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Additional Background Information on the "Tent of Nations" Case

(Communicated by COGAT on May 29th, 2014)

The "Tent of Nations" case concerns two separate plots of land in Area C [Note: According to the Interim Accords between Israel and the Palestinian Authority, Area C is under full Israeli administrative control.]

- A. One plot is entirely on public land. This plot is where the trees were removed last week (see 1 and 2 below).
- B. Another plot is partly on public land and partly on private land. On this plot buildings comprising an outpost were constructed without the required building permits. A legal proceeding is ongoing concerning this plot (see 3 below).

Aerial photographs over the years:

A series of aerial photographs taken between 1990 and 2013 (in 1990, 1999, 2004, 2006, 2007 and 2013) contain the following information:

- a) The area marked in green in the photographs shows the plot which is the public land on which the trees were illegally planted.
- b) The area tinted blue in the 2013 photo shows all the surrounding public land.
- c) Trees were removed only from public land while the trees on private land were untouched.
- d) The series of photos show that over the years, until 2006, the area was completely uncultivated.
- e) Beginning in 2006, terraces were constructed. Starting in 2007 (a process that continued through 2013), the trees were planted.
- f) A count of the trees in the aerial photographs reveals that only about 300 were uprooted and not the 500 or 1,500 that is being claimed.

The decision of the Appeals Committee concerning the plot on which trees were planted:

The December 2012 decision states clearly that the encroachers did not succeed in proving their claims of ownership in the Appeals Committee and therefore their petition was rejected, making it possible to remove the trees. As noted, this plot is designated public land.



The Supreme Court's response concerning the outpost:

- g) The petition to the Supreme Court, sitting as the High Court of Justice, refers to the 2006 case of the "Tent of Nations" outpost buildings. [The petition makes no reference to the matter of the trees.]
- h) As stated in the 2012 High Court decision, it was decided to cancel the petition with the consent of both parties. This was to allow the appellant time to legalize his construction.
- i) Since the legal process has not been completed, Israel is not evacuating the outpost buildings.