



## The Impact of the Annexation Wall Around al-Sheikh Sa'd/Jabal al-Mukabber

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Jabal al-Mukabber is a large southern Jerusalem town occupied in 1967. When the Israeli Government annexed Jerusalem to Israel, the annexation decree included Jabal al-Mukabber, although it did not include some of its lands known as al-Sheikh Sa'd, which was inhabited by 3,500 Palestinians. Those who resided in al-Sheikh Sa'd area were classified as individuals residing in the West Bank in the Israeli census conducted following the 1967 occupation of Jerusalem, and were given a West Bank identity card. However, those living in other areas of Jabal al-Mukabber were considered Israeli residents and were given a blue identity card, or the Jerusalem identity card. Those who were not included in the census were not registered as residents of Israel. As a result of the census, families in this area became dispersed as al-Sheikh Sa'd (being an extension of the lands of Jabal al-Mukabber) is inhabited by residents who are originally from Jabal al-Mukabber. One part of the family was considered Israeli residents while the other part was considered residents of the West Bank.

The residents of al-Sheikh Sa'd did not pay much attention to this matter and went about their daily lives as usual, moving in between their villages, the rest of the West Bank, and Jerusalem. They continued to be in contact with their families in Jabal al-Mukabber, using the only entrance to the town. Intermarriage was widespread and lands were shared. As time passed, many residents of Jabal al-Mukabber built their houses on land they owned in al-Sheikh Sa'd; building there was more extensive in contrast to those deemed to be in Jerusalem, where tight procedures are imposed by the Jerusalem Municipality and the Israeli Ministry of the Interior, and where the costs



View of al-Sheikh Sa'd. Residents must cross this valley in order to go to al-Sawahra al-Sharqeyyeh. Those who cross the valley must do so on foot due to roadblocks and the difficult terrain.

of a building license are exorbitant in comparison. (The cost of one licensed square metre in Jerusalem could amount to NIS 400-450, equivalent to \$100, whereas a building license for one whole apartment of 180-220 square metres in the West Bank would not exceed \$2000.)

With the outbreak of the current *intifada* on 28 September 2000 things changed for al-Sheikh Sa'd and its residents. The *intifada* had barely started when the only entrance to the town was closed off with mounds of rubble. As a result, residents were unable to drive their cars in and out of the town. Those residents with blue identity cards were permitted to remove their cars, which they did. These residents kept their cars, which had Israeli license plates, outside al-Sheikh Sa'd. In most cases, border police units stationed at the entrance to the town did not permit the residents of al-Sheikh Sa'd to enter or exit through the gate. As a result, several residents were unable to work in Israel and lost their jobs there. Those residents were totally dependent on work in Israel to gain their livelihood. This situation has turned the residents' life into a living hell, and only then did they realise the extent of the discrimination against those carrying Palestinian identity cards.

Life has been made more difficult by the Israeli decree pertaining to vehicles. New legislation was passed prohibiting an Israeli identity card holder from transporting any resident holding a West Bank identity card. This legislation was passed in 2003 after several taxi drivers, Arabs and Jews, with Israeli identity cards had transported several Palestinians who carried out armed attacks on buses or restaurants which killed several Israelis. The new law required the driver of any private or public vehicle to ascertain the identity of the passengers. If a driver learns that the passenger holds a West Bank identity card, s/he may not transport the individual even if the person is a relative.



*Entrance to al-Sheikh Sa'd, which has been blocked by dirt mounds for three years. The car belongs to a village resident who must leave it outside the village.*

This law contributed to turning the lives of al-Sheikh Sa'd residents into hell because even if they were able to cross the dirt mound, they could not travel much further as no one would transport them and they must walk on foot. Even were they to make it to Jerusalem, they would find no means to transport them to their destination.

This has created a feeling of sadness among the residents, who feel isolated and besieged as they are prohibited from working and realising their goals. A feeling of helplessness and being marginalised prevails. Some children even blame their parents for residing in al-Sheikh Sa'd, as there is a great

difference in their life as opposed to those of their cousins in Jabal al-Mukabber, who are free to move and pursue their education. Those in al-Sheikh Sa'd are surrounded in a small town, jobless, hopeless, and isolated from both Jerusalem and the West Bank.

In August 2003, new maps related to the Annexation Wall were distributed among the residents of al-Sawahra. These maps showed that the Wall would swallow parts of the lands of Abu-Dis and al-Sawahra al-Sharqeyyeh. At time of writing, this part of the Wall is near completion. To the north and west, the Wall will be constructed on the lands of Jabal al-Mukabber. As a result, the only entrance to al-Sheikh Sa'd will be closed.

Israeli authorities have promised to build a gate to al-Sheikh Sa'd, which will be controlled by border police units, and to the south, the Wall will be constructed on the lands of Sour Baher. Controlling the movement of people through the western gate would affect hundreds of the village residents, especially students studying in the Jabal al-Mukabber schools, as they hold Israeli identity cards and are entitled to the rights and services provided by the Jerusalem Municipality. As for the village students holding Palestinian identity cards, most of them attend village schools, except for secondary-stage and university students, who must cross the gate, a procedure which normally depends on the mood of the soldiers at the gate. If a student or a patient makes it



*The road between al-Sheikh Sa'd and Jabal al-Mukabber. The Wall will be built here, where it will block the entrance to al-Sheikh Sa'd.*

through the gate, s/he will not find any means of transport to take them to their destination, since the Israeli occupying forces penalise any driver transporting those holding Palestinian identity cards.

Mas'oud Husein Muhammad Mashahra, born 15 December 1959, is a resident of al-Sheikh Sa'd who holds an Israeli identity card through family reunification following his marriage to his cousin from Jabal al-Mukabber. At the beginning of 2004, Mas'oud and his nephew were on the way back from al-Maqased Hospital, where his brother had passed away in the middle of the night. On their way back they were stopped by a border police car at the entrance to Jabal al-Mukabber. Upon checking their identity cards, the soldiers realised that the young man with Mas'oud held a Palestinian identity card. The two men were led to a nearby police station where the police severely reprimanded Mas'oud for transporting a West Bank Palestinian. Mas'oud explained that the young man was his nephew, and that they had been to see his nephew's father at the hospital where he had just passed away. The border police responded that according to the law he was not allowed to transport anyone holding a Palestinian identity card, even if he was "your son, your father, or your wife." After a long argument, the border police made do with Mas'oud's signature on a bail of NIS 5,000, payable should he transport anyone holding a Palestinian identity card.

This Wall deprived Palestinians from working inside Israel and obtaining medical services, as there is only one basic medical clinic in al-Sheikh Sa'd which offers basic services to the residents three days a week. For serious medical cases, residents must go to al-Maqased Hospital or to hospitals in Bethlehem or Ramallah. Reaching any of these cities is presently impossible. Bassam 'Umar Mansour, born on 15 September 1967, said,

I discovered that I had kidney failure on 18 June 2003, so I had to see my doctors three times a week at al-Maqased Hospital at the Mount of Olives in Jerusalem, a 15-minutes drive away from where I live. This has created several problems for me; if I made it through the gate of al-Sheikh Sa'd blocked by dirt mounds, I would not find anybody to take me to al-Maqased. One of my brothers who resides in Jabal al-Mukabber and holds a blue Israeli identity card, while I hold an orange Palestinian identity card, used to take me in his private car. Each time we wanted to go to the hospital, we would stay in touch all through the way with one of the cab drivers working on the town route by means of a mobile so as to know where the border police units were stationed. In some cases we were in communication with more than one driver. Whenever border police patrols happened to be there, we had to wait until they left. Several times I returned home after waiting for several hours without being able to reach the hospital.

I remember that on one of those days I had barely crossed the dirt mound at al-Sheikh Sa'd when I was stopped by the border police unit stationed there. One of them asked me to show my identity card. The moment he saw it was orange he assailed me with expressions of ridicule, "Where are you going?" I responded, "To the hospital." He asked, "What's up? Are all the residents of al-Sheikh Sa'd sick?" I responded, "But I have kidney failure." He replied, "Call an ambulance and I'll allow you to cross." I said, "The ambulance would cost me NIS 250." He responded, "I'm here to stop anyone of you from leaving." I stated, "But you have instructions to facilitate crossings for humanitarian cases, and as you can see, I am such a case." He replied, "But I've already told you; all al-Sheikh Sa'd are humanitarian cases." That day I returned home and did not try to cross again as the border police unit remained there all day.

This situation continued until 16 June 2004, where I would go to hospital whenever the circumstances allowed it. Three months ago, I underwent a kidney transplant operation in Jordan. I returned home, bringing with me medical reports on my state of health as I was required to regularly follow up at the Augusta Victoria Hospital at the Mount of Olives in Jerusalem. I went to the Israeli Civil Administration in Abu-Dis to get a permit that would allow me to enter Jerusalem for my medical follow-up at the hospital. I got a six-month permit valid for Jerusalem only.

Border police units were stationed at the only exit of al-Sheikh Sa'd throughout the month of Ramadan last year, especially after breakfast, the time preferred by family members to

exchange visits. The unit was also present during the three days of al-Fitr feast and also through al-adha feast, when they banned the residents from leaving the town.

These practices reflect the Israeli intention of tearing apart the social unity of the Palestinian family; I, as an example, carry a Palestinian identity card while my brother, who lives in Sour Baher, holds an Israeli identity card and so does my other brother, while my father carries a Palestinian identity card. My wife holds a Palestinian identity card, whereas her mother and one of her brothers hold an Israeli identity card. Hence she finds it difficult to socially interact with them. They can easily pay her a visit, but she cannot share with them their social life.

As for Um Shadi, she describes her situation,

I am a Palestinian woman who lives in al-Sheikh Sa'd. I and all members of my family - my husband, four girls and two boys - hold Palestinian identity cards. The girls find it difficult to go to their secondary schools in Jabal al-Mukabber. As for my husband, for the last two years he has been unable to find a job in Israel.

My two sons, aged 18 and 20, are mentally retarded. They must daily go to a special education school in the town of Beit Safafa, a suburb of Jerusalem. The school car comes to take them from the dirt mound to school. One day while the three of us were waiting outside the dirt mound, a border police unit patrol car arrives and immediately asks for my identity card. I hand it to him, and upon seeing that it was orange, he told me, "I will fine you. Next time you wait on the other side of the mound." After several young men and residents who happened to be there intervened, he let me go back to al-Sheikh Sa'd along with my sons. Before the dirt mounds were piled at the gate, the car used to come to the doorstep of our house to take the two boys to and from school. For the last two years it has been my task to take them to the town entrance and to await their return. It is so unbelievably difficult to walk with two mentally retarded young men, one of whom gets apoplectic and has epileptic seizures.

Majdoline Mashahra, a young woman who teaches at al-Nizamiyya School in Beit Hanina, north of Jerusalem says,

For the last two years I have been unable to get to school before 10:00, although I wake up at 6:00. I cannot leave through the town's only exit at the west because I will not find any means of transport to convey me to Jerusalem. Should I find transport from Jabal al-Mukabber to Jerusalem, I will not be able to find it to take me from the city centre to Beit Hanina, because the first question that a driver asks is about the passengers' identity cards. I will not be able to conceal my identity from the driver because if there is a flying checkpoint erected by the border police or the Israeli occupying forces, I will subject the driver to legal accountability that he can do without. The driver will be fined a minimum of NIS 5,000, his car will be expropriated for a period of two months, and he may be detained. Further, I will be held legally accountable as I have signed a bail of NIS 5,000 payable should I be caught in Jerusalem.

In the last few months things got really bad; I felt so helpless that I have been forced to take a dirt route full of ruts and potholes not even fit for animals. I take the route following a deep ravine in all weather conditions trudging through the ravine and up the hills for about an hour until I reach east of al-Sawahra, where I take a car to Abu-Dis in the direction of the Jerusalem gate in the Wall at Abu-Dis, where I climb through if the border police patrol cars are not there. If they happen to be there, I am forced to wait until they leave. After I get through the Wall, I take a bus which is frequently stopped by border police patrols.

If the Wall's construction is completed from the western side of Abu-Dis and al-'Eizariyya, and the "al-Shayya area" follows the same way the completed sections of the Wall in Abu-Dis were built at the Abu-Dis junction, I will not be able to reach Jerusalem except through Qalandiya checkpoint to the north of Jerusalem.

I need two hours to be able to reach my students at the school. If I do reach them, I am normally in a very bad psychological state. Each day, I feel like a runaway mouse that has to escape the border police cats surrounding the area.

To date, the Israeli High Court of Justice is looking considering petitions from the residents of al-Sheikh Sa'd related to the route of the Annexation Wall, and consequently its construction has been suspended for the last two months.