



## The Israeli Supreme Court Gives the Green Light to Begin Building the Separation Wall in the Cremisan Valley

The Israeli Supreme Court issued a decision on Monday, the 6<sup>th</sup> of July 2015, giving the Israeli Ministry of Defense the green light to begin building the separation wall in the Cremisan Valley in Beit Jala. This ruling limits the effect of the Court's previous decision to stop building the separation wall in Cremisan, whereby the decision to stop building the wall will only be limited to the surroundings of the Salesian Sister's Convents, represented by the Society of St. Yves, and the Salesian Monk's Monastery, represented by Adv. Nihad Irsheid as well as the church's private land. The decision ruled that the Israeli authorities will initiate building the wall on the privately owned lands of the people of Beit Jala; thereby leaving-out only a small section, hundreds of meters in length and adjacent to the Salesian monasteries and their land.

The Court's decision comes after the Israeli Ministry of Defense sent correspondence to the petitioners late in April. The notification addressed their intention to initiate building the eastern section of the planned route of the wall, which would be placed on the lands owned by the people of Beit Jala. The Ministry of Defense claimed that the Court's decision from last April did not annul the planned route; it has only requested maintaining the geographical connection between the Salesian Convent and Monastery as well as the connection of the Monasteries with the local community and their access to them. In other words, the Ministry of Defense has limited the cessation of the building of the wall to the area surrounding the Monasteries and their lands.

Following that correspondence, adv. Ghiath Nasser who represents the Beit Jala Municipality and the land owners, submitted an application to the Supreme Court alleging the contempt of the Court's decision and requesting issuing an injunction order. He further pointed that the Ministry of Defense's plans are contempt to the Court and its decision. St. Yves and the other petitioners joint the request and supported it. However in its decision last Monday, the Israeli Supreme Court affirmed the position of the Ministry of Defense and thereby rejected the petitioner's request. The Court further affirmed that building that section of the wall does not contradict the Court's decision as the central point in its previous decision was the section adjacent to the Monasteries.

Last April, the Israeli Supreme Court issued a final decision rejecting the planned route of the wall in the Cremisan Valley. The Court indicated that the route suggested by Israeli Ministry of Defense greatly harms and violates the rights of both the local community and the Monasteries. The Court demanded the Israeli Ministry of Defense to put forward new alternatives which would reduce the damage caused by building the wall. The judges further stressed the importance of having the Monasteries on the Palestinian side of the wall and maintaining the geographical connection between the Monasteries and the communities they serve.



St. Yves condemns the Supreme Court's decision issued last Monday, which adopts the position of the Israeli Ministry of Defense and gives the green light to building the wall according to the initial plans. St. Yves stresses that the Court's decision will create facts on the ground that will cause severe damage to the Monasteries, the locals and the land owners in the Cremisan Valley. This completely opposes the Court's request in its previous decision to consider alternatives that would be less harmful. Moreover, St. Yves reaffirms its position on the illegality of the wall under international law as provided for in the advisory opinion of the International Court of Justice, and warns that building the wall severely violates the basic rights and freedoms of Palestinians.

Adv. Ghiath Nasser, who represents the Municipality and people of Beit Jala, pointed that the recent decision by the Israeli Supreme Court will not be the end of the legal battle against the wall in the Cremisan Valley. He indicated that the Court did not make a final decision on the claims of the people of Beit Jala regarding the massive damage that building the wall on their lands will cause. Adv. Nasser intends to submit a new petition to the Israel Supreme Court in the few coming days requesting for considering the claims of his clients and making a final decision on the matter.

For further information, please contact:

**Rafat Sub Laban**

Legal Research and Advocacy Officer

advocacy@saintyves.org

02 626 4662