



**State of Israel
Ministry of Justice**

Office of the Deputy Attorney General (International Law)

Date: 14 Tishrei, 5778

October 4, 2017

Dear Sir/Madam,

Re: Joint Appeal Concerning Khan al Ahmar

We received your enquiry regarding the above matter and we would like to address your concerns.

The Khan El Ahmar compound was initially composed of three structures build in 2009 towards the schooling of children, on State property without building permits. Accordingly, destruction orders were issued against these illegal structures. Note that the compound is located in a designated area, that has an approved plan for erecting a main road, aimed at improving the transportation for the local population, and that the construction of the road was already completed.

Currently, there are two relevant petitions pending before the Supreme Court in this regard – one demanding the executing of the destruction order and the other, to refrain from executing that order. (H.C.J. 3287/16 *Kfar Adumim et. al. v. Minister of Defense et. al.*; H.C.J. 2242/17 *Gihalin et. al. v. Minister of Defense et. al.*).

These petitions follow several previous petitions, filed since 2009. The Supreme Court held that there is no reason to refrain from conducting the enforcement procedures with regards to illegal construction. In the course of the discussions in two further 2011 petitions, the State announced that the Minister of Defense decided that the school will be moved to another location, at least temporarily, for the children to study, and the residents' representatives indicated their willingness to relocate to a

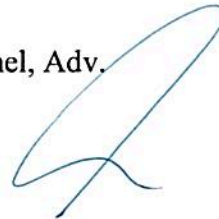
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nearby location. In 2013 another petition was also repelled as the Court stated that there was no flaw in the States' conduct.

At present, a new location was found for a substitute school suitable for 150 pupils, as well as for the houses in the schooling structures' surrounding, at a location roughly 7 kilometers from Khan El Ahmar, to be completed by **April 2018**. Also, the residents will be able to apply to the planning institution with requests for construction permits in the alternative site (state property) and to construct their houses legally and an effort will be made to prioritize the approval of the permits. A constant dialogue is being conducted between the parties in order to best promote the process. Following the completion of the school, the destruction orders will be executed.

Yours Sincerely,

Alisa Gannel, Adv.



Cc: Hila Tene-Gilad, Adv. Here.