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Press Release: Salhiah Family to Bring Home Destruction Complaint to International Criminal Court





Israeli forces stand guard as machinery clean the ruins of the Palestinian Salhiya family's house, in the Sheikh Jarrah neighborhood on Wednesday. Credit: AHMAD GHARABLI - AFP

(JERUSALEM, LONDON) The Palestinian Salhiah Family of Sheikh Jarrah were Seeking Justice at the International Criminal Court when their home was destroyed by Israeli Forces.

The Salhiah family of Sheikh Jarrah, East Jerusalem, are clients of Bindmans Solicitors. The London law firm were instructed to act on their behalf in October 2021. Their property has been threatened with expropriation for years by the Israeli authorities. The Salhiah case made headlines last week when the family were beaten, arrested and thrown into detention, their house demolished. Their case is one of several East Jerusalem cases to be brought to the International Criminal Court by Bindmans Solicitors partnering with the International Centre of Justice for Palestinians (ICJP), London.

East Jerusalem is illegally occupied under international law. The 'extensive destruction and appropriation of property, not justified by military necessity and carried out

unlawfully and wantonly,' amounts to a grave breach of the 1949 Geneva Conventions and is considered a war crime according to the 1998 Rome Statute of the International Criminal Court.

New avenues for legal address have opened in recent years for families like the Salhiah family. In 2019, the International Criminal Court Prosecutor announced the opening of an investigation respecting the situation in Palestine covering crimes committed since June 2014, within the jurisdiction of the court. In 2021, the Pre-trial Chamber of the ICC concluded that the court's territorial jurisdiction extends to the territories occupied by Israel since 1967 (Gaza, West Bank, including East Jerusalem).

Threatened property expropriations in the Sheikh Jarrah neighbourhood lay at the heart of Palestinian resistance last year. After sustained provocations and attacks by Israeli forces in May 2021, violence broke out between Hamas and Israel, lasting eleven days. Israeli forces killed 261 Palestinians in Gaza, the vast majority of whom were civilians, and injured over 2,200, while tens of thousands were internally displaced.

The Salhiah home houses over 20 family members, and is situated on over six dunums (6,000 square metres) of land, which the family claim ownership for several decades. Mahmoud Salhiah, threatened to self-immolate rather than leave his house, and slept next to a gas canister on his roof in an attempt to stave off eviction. When Israeli forces arrived in the early hours of 18, January 2022, he remained in his home with his family and supporters. The soldiers reportedly assaulted members of the family, including children. Several family members were arrested and detained.

Repeated attempts to seek justice through the Israeli courts have not been successful. The Israeli authorities claim the site will be used for building of a public school although plans for a school are considered dubious. The Salhiah lawyer points to

other areas of municipal land where schools could be built, some of which, as the Israeli organisation Peace Now points out, have been appropriated for similar reasons, but then turned over to ultra-Orthodox settlers. Palestinians in East Jerusalem are familiar with the Israeli authorities using false pretexts to take Palestinian land, which is later transferred into private ownership for exclusive Jewish use.

In early 2021, two prominent human rights organisations, B'Tselem and Human Rights Watch, concluded that Israel was committing the crime against humanity of apartheid and persecution. In October 2021, the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 reported that in recent years the occupation – ‘always repressive, always acquisitive [...] has been metastasizing into something much harsher and more entrenched; the permanent alien rule of one people over another, encased in a two-tiered system of unequal laws and political rights.’ The Salhiah family may have been released from Israeli detention, but their home has been destroyed.

Bindmans’ partner, Tayab Ali, will be speaking to the Salhiah family next week in order to finalise details to send to the ICC.

ICJP Director, Crispin Blunt MP, said:

‘The Sheikh Jarrah case is already notorious. ICJP is proud and privileged to stand alongside this family as they represent not just their own interests, but the century of historic injustice meted out to the Palestinian people individually and collectively. For Israel’s sake, for all Palestinians and for humanity’s sake the Sheikh Jarrah case needs to be a turning point where justice and our common humanity starts to count for more than people’s insecurities driven by fear. Given that what has happened is wrong on any moral basis let us find the route to justice for all our sakes. ICJP stands with the victims against violence and fear. Stand with us for justice and the best of our shared interest in a just peace and the rule of a just law.’

Burqa Village: Where Palestinians Seek to Enforce an Israeli High Court Order and are Met with State Sanctioned Violence



The International Centre of Justice for Palestinians

info@icjpalestine.com

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a not for profit company registered at
Companies House under number: 13054048

Registered address: Office 4, 219 Kensington High
Street, Kensington, London, W8 6ED

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