

Turkey's fallout with Israel deals blow to settlers

Ottoman archives show land deeds forged

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A legal battle being waged by Palestinian families to stop the takeover of their neighbourhood in East Jerusalem by Jewish settlers has received a major fillip from the recent souring of relations between Israel and Turkey.

After the Israeli army's assault on the Gaza Strip in January, lawyers for the families were given access to Ottoman land registry archives in Ankara for the first time, providing what they say is proof that title deeds produced by the settlers are forged.

On Monday, Palestinian lawyers presented the Ottoman documents to an Israeli court, which is expected to assess their validity over the next few weeks. The lawyers hope that proceedings to evict about 500 residents from Sheikh Jarrah will be halted.

The families' unprecedented access to the Turkish archives may mark a watershed, paving the way for successful appeals by other Palestinians in East Jerusalem and the West Bank caught in legal disputes with settlers and the Israeli government over land ownership.

Interest in the plight of Sheikh Jarrah's residents peaked in November when one couple, Fawziya and Mohammed Khurd, were evicted from their home by an Israeli judge. Mr Khurd, who was chronically ill, died days later.

Meanwhile, Mrs Khurd, 63, has staged a protest by living in a tent on waste ground close to her former home. Israeli police have torn down the tent six times and she is facing a series of fines from the Jerusalem municipality.

The problems facing Mrs Khurd and the other residents derive from legal claims by the Sephardi Jewry Association that it purchased Sheikh Jarrah's land in the 19th century. Settler groups hope to evict all the residents, demolish their homes and build 200 apartments in their place.

The location is considered strategic by settler organisations because it is close to the Old City and its Palestinian holy places.

Unusually, foreign diplomats, including from the United States, have protested, saying eviction of the Palestinian families would undermine the basis of a two-state solution to the Israeli-Palestinian conflict.

The help of the Turkish government has been crucial, however, because Palestine was part of the Ottoman Empire when the land transactions supposedly took place.

Israel and Turkey have been close military and political allies for decades and traditionally Ankara has avoided straining ties by becoming involved in land disputes in the occupied territories. But there appears to have been an about-turn in Turkish government policy since a diplomatic falling-out between the two countries over Israel's recent Gaza operation.

Recep Tayyip Erdogan, Turkey's prime minister, accused his Israeli counterpart, Ehud Olmert, of "lying" and "back-stabbing", reportedly furious that Israel launched its military operation without warning him. At the time of the attack, Turkey was mediating peace negotiations between Israel and Syria.

Days after the fighting ended in Gaza, Mr Erdogan stormed out of a meeting of the World Economic Forum in Switzerland, having accused Shimon Peres, the Israeli president, of "knowing very well how to kill".

According to lawyers acting for the Sheikh Jarrah families, the crisis in relations has translated into a greater openness from Ankara in helping them in their legal battle.

"We have noticed a dramatic change in the atmosphere now when we approach Turkish officials," said Hatem Abu Ahmad, one of Mrs Khurd's lawyers. "Before they did not dare upset Israel and put us off with excuses about why they could not help."

He said the families' lawyers were finally invited to the archives in Ankara in January, after they submitted requests over several months to the Turkish consulate in Jerusalem and the Turkish Embassy in Tel Aviv.

Officials in Turkey traced the documents the lawyers requested and provided affidavits that the settlers' land claims were forged. The search of the Ottoman archives, Mr Abu Ahmad said, had failed to locate any title deeds belonging to a Jewish group for the land in Sheikh Jarrah.

"Turkish officials have also told us that in future they will assist us whenever we need help and that they are ready to trace similar documents relating to other cases," Mr Abu Ahmad said. "They even asked us if there were other documents we were looking for."

That could prove significant as the Jerusalem municipality threatens a new campaign of house demolitions against Palestinians. Last week, Nabil Abu Rudeina, a spokesman for Palestinian President Mahmoud Abbas, called the recent issuing of dozens of demolition orders in Jerusalem "ethnic cleansing".

Palestinian legal groups regularly argue that settlers forge documents in a bid to grab land from private Palestinian owners but have great difficulty proving their case.

Late last year the Associated Press news agency exposed a scam by settlers regarding land on which they have built the Migron outpost, near Ramallah, home to more than 40 Jewish families. The settlers' documents were supposedly signed by the Palestinian owner, Abdel Latif Sumarin, in California in 2004, even though he died in 1961.

The families in Sheikh Jarrah ended up living in their current homes after they were forced to flee from territory that became Israel during the 1948 war. Jordan, which controlled East

Jerusalem until Israel's occupation in 1967, and the United Nations gave the refugees plots on which to build homes.

Mrs Khurd said she would stay in her tent until she received justice.

"My family is originally from Talbiyeh," she said, referring to what has become today one of the wealthiest districts of West Jerusalem. "I am not allowed to go back to the property that is rightfully mine, but these settlers are given my home, which never belonged to them."

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