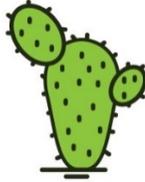


חقل Haqel חקל

تضامن لحماية حقوق الإنسان
ברית להגנה על זכויות אדם
In Defense of Human Rights



High Court Decision: 7 Structures in the Village of Susya will be Demolished with Immediate Effect

The High Court of Justice decided today in response to the petitioners' request to halt the demolition of 20 structures in the village of Susya. In the decision, the court determined that of the 20 structures, 7 structures could be demolished without delay by the Civil Administration. These structures are home to 42 residents of the village, of which half are children and others, ill. The court took the decision despite the fact that there are no alternative living arrangements or basic sanitary services necessary for the survival and well-being of the affected residents. However, the court determined that the village clinic must not be demolished until July, if and when an alternative arrangement is found.

The court did not respond to the state's request to demolish 20 structures, and the decision regarding the 13 structures which will not be demolished is a positive step in the right direction. The court stated that weight needs to be given to humanitarian considerations in applying laws of building and planning. Chief Justice Esther Hayut stated: "The court cannot accept the respondents' outright claim that humanitarian needs are not relevant under any circumstances." In addition: "Despite the fact that there is no dispute that the clinic was built illegally, it is reasonable that it was set up as an essential service for life in the village, and that its demolition would result in significant hardship to the petitioners and the village as a whole."

It must be emphasized that the entire village is still under threat of demolition. Firstly, the 7 structures are not dependent on the court decision and the **threat of demolition is immediate!** Secondly, 20 additional structures are under threat of demolition following the one-sided warning given by the state. Third, the future of the village is dependent on the decision of the court in response to the High Court appeal submitted following the rejection of the master plan initiated by the residents of the village. The court has instructed the state to provide its response regarding the plan by May 7th, 2018.

Haqel's response: "The court decision, requested by the state, reduced the extent of the demolitions in the historical Palestinian village of Susya to 7 structures. In this regard, the court strengthened the need that laws of planning and building in an occupied territory requires an evaluation of humanitarian needs as part of the obligation of the occupying power. However, the residents of Susya live under the constant threat of "the terror of demolition" on a daily basis, as the state demands their displacement from

unknown location to location, under the open sky and in so doing, continues to violate its obligation according to International Humanitarian Law.

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