulties in reaching educational services, reporting longer journeys and delays in getting to educational facilities. The same holds true for students from Jerusalem who wish to attend a school on the other side of the separation barrier.

The East Jerusalem school system continues to have a shortage of approximately 1000 classrooms; only 39 new classrooms have been built recently. Planning restrictions hinder the construction of new school facilities and some schools are threatened by demolition and sealing orders. Because of the enormous lack of facilities, less than half of all school-age children are enrolled in municipal schools in Jerusalem, often in crowded and unsafe conditions.

The Israeli NGO ACRI estimates that 50% of East Jerusalem classrooms were unsuitable or substandard in 2009. East Jerusalem students are also disadvantaged in regard to financing of education. According to the Jerusalem Municipality, students attending primary school in East Jerusalem receive only one fourth of the budget that students in other parts of the city receive. Only some 20% of the general municipal education budget is spent in East Jerusalem.

Jerusalem Municipality statistics reflect that a staggering 50% of East Jerusalem classrooms were substandard in 2009 (704 out of 1,360 classrooms). The annual budget allocation per elementary school child in East Jerusalem was \$152 (577 shekels) compared with \$627 (2,372 shekels) in the west of the city.

According to Jerusalem Municipality data, the post-elementary dropout rate in East Jerusalem is 50%. The corresponding dropout rate for Jerusalem's Jewish sector is 7.4%. In the rest of the country, the highest dropout rate, as recorded by the Central Bureau of Statistics (CBS), is 11.8%, in the community of Jisr a-Zarka. 12,000 compulsory school aged children are not registered in any educational framework.

• *Educational*

On 7 March 2011 the Israeli Municipality's Department of Education in Jerusalem has issued a resolution addressed to all the recognised Palestinian non public schools in East Jerusalem, requiring them to purchase the schoolbooks only from the Municipality for the academic year of 2011-2012. Through this action, Israel is trying to alter the Palestinian curriculum in East Jerusalem as a way of fully applying the Israeli law of school supervision issued in 1969. Furthermore, in April 2011 the Israel's Ministry of Education requested all private and municipal schools in Jerusalem to disseminate and post the 'Israeli Declaration of Independence' in places of the schools where all students and teachers can read it, thus reinforcing Israel's intention to promote and favor its identity over the Palestinians' one.

These decisions must be considered a flagrant and systematic violation of Israel's obligations of Article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights (ICCPR), which explicitly obliges States Parties to guarantee individual's right to education. As such, these resolutions aim at overseeing the scholastic programs and at strengthening Israel's control over the education system in East Jerusalem, thus preventing Palestinian children from learning about their history and culture. Indeed, Israel's intention to implement and enforce these measures could cause complete obliteration of the Palestinian population's cultural identity in East Jerusalem.

2. The case of Lifta Village

Situated on the north-west edge of Jerusalem, Lifta is a historic Palestinian village which has been continuously inhabited for over 2,000 years, long before the establishment of the State of Israel. During the 1940s, almost 3,000 Palestinians lived in the village which came under sustained Israeli attack in 1948 during the Arab-Israeli war, resulting in almost all the houses and the two elementary schools on the western side being demolished. These events lead to mass destruction and depopulation of the Palestinian inhabitants who were expelled from their homes and forced to flee, thus becoming refugees.

In 1949, with the Armistice Agreement, which ended the official hostilities of the Arab-Israeli war, Lifta was divided in two by the Green Line. Western Lifta was completely depopulated with the villagers forced to seek protection in the eastern part of the village. During the 1967 War, Israel occupied the West Bank, including East Jerusalem, extending its jurisdiction over these territories.

In June 2004, the Jerusalem Municipality Planning Committee, with the help of two architectural offices, G. Kartas/S Grueg and S Ahronson (in collaboration with Ze'ev Temkin of TIK Projects), produced a redevelopment project (Plan No. 6036) to turn the remains of Lifta into an exclusively Jewish luxury residential/commercial neighbourhood. This plan, originally launched in April 1984 but never implemented, had the intriguing title of "The Spring of National." It was later approved by a regional planning committee.

In February 2011, under the misleading cover title of a preservation project, the Israeli Land Department requested tenders for bids from the private sector in order to sell the land of Lifta in a plan which called for the building of some 245 luxury housing units, a shopping mall, a tourist resort, a museum and a luxury 120-room hotel. If implemented, this project would result in the destruction of most of the existing Palestinian houses and cemetery and the physical presence and historical memory of Lifta Palestinian inhabitants will be completely erased.

A legal petition is being brought by Lifta families and some non-governmental organisations to halt the project, suggesting that the village should be preserved in its existing state as an historic site. Because of the unique circumstances surrounding the village of Lifta, Israel's actions will result in the clear infringement of the cultural right of Palestinian refugees from Lifta, namely in the destruction of culture and heritage and erasing the history of Jerusalem and its surrounding villages.

The planned destruction of the remains of Lifta village is a two-fold assault on Palestinian culture and identity as well as a heinous attempt to ignore and re-write the history of Jerusalem. Palestinian rights are being trampled on from the forced displacement of an indigenous population to the denial of said population the right to return to their homes to the destruction of their culture, heritage and property. The Israeli redevelopment plan is wrong morally and legally and the destruction of the history of Jerusalem will displacing Palestinians from their ancestral homes.

Jerusalem, where the Islamic Waqf Education Department was holding its central ceremony of 2008. The Civic Coalition documented 11 instances in which Palestinian institutions were closed and cultural and political representatives were detained between 1 January and 31 May 2008.

Repression of cultural identity extends to events organized for children. Over the summer months, Palestinian community groups organize camps for children, which as well as being social events bringing children together over the long summer break usually have a cultural and educational focus. During July 2007, there were numerous instances in which these summer camps were targeted by the Israeli administration on spurious grounds. On Tuesday 3 July 2007, Israeli forces prevented hundreds of children attending summer camps in Jerusalem from entering the Al-Aqsa Mosque compound and held them at the gates. On 17 July 2007, a summer camp organized by the Wadi Joze Association in the Refugee Girls' School in Jerusalem was raided and shut down by Israeli forces. The official reason given for the raid was that 'Palestinian slogans' were being promoted at the event. The organizers were arrested and taken away for interrogation. Many of the children were traumatized by the raid and subsequently received counseling. On the same day, Israeli police stationed inside the Al Aqsa compound harassed parties of children from other summer camps and detained hundreds outside the gates of the Mosque. Israeli police claimed children were singing religious songs, and stated that they had decided to ban such religious activities on the compound ground. On 18 July a party of children from a summer camp organized by the Nidal Center of the Health Work Committees was detained as they tried to enter the courtyard of Al Aqsa Mosque. Police and border guards held the party up to check IDs and the registration details of the organizers of the trip.

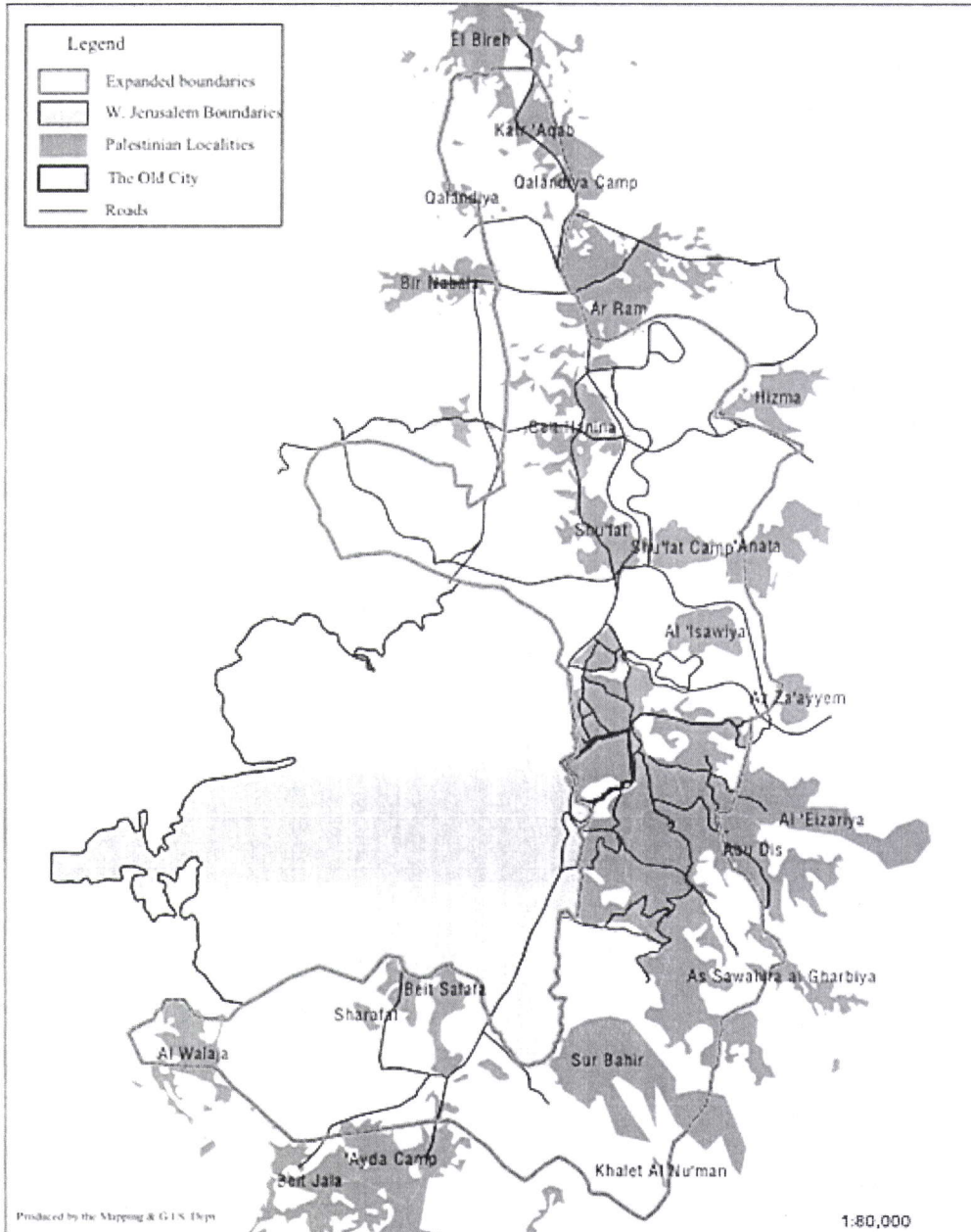
In mid-February 2008, the Israeli authorities extended an administrative order closing 80 Palestinian civil society organizations in Jerusalem, the eighth such extension to have been issued. The order was issued on grounds of 'public safety,' a somewhat bizarre pretext given the nature of the affected organizations, including the Jerusalem Arab Chambers of Commerce and the Mapping and GIS Department of the Arab Studies Society, which are members of the Civic Coalition, which has also been officially closed. The Israeli authorities are doubtless aware that these organizations continue to function in a limited capacity: providing services to small businesses, advising on housing and planning procedures, and in the case of the Civic Coalition providing free legal advice and advocacy. They are no doubt also aware that being unable to function officially creates a climate of fear and a reluctance to do anything that might 'draw attention' and result in complete closure of the organizations and detention and interrogation of staff.

Since the beginning of 2009, Israeli authorities have banned, and physically prevented, numerous peaceful, cultural, and educational activities marking the declaration of Jerusalem as the "Capital of Arab Culture 2009." In addition, the Palestinian National Theater, which hosts folkloric dancing festivals, art exhibitions for Palestinian artists, and a Palestinian festival for literature, was subjected to several closures during 2009. The Nidal Center for Community Development, affiliated with the Palestinian Health Work Committees, was closed in July 2009. For nearly ten years, the Center offered educational and recreational services to children- including tutoring sessions led by local university students – and training programs for women. Other institutions subjected to closure include the Cultural Forum Society, the Agricultural and Industrial Chamber of Commerce, the Higher Tourist Culture Center, and the Small Project Center, established by the European Union. The activities carried out by these institutions were publicized in the media, and all relate to the social, cultural, and economic development of the Palestinian community.

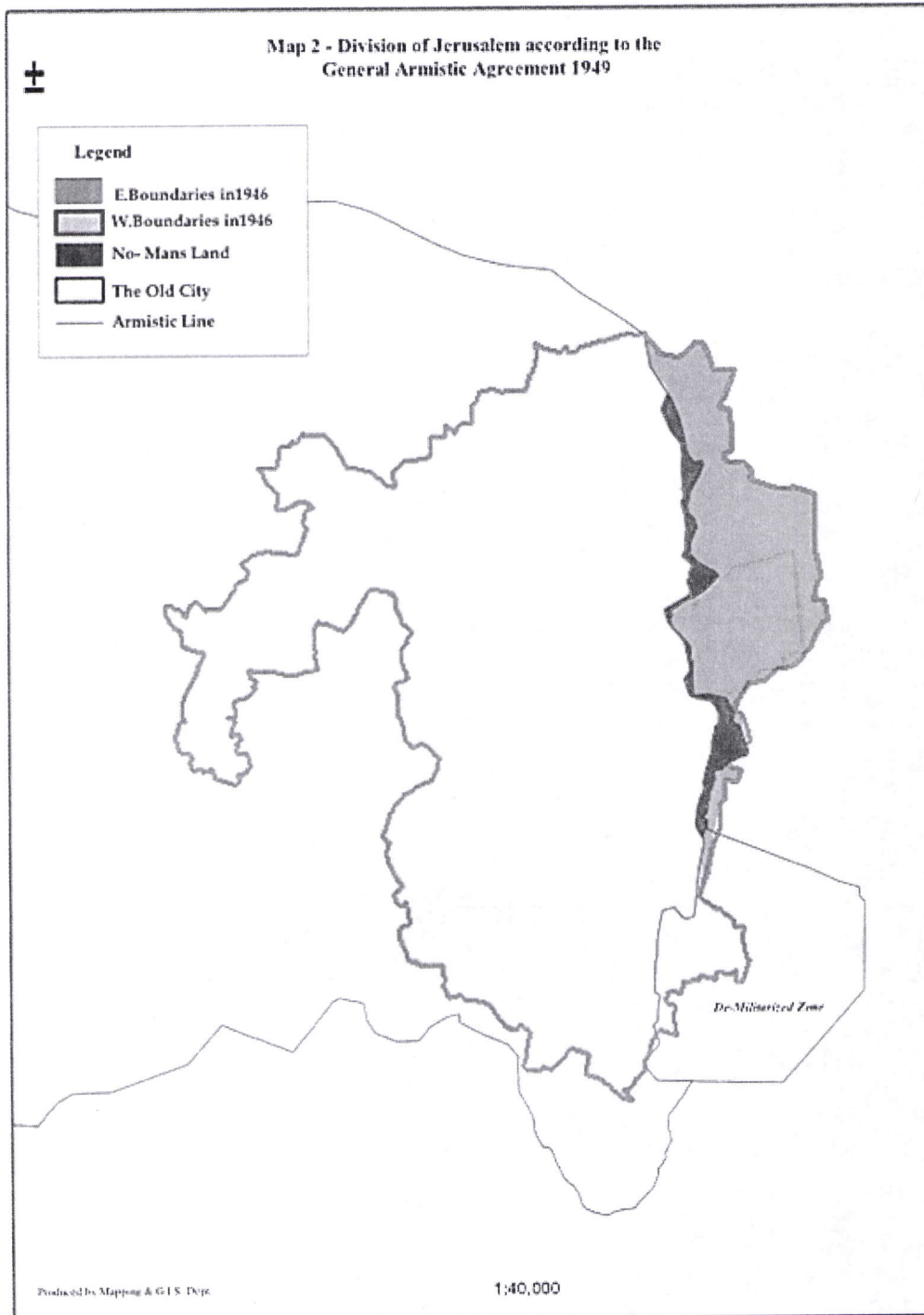
By these means, Palestinian civil society and political activity in East Jerusalem has been largely incapacitated by the permanent threat of closure. Just as the policy of limiting the size of the Palestinian population requires the placing of obstacles in the way of Palestinian construction and home demolition, so repression of Palestinian social, political and cultural identity in Jerusalem necessarily involves closure of institutions and systematic infringements of Palestinian's social and cultural rights.



Map 4: 'The Expanded boundaries of Jerusalem after 1967 War including the annexed areas



Annex (1)



ⁱ The Association for Civil Rights in Israel (ACRI), *Human Rights in Jerusalem: Facts and figures* (May 2010)

ⁱⁱ UN Special Rapporteur, Richard Falk, Report on the situation of human rights in the Palestinian Territories occupied since 1967 (A/HRC/13/53/Rev.1 7 June 2010).

ⁱⁱⁱ UN Special Rapporteur, Prof. John Dugard, *Human Rights Situation in Palestine and other Occupied Arab Territories* (A/HRC/7/17, January 2008).

^{iv} Amir Cheshin, *Separate and Unequal: The Inside Story of Israeli Rule in East Jerusalem* (Cambridge: Harvard University Press, 1999, pp. 31-32):

^v Including UN Security Council Resolutions 252 (1968) and 446 (1979) and numerous subsequent resolutions.

^{vi} UN Special Rapporteur, Prof. John Dugard, *Human Rights Situation in Palestine and other Occupied Arab Territories* (A/HRC/7/17, January 2008).

^{vii} Including UN Security Council Resolutions 252 (1968) and 446 (1979) and subsequent resolutions.

^{viii} UN Special Rapporteur, Prof. John Dugard, *Human Rights Situation in Palestine and other Occupied Arab Territories* (A/HRC/7/17, January 2008).

^{ix} The Director General states: "I particularly felt the need for a Master Plan when I was placed at the head of the project for a light railway for Jerusalem. The lack of planning cried out to the skies. A light railway is above all a comprehensive urban instrument and as such it was necessary to identify development patterns of the city so as to give an adequate solution to the needs of the citizens, both for the present and the future to come." (Masterplan, p. 5)

^x The Coalition of Women for Peace, Who Profits from the Occupation, *Crossing the Line: The Tel Aviv-Jerusalem Fast Train* (October 2010) 4.