Attorney general warned cabinet against forcibly demolishing Bedouin village

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Ahead of the cabinet’s decision Sunday to delay the demolition of a West Bank Bedouin village, Attorney General Avichai Mandelblit warned ministers that a forced evacuation of Khan al-Ahmar could compromise the Israeli position vis-a-vis Palestinian claims against the Jewish state at the International Criminal Court, according to a television report on Sunday night.

Ministers at the Sunday meeting told the Kan public broadcaster that Mandelblit highlighted the legal implications and urged the cabinet members to ensure that Israel exhausts all options to reach a voluntary clearing of the hamlet, whose fate has drawn international scrutiny.

The attorney general’s office would neither confirm nor deny Mandelblit’s reported comments, the report said.

The sources also noted that Prime Minister Benjamin Netanyahu told ministers several times to make every effort to prevent a demolition of the village by force.

Netanyahu also reportedly told the cabinet that delaying the razing is necessary in order to complete political and international preparations, on the chance there is no alternative but to forcibly evacuate the hamlet.

Education Minister Naftali Bennett and Justice Minister Ayelet Shaked of the coalition’s Jewish Home party were the lone votes against the proposal submitted by Netanyahu to delay the evacuation by several more weeks.

Defense Minister Avigdor Liberman on Sunday night also confirmed that the attorney general’s intervention prompted ministers to vote to postpone the demolition.

He said that while the government should still try to secure a voluntary evacuation, and despite the agreed-upon delay, a decision has now been taken to demolish Khan al-Ahmar and there will be no going back.

“The government must try to exhaust another attempt at voluntary evacuation, but the moment the cabinet decided that Khan al-Ahmar will be evacuated, this is a process that is irreversible,” he said while speaking at the Jerusalem Institute for Strategic Studies after the cabinet meeting.

Liberman criticized Bennett and Shaked for voting against Netanyahu’s proposal to delay the demolition.

“I do not think we should be constantly against the prime minister… Sometimes you have to be flexible, rather than turning everything into an internal struggle, a struggle within the camp and an effort to earn a few more votes,” he said.

In May, the High Court of Justice allowed the state to move forward with its plans to demolish Khan al-Ahmar, which was established illegally without building permits.

Attorneys representing the villagers filed several appeals, attempting to cancel or at least delay the razing. Last month, the High Court rejected a final appeal from Khan al-Ahmar residents, and authorities have since been preparing to flatten the hamlet and transfer the residents several miles east near the Palestinian town of Abu Dis, in a move that has drawn international condemnation of Israel.

A more recent proposal under consideration is reportedly a suggestion to move the village away from the Route 1 highway by some 500-1,000 meters northwestward, away from the dangerous road and lands claimed by the nearby settlement of Kfar Adumim and onto plots of land owned by the Palestinian village of Anata. Israeli authorities have long argued that the village’s proximity to the highway was a safety threat both to the highway and to the villagers.

The idea of moving the hamlet several hundred meters away, including to the Anata-owned plots, was first raised by the residents of Khan al-Ahmar themselves some three years ago, then again six months ago. Each time, Israeli officials ignored the suggestion.

A new willingness to consider the idea may stem from mounting diplomatic pressure from European and other foreign governments, as well as a veiled warning last week from International Criminal Court prosecutor Fatou Bensouda, who said she was paying close attention to the issue and that transferring protected populations in an occupied area amounted to a war crime.