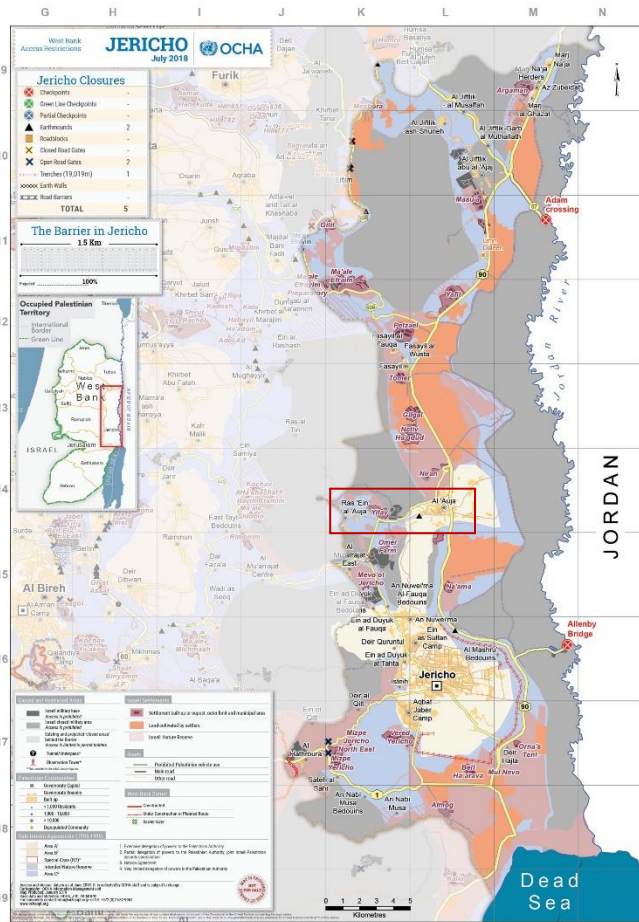


Urgent Appeal

for Diplomatic Pressure in Saving Al Auja “Waterfalls” Secondary School

November 11, 2020: Situated along the rugged terrain of the Jordan Valley’s seasonal rainwater streams, the Bedouin community of Al Auja (home to 656 individuals and 212 school-aged children, of whom only 140 attend school), sought to mitigate increasing drop-out rates among older school-aged children having outgrown primary classes available within the community. For children requiring secondary education, had to walk several kilometers a day along unsecured roads under harsh weather to access overcrowded schools in other communities. Such prompted many children, to forfeit their secondary education (with boys entering the workforce and girls going into early marriage instead). An outcome, girls in the community were more prone to, due to family pressure and concern over their physical wellbeing when faced with lengthy treks to school. Moreover, with the heightened risks and precautionary measures posed by the recent pandemic, maintaining this community school will allow for needed in-class social distancing, limited community exposure, and continuous education in the aftermath of last school year’s academic disruptions (given the community’s inability to afford on-line education or any other alternative means).



Valuing their children’s education, the community (along with several local and international organizations) secured needed funding and approval (from Al Auja Municipality/ Awqaf Department regarding the land’s use and from the Ministry of Education & Higher Education for the establishment of the school) to erect a secondary school on Islamic waqf lands within the community. The school (a series of metal portacabins embedded on a concrete poured flooring) was swiftly erected, finalized the eve of September 19, 2020, and made operable for the 113 registered students

(from Al Auja and other adjacent Bedouin communities) to attend as scheduled on September 20th. However, on what was intended to be the first day of school (September 20th), the Israeli Civil Administration along with Israeli military forces stormed the school and informed the principal and teachers orally of their intention to later dismantle and confiscate the school. No formal notice, to this affect, however was provided. Students officially began classes on the 21st, with the ICA and Israeli army remaining physically present in the vicinity throughout the first school week.

Immediately upon being informed by the school of the ICA's/military's verbal notification of the school's eminent confiscation on September 20th, JLAC (the Jerusalem Legal Aid & Human Rights Center) launched a petition that same day as a preemptive measure. On the spot, the High Court awarded JLAC an injunction temporarily freezing any confiscation until the case is reviewed. JLAC also went on to submit a building permit on October 16th as a means of initiating administrative processing therein.

However, the State Attorney requested that the judge cancel the petition arguing that it was "premature" and lacked administrative processes (i.e. a formal format administrative decision such as a stop work order); and therefore, since a formal administrative order or decision was not issued there was nothing to be attacked in court. The State Attorney's "premature petition" argument was also followed with claims that the ICA has the authority to confiscate the school without previous notification since the school can be considered a "mobile structure" (i.e. implementing article 60 of Military Order no. 1651 of 2009 pertaining to the confiscation of moveable structures). It was highly probable that the ICA would activate its authority and confiscate/demolish the school's structures immediately and without prior notification, if the injunction order was indeed canceled.

While anticipating the court's ruling in regards to the alleged "premature" nature of our petition and the other preliminary arguments raised by the State Attorney; JLAC was fearful that the petition would be dismissed and that the school would be subject to immediate confiscation without due process. Ultimately returning the community back to square one. The court, however did not comply with the State Attorney's request and rather opened the case to a panel of three judges (as is the practice when deciding in a new principle). The judges may in fact decide to refer the case to the Israeli Civil Administration for processing our submitted permit application (subjecting the school to the regular procedure, allowing JLAC the necessary time to provide long-term protection), but there are no guarantees. JLAC is still awaiting the result of this deliberation and notification of any upcoming sessions.

Garnering support/diplomatic pressure continues to be essential at this time as the deliberation could go either way and the current legal protection is only temporary and is not guaranteed. We appeal to you to exert any possible diplomatic pressure available to you in saving Al Auja Secondary School and the right to education of the 113 students it currently services and the thousands of students yet to come.