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Judea and Samaria Area Legal Advisor's Office P.O.Box 5, Beit El 90631 Tel: 02-9977071/711 02-9977326 Fax: 363/00 **Temporary** Heshvan 6 5775 October 19 2015

By fax: 03-6244387

To Advocate Gabi Laski

Dear Colleague,

Re: Objection against the intention of the Military Commander to take measures for the seizure and demolition of the residential apartments in which

lived Haj Hamed, ID No.

Reference: your letter in file 6/12 dated October 17, 2015

- 1. The above referenced objection is made on behalf of Mr. _____ Haj Hamed, ID No. _____ (who resides on the ground floor of a building designated for demolition), and other tenants who reside in buildings located near the residential building in which the residential apartments of the terrorist _____ Haj Hamed, ID No. _____ are located, in Rujeib, Nablus.
- 2. We would like to begin by saying that there is no intention to take measures for the demolition of the residential apartment of your client, Mr. Abdallah Haj Hamed, which is located on the ground floor of the building in which the terrorist lived. We apologize for the typographical error which occurred in the Arabic version of the notice.
- 3. The intention of the military commander is to take measures for the seizure and demolition of the apartments which were used by the terrorist and his nuclear family members, namely, the apartments on the first and second floors (above the ground floor) only.
- 4. According to the objection, your clients are concerned that as a result of the demolition indirect or ancillary damage may be caused to the neighboring apartments as well as to the neighboring buildings.
- 5. In this context it should be noted that the apartments' demolition plan was prepared by professionals on behalf of the military commander, who are qualified engineers, following an exact mapping of the apartments, taking into consideration their engineering traits and location. The professional method which was examined and selected by the professionals for the execution of the decision of the military commander is the method, which in the opinion of the engineering professional would enable to carry

out the decision of the military commander taking into consideration the need to avoid, to the maximum extent possible, damage to neighboring structures or parts of the structure which are not designated for demolition, namely, the lower and upper floors of the structure.

- 6. In addition we would like to emphasize that the entire demolition process would be accompanied by a military engineer who would ensure that the demolition is executed according to the professional opinion.
- 7. As noted above, there has never been any intention to take measures for the seizure and demolition of the residential apartment of your client which is located on the ground floor. In addition, in the framework of the engineering plan which was prepared by the authorized engineer, the need to execute the demolition while limiting the damage to nearby buildings was taken into account. Hence, the military commander did not find reason to accept the objection of your client who resides on the ground floor as well as the objection of the tenants of the nearby buildings.
- 8. In view of the above, the attached seizure and demolition order is hereby delivered which pertains solely to the apartments in which the terrorist lived, which are located on the first and second floors (above the ground floor) of the above referenced building.
- 9. It should be emphasized that the enforcement of this order will not commence before the elapse of 48 hours from its delivery.

Very truly yours,

(Signed)

Sandra Beit-On Ofinkero, Major Head of Division Infrastructure and Seam Zone On behalf of the Legal Advisor