

Disclaimer: The following is a non-binding translation of the original Hebrew document. It is provided by **HaMoked: Center for the Defence of the Individual** for information purposes only. The original Hebrew prevails in any case of discrepancy. While every effort has been made to ensure its accuracy, **HaMoked** is not liable for the proper and complete translation nor does it accept any liability for the use of, reliance on, or for any errors or misunderstandings that may derive from the English translation. **For queries about the translation please contact site@hamoked.org.il**

Emblem

Israel Military Legal Advice and Legislation Legal Advice for the Home Front Command Tel: 9784244 Fax: Kislev November 2015	Defense Advocate and Legislation Department 08- 08-9784134 14 26	Forces General Command 5776
--	---	--------------------------------------

To
Advocate Andre Rosenthal
(Fax: 02-6221148)

Re: **Objection against the intention to seize and demolish – the home of the perpetrator _____ Abu Jamal (ID No. _____)**

Reference: yours dated November 4, 2015 (received on November 5, 2015); Letter of military assistant to GOC Home Front Command dated November 2, 2015

1. I hereby confirm receipt of your above referenced letter dated November 4, 2015, concerning an objection submitted on behalf of the family of _____ Abu Jamal (ID No. _____)(hereinafter: the **perpetrator**) against the intention to seize and seal the ground floor of a three story building in Jabel Mukaber neighborhood, East Jerusalem (waypoint _____)(hereinafter: the **perpetrator's apartment**) in which the perpetrator lived. After the objection was brought before the GOC Home Front Command of the Israel Defense Forces (hereinafter: the **Home Front Command**), please be informed of his decision in the above captioned matter.
2. We shall firstly say that following his review of the arguments specified in your above referenced letter, the GOC Home Front Command decided to deny the objection of your clients. The following is the detailed position of the military commander concerning the arguments specified in your letter.
3. An examination of the arguments raised in your above referenced letter by the relevant competent authorities indicates as follows:
 - A. On October 13, 2015, a few hours after the execution of the attack by the perpetrator as specified in the letter of the military assistant to the GOC Home Front Command dated November 2, 2015, referenced above, the security agencies visited the apartment of the perpetrator after it was identified by a neighbor as the residence of the perpetrator and his family (hereinafter: the **perpetrator's apartment**).
 - B. In this visit, pictures of the perpetrator and his family and an excellence certificate from the perpetrator's work place (Bezeq) were found hanging on the walls of

perpetrator's apartment. In addition a health fund card of the perpetrator's son was found in the apartment as well as boxes of "Bezeq" equipment and pay slips of the perpetrator.

- C. On October 15, 2015, two days after the execution of the attack, in a questioning held for the perpetrator's brother by the security agencies, the brother gave the security agencies a different version than the one which was given by the neighbor according to which the perpetrator and his family lived in a separate one-story structure adjacent to the perpetrator's apartment (hereinafter: the **separate structure**) – a structure against which a demolition order has been pending since 1995.
 - D. As a result of the findings of said questioning, on October 19, 2015, IDF representatives visited the separate structure. In said visit a picture of the perpetrator was found hanging on the wall of the separate structure near the entrance to the structure, two – three beds were found in the bedroom and an electronic equipment box was found in the living room. Other than that, the structure was empty and vacant of any equipment and furniture.
 - E. Following the above visit of IDF representatives dated October 19, 2015, and in view of the version given to the security agencies by the perpetrator's brother as aforesaid, the GOC Home Front Command gave notice of an intention to demolish and thereafter he issued an order for the seizure and demolition of the separate structure.
 - F. However, shortly after said order was issued as aforesaid, new information was received by the security agencies according to which the perpetrator and his family lived in the perpetrator's apartment rather than in the separate structure referred to by the perpetrator's brother in the questioning (as specified in sub-paragraph C above), as indicated by the neighbor to be the residence of the perpetrator and his family and according to the findings of the visit conducted by the security agencies in the perpetrator's apartment (as described in sub-paragraph A above).
 - G. An examination conducted by the security agencies revealed that the separate structure was built without a building permit, and is the subject of a demolition order which was issued in 1997 by a judicial instance.
 - H. In view of the above information, and in view of the findings of the visit conducted by the security agencies in the perpetrator's apartment as aforesaid, on October 27, 2015, another visit in the perpetrator's apartment and in the separate structure was conducted by IDF representatives and security agencies. In this visit it was found that the pictures of the perpetrator's family and the excellence certificate were removed from the perpetrator's apartment and were found hanging on the walls of the separate structure, as opposed to the findings of the first visit in the separate structure (as specified in sub-paragraph D above).
4. The entire circumstances described above indicate that despite the objection letter and the description included therein concerning the above items and their location in the perpetrator's apartment a few hours after the execution of the attack, the entire circumstances indicate that the perpetrator and his family lived in the perpetrator's apartment rather than in the separate structure as alleged by the brother. It also appears that the perpetrator's family has ostensibly made a false representation to the security agencies concerning the residence of the perpetrator and his family apparently against the backdrop of what is described in sub-paragraph 3(g) above.

