
Last Palestinian family in Batan al-Hawa building evicted

1 message

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This morning, Israeli authorities evicted the Abu Sneina family (two adults and multiple children) from its home in Batan al-Hawa, Silwan, site of the single largest settler takeover operation in East Jerusalem since the annexation of East Jerusalem in 1967.

The Abu-Sneina family was the last hold-out in a 4-story, 10-unit building, most of which was seized by the Ateret Cohanim settler group in 2015. The family refused to leave its apartment on the ground floor of the building, located on the northern edge of a 5.2 dunam plot ([see page 7 map](#) in attached report), despite the settlers waging a sustained intimidation campaign to pressure them to evacuate, including cutting of their electricity supply, threatening the family, and demanding that the Execution Office expedite the eviction.

The building was effectively conveyed to Ateret Cohanim by the Israeli General Custodian, based on the settlers' management of a trust created to oversee the assets of Yemenite Jews who lived in the neighborhood in the 19th century (see below). Based on this transfer, the settlers have the legal grounds to advance evictions of Palestinian residents. Following the first court approved eviction in 2015, in which five families lost their homes, Ateret Cohanim succeeded in pressuring a resident of the neighborhood to sell the building. In September, The Magistrate Court ruled to allow the eviction to proceed, handing down its decision despite the fact that there is a related case still pending in court: the family of the purported seller had previously appealed to the court claiming that he was not the legal owner of the property and had no authority to sell it.

Ateret Cohanim has now initiated court proceedings to evict Palestinian residents from roughly 100 housing units in this densely populated, under-resourced, and high friction section of Silwan.

Background

Since 2001, the Ateret Cohanim settler organization has been working to transform the center of Batan al-Hawa into a large Israeli settlement. In 2004, settlers affiliated with Ateret Cohanim entered two buildings purchased by a Palestinian front man. The first, Beit Yonatan, is a six-story building illegally constructed for the settlers. The second, Beit Ha'Dvash, is a small one unit building situated approximately 100 meters

from Beit Yonatan. Over the ensuing decade, settlement in the area was limited to these two buildings, comprising a total of seven or eight housing units.

Today, the primary tool used to realize settlement plans in Batan al-Hawa is the forced eviction and removal of Palestinian families who have lived in the neighborhood for decades. Claims are based on the argument that the title to the area was held by the Benvenisti Trust – a Jewish trust active in the area in the late nineteenth and early twentieth centuries. The land in question covers an area of 5.2 dunams (1.3 acres) and is currently home to some 90 Palestinian families.

According to Israeli law, land that may have belonged to Jewish trusts prior to 1948 is managed by the Israeli General Custodian. In 2001, individuals with close ties to Ateret Cohanim were appointed as trustees to the Benvenisti Trust and in 2002 the General Custodian transferred the land to the possession of the trust. This status has empowered the trustees to advance their eviction claims. Ateret Cohanim has employed two additional strategies. First, with the assistance of the General Custodian, the Benvenisti trust has purchased additional tracts of land previously managed by the General Custodian. The sale was made without tender and without the residents currently living on the plots being given an opportunity to purchase them. Second, settlers have purchased properties from Palestinian residents using questionable means.

Since 2015, fourteen families have been displaced and based on the General Custodian's conveyance of two parcels of land to a trust managed by Ateret Cohanim, the settler group now has the legal foundation to evict another 84 families. Please see Ir Amim's and Peace Now's joint report, "[Broken Trust](#)" for details and analysis.

If the settlers are successful, Batan al-Hawa is anticipated to become the largest settlement compound in a Palestinian neighborhood in the Historic Basin of the Old City, with the outcome of significantly tightening the emerging ring of settlements around the Old City and severely undermining the possibility of a future two state solution in Jerusalem.

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