RIGHT TO DEVELOP

Planning
Palestinian Communities
in East Jerusalem

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Right to Develop: Planning Palestinian Communities in East Jerusalem

DISCLAIMER

ACKNOWLEDGEMENTS

FINANCIAL SUPPORT

EXECUTIVE SUMMARY

Many cities around the world have suffered as a result of conflict or from natural disasters, and many still are. Such events directly impact the lives of people living in these cities, as well as the quality of their living environment. East Jerusalem provides a powerful example of how political conflict, and the Israeli occupation impact the lives and livelihoods of Palestinians living in the city.

Palestinian communities living in East Jerusalem suffer from a planning crisis related to Israel's occupation, which dates back to 1967. This crisis impacts virtually every aspect of Palestinian life in East Jerusalem, whether it is housing; availability and distribution of public or open spaces; mobility and accessibility; or planning sufficient education and health facilities. In addition, Israel's construction of its Separation Wall in and around East Jerusalem in 2002 has made the situation even worse by segregating the Palestinian communities.

In effect, Israel's occupation has led to the creation of two separate spatial realities in East Jerusalem: a *de facto* Israeli spatiality characterized by excessive surveillance and control, where the police and military are ubiquitous, and a de facto Palestinian spatiality characterized by physical fragmentation, environmental degradation, and social disintegration. Every square meter in East Jerusalem is a plot of politics. Nowhere is this more evident than in the case studies of Beit Hanina (Houd Iltabil, Al-Addasseh, and Al-Ashqariya), Silwan (Al-Boustan and Wadi Yassol), Al-Isawiyyah, and At-Tur (khalet Al-A'in), which collectively represent some of the alternative planning initiatives local Palestinian communities are developing and promoting in East Jerusalem in response to plans prepared by the Israeli Jerusalem Municipality (IJM).

The 'Right to Develop: Planning Palestinian Communities in East Jerusalem' provides an overview of the planning praxis of Palestinian communities in East Jerusalem. Planning practice in the context of East Jerusalem is best understood as the set of strategies and policies needed to translate ideas about the right to the city into concrete action. Palestinian communities in East Jerusalem lack a number of planning rights and have little say in official planning consistent with their needs and aspirations. This publication analyzes planning practices utilized by Palestinian communities in East Jerusalem, while devising a set of planning guidelines that can help these communities better defend their planning and building rights. Furthermore, this publication helps to

enhance urban awareness amongst Palestinian communities, while increasing the capacity of Palestinians to better plan their communities. The lessons drawn and the conclusions developed in this publication could also be useful in other fragile environments and politically challenged contexts.

Especially when it comes to planning for Palestinian communities in East Jerusalem, there is a need for greater coordination and cooperation between planning experts, both individuals and organizations, alongside a greater focus on collective community-based planning initiatives buttressed by public-private partnerships. While the fate of Jerusalem as a permanent status issue is subject to the outcome of bilateral negotiations between Israelis and Palestinians, planning for the present remains an urgent priority. This in turn merits a closer look at the urban geography of Jerusalem as an important component of improving planning in the city. In this undertaking, more collective efforts, networking and pooling, strategic interventions, and advocacy measures are needed to assist planning affecting Palestinian communities in East Jerusalem. Likewise, on the technical and procedural levels, more follow-up measures (monitoring mechanism, e.g. demolition orders), baseline assessment, build on planning experience, utilize mixed-scanning approach, localize standards, sustain incremental housing and economic development, increase capacity building, and initiate alternative/community planning are all encouraged to be adopted by the planning community in East Jerusalem.

This publication comes under the ongoing UN-Habitat programmes in East Jerusalem that focus on minimizing prospects for conflict by improving the living conditions and enhancing the livelihoods for urban poor and disadvantaged people. More specifically, the UN-Habitat urban planning support programme to Palestinian communities in East Jerusalem works to support Palestinian communities to secure development and building opportunities and rights through planning, aimed at facilitating the immediate improvement of living conditions, while reducing displacement pressures and securing growth opportunities.
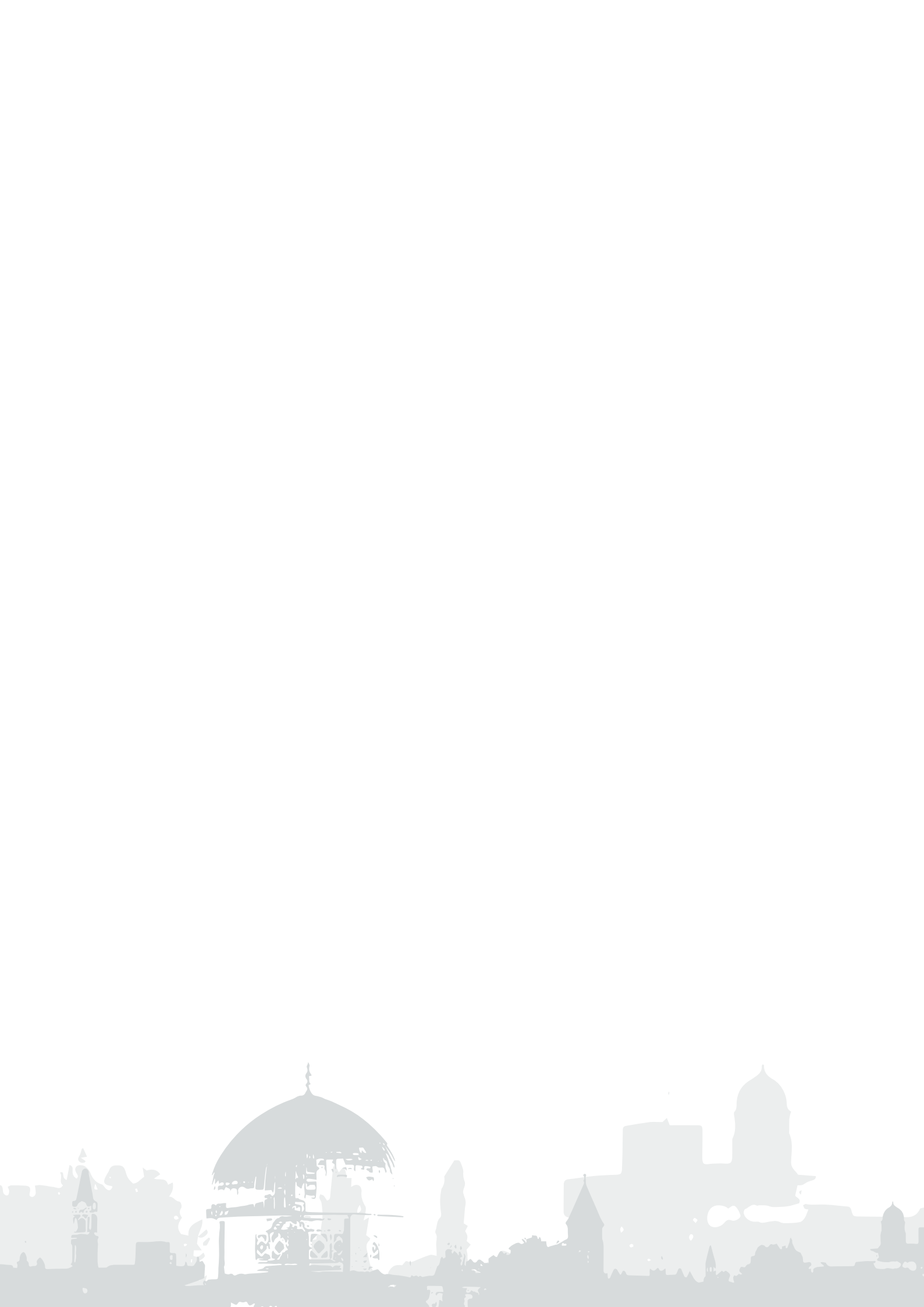
CONTENTS

List of Figures

List of Tables

List of Information Boxes

List of Acronyms and Abbreviations

ACAP: Arab Center for Alternative Planning
CCDPRJ: Civic Coalition for Defending the Palestinians' Rights in Jerusalem
IJM: Israeli Jerusalem Municipality
IPCC: International Peace and Cooperation Center
NGOs: Non-Governmental Organizations
NPA: Nature and Park Authority
oPt: occupied Palestinian territory
PA: Palestinian Authority
UN: United Nations

Glossary of Terms

Dunum: A commonly used unit in Palestine to measure land area. One dunum is equivalent to 1,000 m^2 or a quarter of an acre[1].

Green Area: Areas designated open spaces under Israel's planning and building law in which construction is prohibited.

Green Line: The 1949 Armistice Line agreed between Egypt and Jordan on the one hand, and Israel on the other, following the war of 1948. After signing the Oslo accords in 1995, the Green Line became the internationally recognized border between Israel and the occupied Palestinian territory, which comprises the Gaza Strip, and West Bank, including East Jerusalem.

Parcellation: The division of land into plots for registration and detailed planning. Under Israeli planning and building law, a landowner is entitled to compensation in instances where more than 40% of their land is expropriated for public use.

Planning Area: An area demarcated by a Planning Boundary – also known as a Blue Line – where outline plans apply.

Popular Committee: A local committee made up of local community members who are responsible for initiating or supporting alternative planning proposals for Palestinian communities in East Jerusalem. Popular committees are alternatively referred to as 'community centers', which are generally more formal in character, and acknowledged by the Israeli Jerusalem Municipality.

Tabu: The term is *Turkish*. It refers to the title deed of arable land transferred by the state to local peasants.

Waqf: One of four public categories under the Ottoman Land Code *(Tanzimat)* for the year 1858, along with *'Miri'*, which is the cultivated land; *'Mewat'*, which is the uncultivated land; and *'Metruka'*, which is the land used for public purposes, like roads. *'Waqf'* is the Islamic donation of land and/or property.

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1. This is based on the British Mandate measurements that differ than the processor Ottoman Turks, where1 dunum used to equal 919.3 m^2 (See El-Eini, 2006 – Currency and Measures).

SCOPE OF PUBLICATION

Since 1967, the Israeli government and its various ministries, mainly the Ministry of Interior and the Ministry of Housing, along with a host of national, district and local planning authorities in Israel, including the Israeli Jerusalem Municipality (IJM), as well as several non-state actors, including a number of Non-Governmental Organizations (NGOs), have altered the spatial and demographic settings of Jerusalem. The goal of the government and other actors involved was to secure a Jewish majority[2] and entrench full Israeli control over the city. Spatial planning has played a major role in this. Generally speaking, spatial planning has been used by various Israeli authorities to assert control over the city, through the construction of Israeli settlements, outposts, by-pass roads, and the Separation Wall, all of which are underpinned by a set of discriminatory policies targeting Palestinians that include freezing the registration of land ownership in Jerusalem and its environs.

The publication at hand is not a comprehensive study of spatial planning in East Jerusalem. The purpose of this publication is to document and compare the different planning experiences of Palestinian communities in East Jerusalem, including the initiation of the planning process, the involvement of key stakeholders, examples of community participation, timeframes involved, cost and financing mechanisms, and pragmatic solutions. Such a comparison will enable drawing lessons and best practices that can be utilized to develop planning guidelines for better planning approaches that address the critical shortcomings of the current planning and building system. In addition, this publication is also intended as a tool to support the planning activities of Palestinian residents and professionals involved in spatial planning in East Jerusalem. Towards this end, its chief objectives are:

- To identify the major spatial planning challenges that face Palestinian communities in East Jerusalem, including demystifying the planning regime that exists in East Jerusalem as well as highlighting some of the dilemmas Palestinian communities face when it comes to planning praxis;

- To analyze actual approaches to planning utilized by Palestinian communities in East Jerusalem, in order to achieve a more solid understanding of local planning initiatives and challenges; and

- To suggest strategies and guidelines capable of supporting Palestinian planning initiatives in East Jerusalem, as well as supporting their geo-political goal in respect to the right of self-determination.

This publication thus seeks to provide pragmatic solutions capable of better supporting local-based planning initiatives overseen by Palestinian communities themselves, initiatives which are currently sporadic and lack an overall clear spatial growth agenda. The area this publication focuses on coincides with the existing formal jurisdiction of the IJM (**Figure 1**).

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2. In 1972, the Israeli government adopted the recommendation of the interministerial committee to examine the rate of development in Jerusalem (hereafter: the Gafni Committee) which determined that a "demographic balance of Jews and Arabs must be maintained" that is %74 Jews, %26 Palestinians, for further details, see: Interministerial Committee to the Rate of Development for Jerusalem, Recommendation for a Coordinated and Consolidated Rate of Development (in Hebrew), Jerusalem, August, (1973, P.3), Also, Jerusalem Municipality Population for Jerusalem and Region: Growth and Forecast (Introduction by I. Kimhi, Jerusalem, 1977.) Furthermore, (Table 1) in page 18 shows how this recommendation continued to be adapted by the different planning levels in Jerusalem.

GREEN LINE
JERUSALEM MUNICIPALITY BOUNDARY
JERUSALEM OLD CITY

EAST JERUSALEM
WEST JERUSALEM

N
W   E
S

Lebanon

West Bank

Gaza

Jordan

Egypt

0 10 20 30 40
KM

0   2.5   5
KM
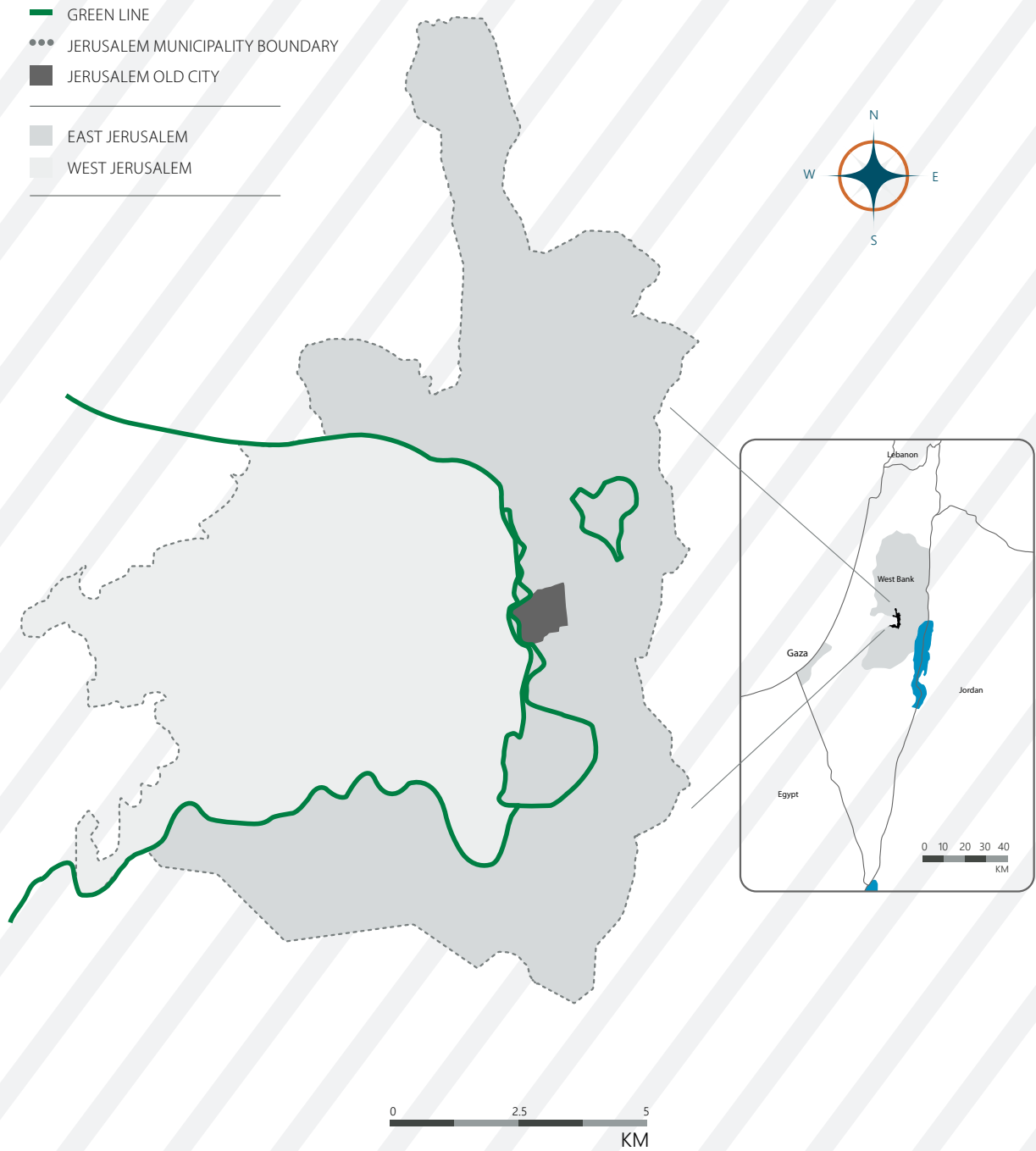
Figure 1: The Israeli Jerusalem Municipality Boundary ,Source: Author, 2014

3. For more information on access restrictions to East Jerusalem, see OCHA report: "The Humanitarian Impact of the West Bank Barrier on Palestinian Communities: East Jerusalem," Update No. 7, June 2007.

PART I: BACKGROUND

Historical Background

The estimated age of old Jerusalem is 5,000 B.C. The city holds special significance for all three monotheistic religions: Judaism, Christianity, and Islam. There are six Christian faiths sharing the church of the Holy Sepulchre in the Old City of Jerusalem, just near the Islamic waqf (property) of Al-Haram Al-Sharif (Nobel Sanctuary) that includes Al-Aqsa Mosque and the golden-topped Dome of the Rock

Palestinian communities and Jerusalem started to decline as Jerusalem was then partitioned into a Western and Eastern part, with Palestinians having access only to the Eastern part. Under Israel's military occupation, the spatial division between nearby Palestinian communities and Jerusalem city has intensified, while their spatial ties have weakened proportional to the increasing obstacles Israel has

Figure 2: A Panoramic View of the Old City of Jerusalem

(Figure 2). Al-Haram al-Sharif is referred to by Jews as 'The Temple Mount', since it is believed to be the site where the ancient Temple once stood. The Old City of Jerusalem constitutes less than 1 km2, yet within its walls can be found over 100 religious institutions as well as religious sites, imparting a sense of Jerusalem's spiritual sanctity (UNCTD, 2013: 40).

For Palestinians, Jerusalem has always been perceived as the heartland of Palestine. The evolution of the city's spatial settings, as well as those of the surrounding region, particularly during modern history, is characterized by its dynamic and continuously changing character. Jerusalem's transformation leading up to the modern period started post the Ottoman epoch (1516-1917), during which nearby Palestinian communities were drawn into Jerusalem and socio-spatial relations between the city and surrounding regions were intense as reflected in socio-cultural and morphological developments. During the British Mandate period (1918-1948), connectivity between nearby Palestinian communities and Jerusalem became weaker, especially during the final days of the Mandate, which witnessed high rates of Jewish immigration to Jerusalem. During the Jordanian Administration (1948-1967), the spatial relations between nearby

placed on Palestinian access to East Jerusalem from the rest of the West Bank[3]. Israeli attempts to change the city's demographic and geo-political landscape have had a profound effect on both its environs and the Palestinian communities living there (Al-Shaikh, 2010). One Israeli tactic that has been used by the Israeli Authorities to exercise power in East Jerusalem involves literally redrawing the map of the city, as well as introducing an engineered language manufactured to compete with and ultimately usurp the prevailing Arabic map, thus working to veil a Palestinian presence and history through the politics of toponymy (Halper, 2002, Weizman 2003). In the post-Oslo period (since 1993), nearby Palestinian communities have been almost completely severed from the city as a result of Israeli separation and fragmentation policies on the ground translated by building the separation wall and posting numerous checkpoints that control and limit access to the city. The establishment of authority through mapping Jerusalem has a complex background of underlying motives, where each ruling regime had on their agenda certain goals that they sought to translate on the ground by delineating de facto boundaries through the production of new maps for Jerusalem.

Geo-politics of Mapping in Jerusalem and the Question of Demography

The current map of East Jerusalem and its hinterlands exhibits a lack of congruence between political and demographic boundaries (ethnic lines, including Oslo classifications of land into Areas A, B, and C); administrative and planning boundaries; and security boundaries (Separation Wall) **(Figure 3)**

JERUSALEM MUNICIPAL BOUNDARY,1947

CORPUS SEPARATUM,1947

JERUSALEM CITY BOUNDARY,1967

SEPARATION WALL 2002

GREEN LINE   JERUSALEM OLD CITY   EAST JERUSALEM   WEST JERUSALEM   JERUSALEM MUNICIPAL BOUNDARY,1947

CORPUS SEPARATUM,1947   JERUSALEM CITY BOUNDARY,1967   SEPARATION WALL 2002

0   1   2   4   6
KM
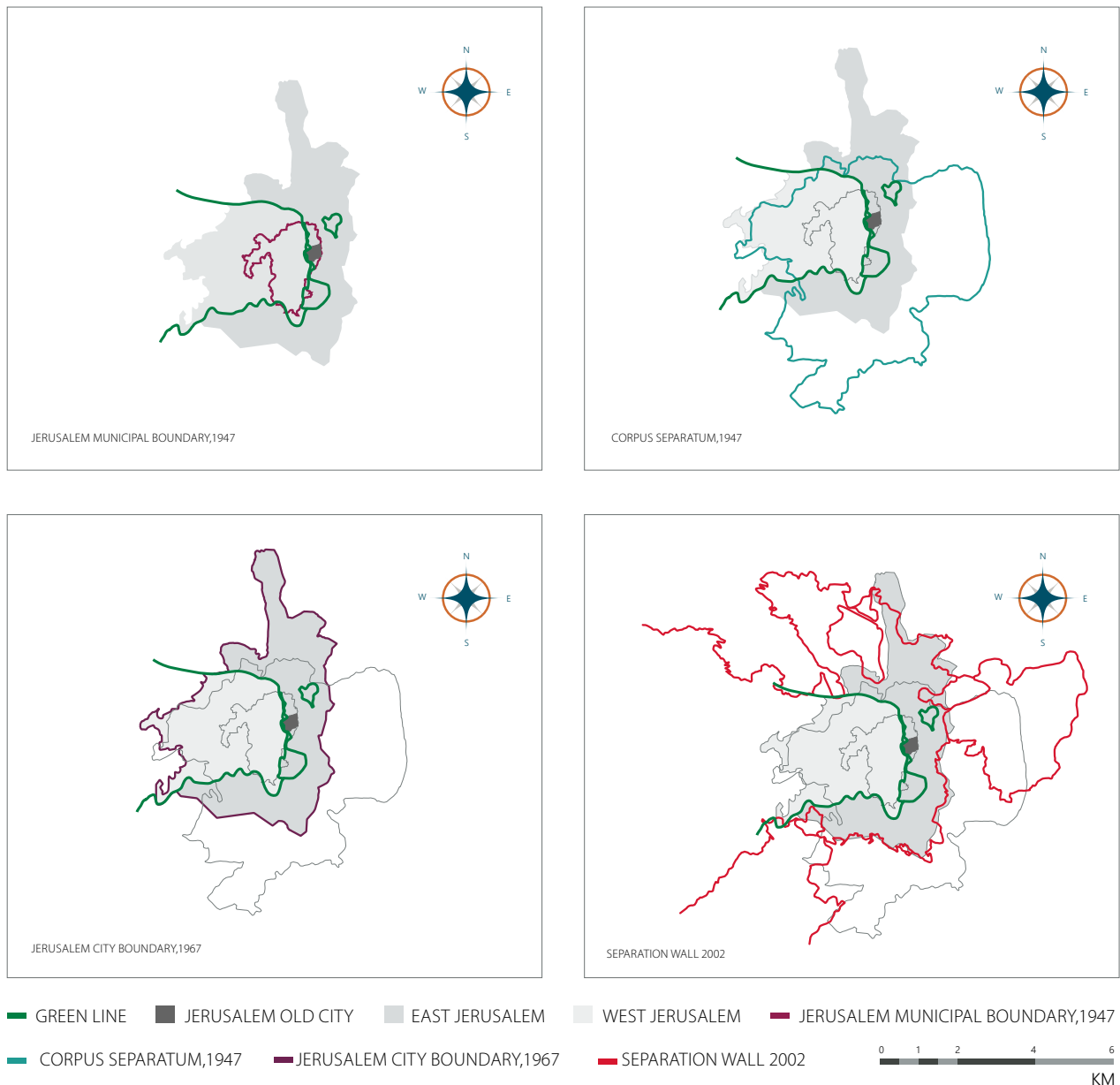
Figure 3: Changes of Boundaries in East Jerusalem (1947-To Present)[4]

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4. A narrative reading to this figure is available in Annex 1.

Changes to the map of Jerusalem since the advent of Israel's occupation have intentionally sought to secure a Jewish demographic supremacy through the expropriation of Palestinian private lands that accounted for more than 95 percent of the total land mass included in the Ottoman defined Jerusalem District boundary for the year 1947 (Isaac & Abdul-Latif, 2007). In 1973, Israeli authorities adopted a recommendation made by the inter-ministerial 'Gafni Committee' to maintain the city's demographic 'balance' at its 1972 ratio; that is, not allowing it to drop below 74 percent Jews to 26 percent Arabs (COHRE & BADIL, 2005: 126). Israeli policies in East Jerusalem have largely been guided by this recommendation ever since[5]. The Israeli authorities are not opting to maintain the current demographic balance; rather they are opting to reverse the demographic balance to that in 1972. Despite this, the demographic balance has continued to tilt back towards a greater share of Palestinians living in the city (Figure 4). The Palestinian community has quadrupled since in 1967, and today comprises just under 40 percent of the total population in the city.
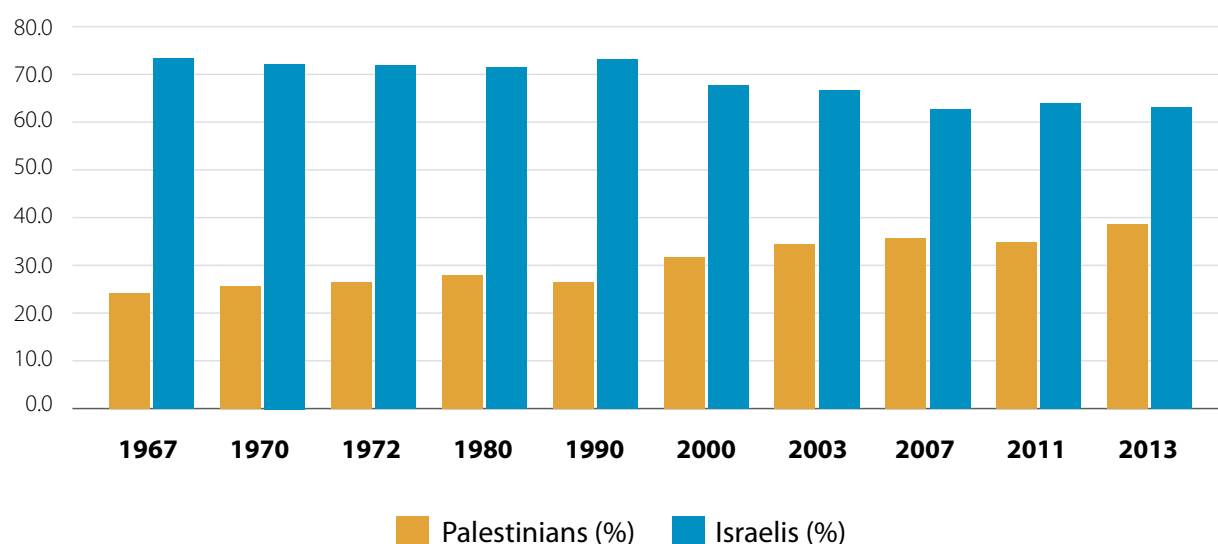
Figure 4: Population Distribution between Palestinians and Israelis in Jerusalem (1967–2013)
Source: JIIS, 2013: 9; ACRI, 2013; ARIJ, 2010: 100

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5. See remarks by Avraham Kahillah, then deputy mayor of Jerusalem and chairman of the local planning and building committee, minutes of Jerusalem Municipal Council Meeting, 5 March 1993 , Report 65 , P. 18

PART II: SPATIAL PLANNING CHALLENGES

Gap Analysis - Inequalities between East and West

There is a large discrepancy in public services provided to the residents of East and West Jerusalem respectively, with the former discriminated against in terms of service provision, housing and development permits, and approving plans for future developments. East and West of Jerusalem city fall under the planning jurisdiction of the IJM, the two parts are treated completely differently – living together separately. Available statistics show that the two parts of the city are anything but 'unified'. In addition, Palestinian East Jerusalemites are not entitled the Israeli citizenship, their legal status is permenant residents[6]. Since the beginning of Israel's occupation, an average of 6 Palestinians per week have had their residency rights to live in the city revoked (ACRI, 2012: 1). The distressed conditions that exist in East Jerusalem are witnessed in almost in all aspects of daily Palestinian life. For instance, there are 10 times more municipal pre-kindergartens in West Jerusalem than in East Jerusalem. The inequalities are evident when comparing the basic services provision between East and West as illustrated in **(Figure 5)** (ACRI, 2012: 1). What follows is a brief discussion of different facets of the spatial planning challenges facing Palestinians in East Jerusalem, namely 'planning contents' and 'planning processes'.

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6. For more details on the legal status of the Palestinian residents in East Jerusalem, see (B'tselem, 1997)

Gap Analysis - Inequalities between East and West

Indicators	Year	East Jerusalem (Primarily Palestinians)	Scale	West Jerusalem (Primarily Jews, including unclassified religion and non-Arab Christian [3,000 capita])
Population distribution[6]	1967 (266.3 thousands)	25.8% (68.7 thousands)		74.2% (292.8 thousands)
	2011 (804.4 thousands)	36.4% (292.8 thousands)		63.6% (511.6 thousands)
Average annual growth rate[6]	1967	4.2%		3.3%
	2011	3.2%		1.4%
Birthrate per 1,000 persons[6]	2011	27.9 Births		27.8 Births
Fertility Rate of Women[6]	2011	3.6		4.2
Mortality Rate (Deaths per 1,000 persons)[6]	2011	2.7		5.2
Extent of poverty (families under poverty line)[6]	2011	73% of the families		24% of the families
Labor force participation rate	2011	37%		50%
Residential apartments[6]	2012	24% 48,100 apartments		76% 156,200 apartments
Average Household Size[6]	2011	5.4 persons		3.4 persons
Average housing density (defined as square meters per person)[6]	2011	13 m² per person		24 m² per person
Allocated irregular budget (allocated for additional projects and tasks)[5]	2009	7%		93%
Average budget for school education[3]	2012	12,000 ILS per student		25,000 ILS per student
Dropout rates of students[3]	2011/2012	13%		1%
Foreign tourism market in Jerusalem[2]	2011	15% (0.5 million guest-nights)		85% (0.5 million guest-nights)
Hotels occupancy rates (units rented out of the total units)[2]	2009	34.1%		49.3%
Public Parks[1]	2011	1 park per 6,507 person		1 park per 512 person
Swimming Pools[1]	2011	1 pool per 97,600 person		1 pool per 15,047 person
Public libraries[1]	2011	1 library per 146,400 person		1 library per 19,677 person
Sports facilities[1]	2011	1 sport facility per 8,873		1 sport facility per 964 person
Paved roads[4]	2003	1km per 2,448 person		1km per 710 person
Sewage system[4]	2003	1 km per 2,809 person		1 km per 743 person

◼ East Jerusalem   ◼ West Jerusalem

Figure 5: Gap Analysis - Inequalities between East and West
Source: 1: B'Tselem, 2011; 2: ACE International Consultants, 2012; 3: Ir Amim & ACRI, 2013; 4: Margalit, 2006; 5: ACRI, 2009; 6: JIIS, 2013

Planning Contents

The planning landscape in East Jerusalem is fraught with many difficulties. This section provides a brief analysis of four main sectors of planning in East Jerusalem: housing, urban environment, transportation, and public facilities.

Housing

Scarcity of housing is a chronic problem in East Jerusalem. Palestinian communities in East Jerusalem find it difficult to obtain construction permits from the IJM to build residential and/or trade establishments. Currently, there is a need for over 10,000 housing units (IPCC, 2013, P.19). As a result, East Jerusalemites are living today in small and overcrowded urban areas. Despite the relatively high gross urban density for Palestinian communities in East Jerusalem, adequate infrastructure and social services are sorely lacking. The same is not true for Israeli settlements in East Jerusalem, or for Israeli communities located in West Jerusalem **(Figure 6)**.
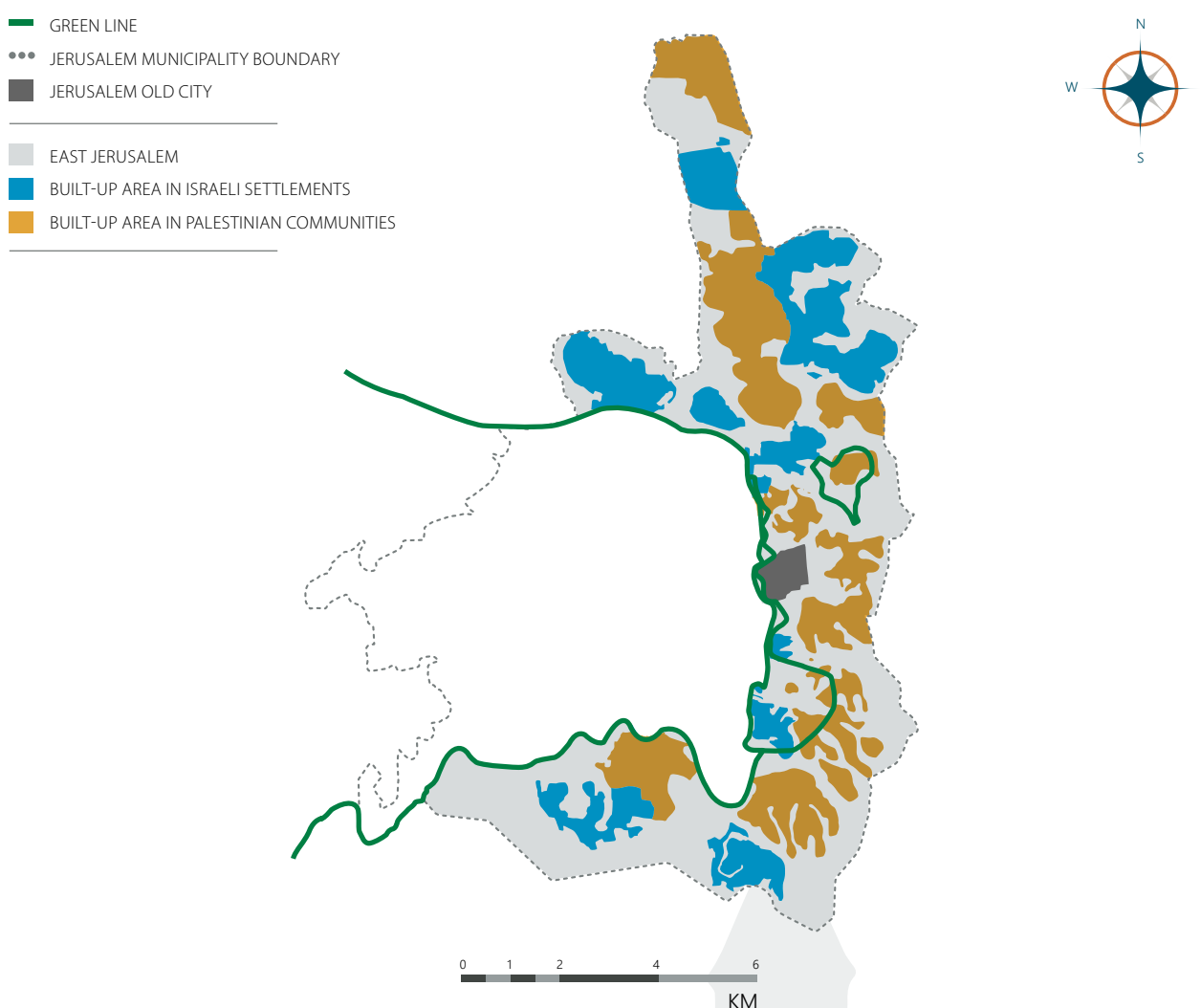
Figure 6: Built Environment in Jerusalem According to 2000 Master-plan

Figure (7) captures the difference between Palestinian and Israeli spatial developments in Jerusalem during 1967-2007. The rate of increase in population in Jerusalem city is higher than the rate of built-up development. Between 1967 and 2007, the amount of developed land (i.e. built-up area) in Jerusalem grew by 136 percent, while the amount of population soared to 202 percent or more than 1.5 times the rate of built-up growth.

EAST JERUSALEM
70 Km²

■ Israeli Settlements (26 km², including circa 5 km² for roads)

■ Public Use (16 km²)

■ Zoned for palestinian Construction (9 km²)

■ Jerusalem General Planned Land (19 km² could be assigned for public Use)

■ Increase in Palestinian Built-up Area (1967-2007) (%)

■ Increase in Palestinian Population (1967-2007) (%)

■ Increase in Israeli Built-up Area (1967-2007) (%)

■ Increase in Israeli Population (1967-2007) (%)

Figure 8: Existing Land Use Designations – Area Zoned for Construction in East Jerusalem
Source: Elaborated from (Margalit, 2007: 18) and (Margalit, 2014: 77)

Figure 7: Rate of Spatial Development in Jerusalem (1967-2007)

According to prevailing land use designations outlined in the Jerusalem 2000 master-plan, only 9,000 dunums of East Jerusalem (about 12 percent) is zoned for construction **(Figure 8)**[7]. By the same token, the Jerusalem 2000 master-plan zoned 3,500 dunums for future spatial development in East Jerusalem, compared to 5,000 dunums in West Jerusalem. As such, every 84 East Jerusalemites can share 1 dunum of future spatial development, despite the fact that the housing needs in East Jerusalem is by far higher than the zoned areas.

Land designated for future spatial development in West Jerusalem is declared 'state land', making planning relatively straight forward, while land earmarked for planning in East Jerusalem is not settled in terms of land registration and ownership **(Figure 9)**, which significantly complicates issuing building permits that inquire a proof of land ownership . Given the difficulties they face, many Palestinians are forced to build without permits. Declared unauthorised by Israel, homes built without permits face the threat of demolition. To ward-off demolition orders issued against Palestinian houses

7. Recently the IJM has approved new outline plans for As Sawahira Al-Gharbiya neighborhood, which increases the zoned area for construction in East Jerusalem to more than 9 km². Some other sources estimate that less than 8 percent of East Jerusalem is zoned for Palestinian residential use (Bimkom, 2014).

in East Jerusalem, many residents have initiated re-zoning schemes. Such initiatives have not received the support of the IJM. Importantly, the average fines per year from home demolitions in East Jerusalem is decreasing which was USD\$ 4.41 million in 2000 and USD\$ 672,000 in 2010 (Margalit, 2014: 44-45). Scarcity continues to put enormous pressure on the affordability of housing in East Jerusalem. Between 2007 and 2012, the average house price increased by more than 192 percent, compared with average wages in East Jerusalem increasing by only 12 percent during the same period (IPCC, 2013: 10). It is estimated that more than USD\$500 million is needed to obtain building permits for Palestinian communities in East Jerusalem[8]. This figure does not include construction costs.
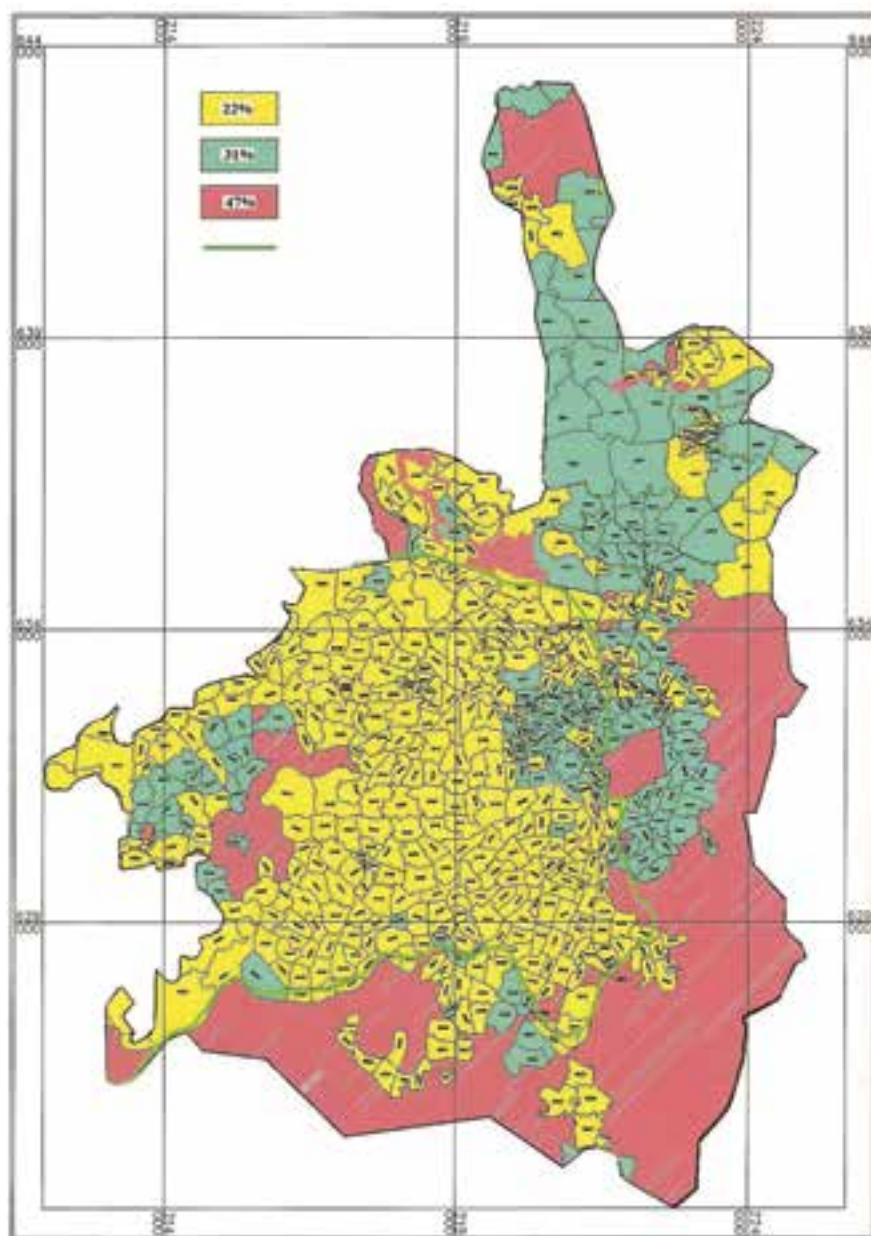
Figure 9: Land Ownership in East Jerusalem
Source: Jerusalem Unit - Palestine President Office, 2010: 25

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8. It is estimated that about USD\$32,000 is needed to obtain a permit for a building of 200 m2 on a land plot of 500 m2 (Margalit, 2007: 25-26). As the area slated for construction in East Jerusalem is around 9 thousand dunums, the overall estimated cost to obtain permits for Palestinian communities in East Jerusalem is USD\$500 million.

The Ministry of Interior and the IJM are the main authorities responsible for Palestinian home demolitions in Jerusalem and their decision is influnced by the prevailing political atmosphere[9]. Since 1967, Israel has demolished some 2,000 structures in East Jerusalem, many of which have been houses. About 60 percent of these have been demolished since the start of the peace process in 1993 (Margalit, 2014: 24), of which 40 percent were demolished following construction of the Separation Wall in and around East Jerusalem beginning in 2002 (UNOCHA, 2011: 31 & 38).

The scarcity of building permits and the threat of home demolitions continues to undermine the viability of Palestinian life in East Jerusalem. Statistics show that between 1967 and 1995, more than 88 percent of housing construction in East Jerusalem has taken place in Israeli settlements supported by governmental subsidies (B'Tselem, 1995: 20). Both Palestinian home demolitions and Israeli settlement construction in East Jerusalem have strengthened the contiguity between Israeli settlements while further fragmenting Palestinian communities and weakening their presence in the city.

In addition to restrictions on building permits, Palestinian communities in East Jerusalem also face the challenge of restrictive zoning and building regulations imposed by the IJM. In East Jerusalem, the net (building) density (or plot ratio) allowed within Palestinian communities is less than half the ratio allowed for in Israeli settlements **(Figure 10)**[10] (Margalit, 2007).
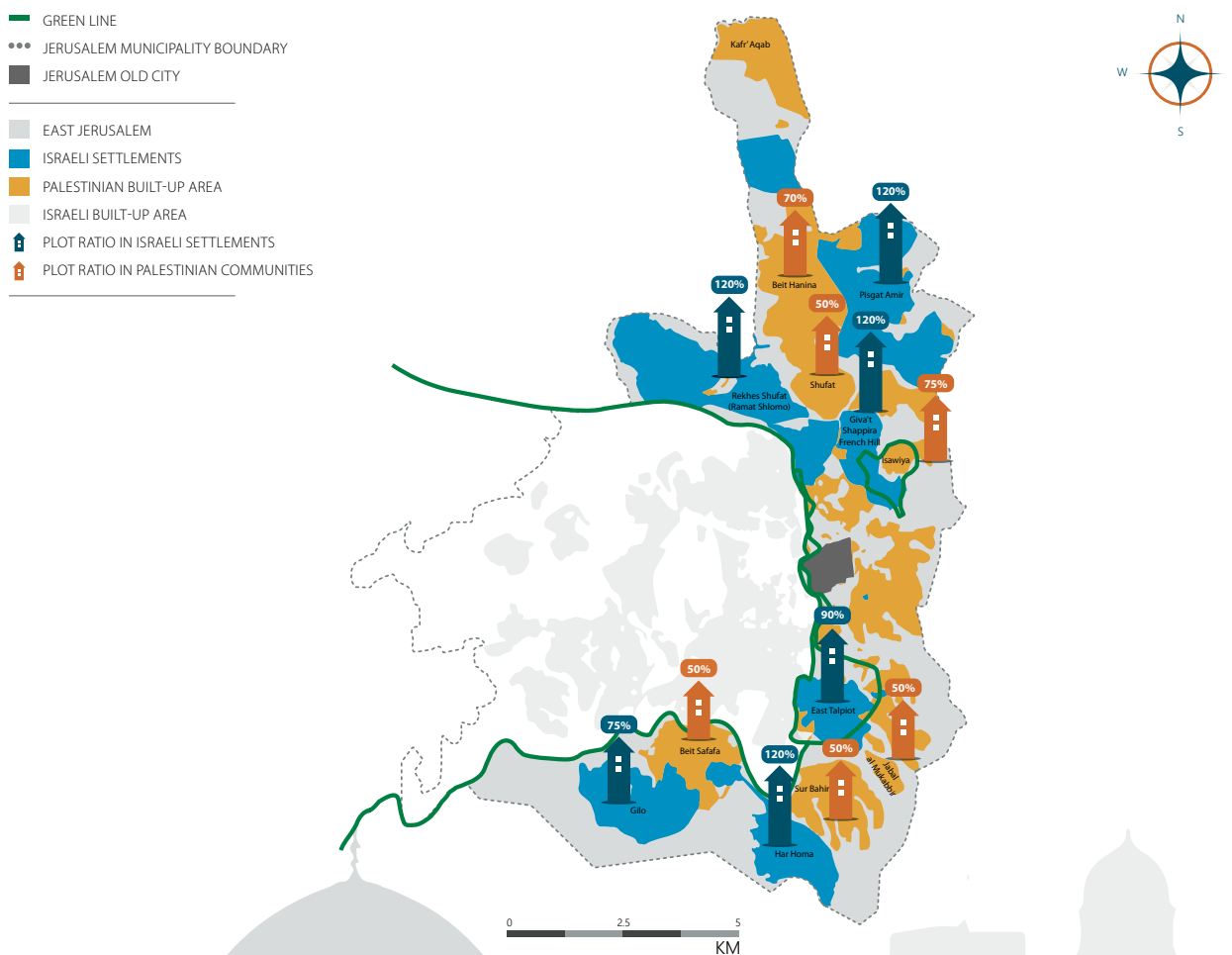
Figure 10: Plot Ratio Comparison between Palestinian Communities and Israeli Settlements in East Jerusalem
Source: Elaborated from (Margalit, 2007: 19)

Urban Environment and Public Open Space

The urban fabric of East Jerusalem is fragmented, and it appears spatially as a composition of different communities that lack an appropriate urban connection. This is due to a number of factors, one of the most important being the Israeli policy of 'green control', or alternatively 'political green' **(Figure 11)**, which gives "Green Area" designation for areas that will be eventually used to expand or build new Israeli settlements like the case of Harhoma settlement or to restrict the expansion of the Palestinian neighborhoods like the case of National Park and the Isawiyah neighborhood (Bimkom, 2014).
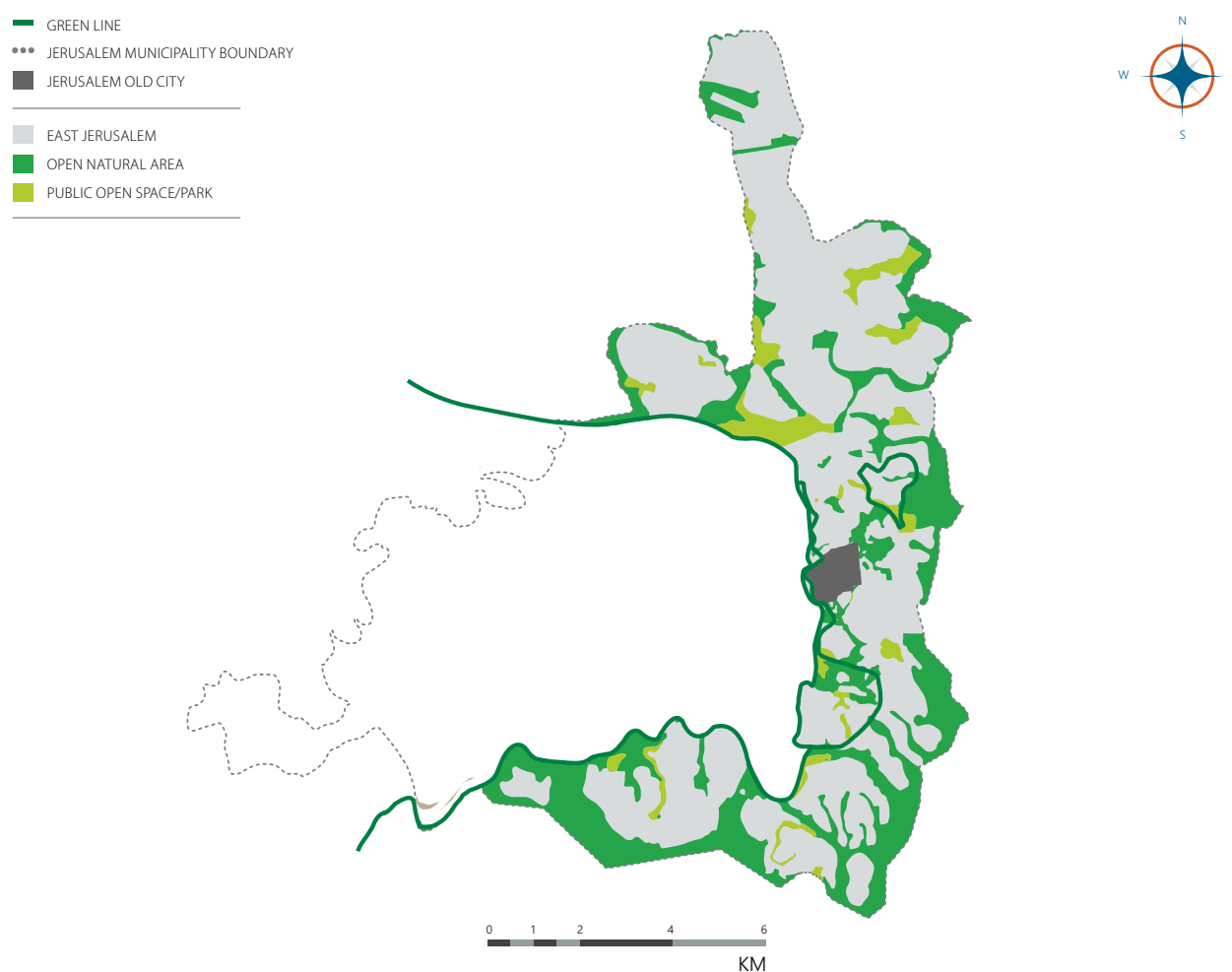
Figure 11: Natural Environment 'Green Open Space' in Jerusalem according to 2000 Master-plan

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9. Demolitions are executed under the pretext of lacking a building permit, or under the contention that the buildings were built in violation of a zoning plan, or that they pose a 'security' risk. There are two types of demolition orders: administrative and judicial. 'Administrative demolition orders' can be executed within 30 days of issuance and without any legal proceedings, while 'judicial demolition orders' are executed only following legal proceedings (Margalit, 2007: 41-43 & Margalit, 2014: 26-31).

10. In Isawiyyah for instance, residents can build up to two stories in height, while next door in the Israeli settlement in French Hill (Mount Scoups), which is built on confiscated Palestinian land in Al-Isawiyyah, the allowed height for buildings is eight stories (Kaminker, 1997: 10). Likewise, in the Palestinian community of Sur Bahir, the maximum building percentage allowed is 50 percent, compared to the Israeli settlement of Har Homa that was illegally built on Sur Bahir land that reach 120 percent (Wari, 2010: 109).

The intensive constructions of the Jewish-only settlements in East Jerusalem has led to the fragmentation of Palestinian neighborhoods in the city **(Figure 6)**. This has not only undermined the contiguity between Palestinian spaces, it has also prevented the spatial expansion of Palestinian areas in the city. Some 11 percent of East Jerusalem lacks approved outline plans, and is thus considered unplanned under the Israeli planning and building apparatus. Furthermore, about 29 percent of the planned area in East Jerusalem is designated as 'open/green areas' that consists of a multiplicity of different types, including: open public areas, open private areas, open landscape areas, agriculture areas, parks, and national parks (Bimkom, 2014). The zoning categorization of 'national parks' **(Figure 12)** has become pervasive and has been used more frequently by Israel in recent years, as compared with the designation 'open public land'[11]. This is mainly due to financial and law-related technicalities as well as national interests. The retroactive zoning of land as 'national parks' does not require land expropriation, and this entails zero financial liabilities to compensate the owners. Also, this categorization automatically entails that authority is transferred from the local to the national level, coming under the authority of the Nature and Park Authority (NPA), which has no liabilities towards land owners as stipulated under Israeli law (Bimkom, 2012: 7). The 'national parks' zoning policy aims to dispossess Palestinians by advancing the 'Holy Basin' plan that includes the

Figure 12: National Parks in East Jerusalem
Source: Bimkom, 2012: after page 13

Old City and its immediate surroundings in Silwan, Ein-Helwah, At-Tur and Sheikh Jarrah. Recently, the settler organization 'Elad' received approval to develop a large visitor's Centre (Kedem Complex) in a former car park in Silwan. (Pullan, 2014:5).

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11. The 'National Parks' Plan includes the King's Valley Plan in Al-Bustan area at the heart of Silwan neighbourhood, and the Mount Scopus Slopes National Park between At-Tur and Al-Isawiyyah (Bimkom, 2012 & Ir Amim, 2012). The latter has been recently frozen upon a decision from the 'National Planning and Building Council' until the local needs of At-Tur and Al-Isawiyyah communities are assessed.

Transportation and Road System

A lack of urban transport options connecting Palestinian communities to the rest of the city continues to hinder the mobility and create problems for Palestinians in East Jerusalem in their daily life. Usually, the roads are highly congested. At the same time, the road system has been designed in a way to stifle future expansion of Palestinian communities (Pullan, 2013)[12]. In particular, the road network remains insufficient, where narrow roads are unsuitable to serve the high population densities in areas where Palestinians live. These difficulties in public transport and mobility are compounded by a substantial lack of paved streets, of an inadequate inter-metropolitan transportation system, and by the absence of any holistic planning for transportation in East Jerusalem.

Public transportation includes both buses and the light rail in the city. Buses are largely segregated especially in terms of their route and which area they serve. Jewish Israelis do not use Arab buses (in white and blue), while some buses are for Jewish Israelis only, especially those serving the ultra-orthodox Israeli settlements (in green and black). The route of Israeli buses do not serve Palestinian communities in East Jerusalem **(Figure 13)**. The Jerusalem light rail project that took 20 years to be constructed is no different, it serves Israeli settlers living in settlements in East Jerusalem and better connect them with West Jerusalem, unlike local Palestinian residents who are not well served by the light rail and only the neighborhoods located along the route of Israeli settlements benefit from this service. An eclectic mix of tourists/pilgrims also use the light rail to access both the eastern and western parts of Jerusalem.

Figure 13: Part of the Semi-public Transportation System Used by the Palestinians in East Jerusalem

> Public Education and Health Facilities

There is a substantial lack of land allocated for public facilities in all fields of social services in East Jerusalem **(Figure 14)**. Only 3 percent of the planned area of Palestinian communities in East Jerusalem is allocated for public buildings (Bimkom, 2014), despite increasing demand for these services and existing shortfalls in service provision. For instance, during the 2012/2013 school year, 99,400 pupils studied in the Arab education system of Jerusalem, including 78,400 in the public education system. Pupils in the Arab education system (public and private) constituted 38 percent of all pupils in the Jerusalem education system (JIIS, 2013: 57).

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12. The 'National Parks' Plan includes the King's Valley Plan in Al-Bustan area at the heart of Silwan neighbourhood, and the Mount Scopus Slopes National Park between At-Tur and Al-Isawiyyah (Bimkom, 2012 & Ir Amim, 2012). The latter has been recently frozen upon a decision from the 'National Planning and Building Council' until the local needs of At-Tur and Al-Isawiyyah communities are assessed.

In short, East Jerusalem suffers from a lack of allocated land for the construction of public facilities as well as for economic development, including commercial and industrial lands. Currently, there are no plans to develop industrial zones, or lands available for institutions and public buildings. Strikingly, in West Jerusalem, an area of 1.73 km² of industrial construction was built between 1980 and 2007 (Isaac et al., 102-104:2010). In East Jerusalem, no land has been allocated for comparable economic development. In 2001, the Israeli Interior Security ordered that the Arab Chamber of Commerce and Industry in East Jerusalem be closed, thus dismantling the umbrella organization in charge of day-to-day management for economic development in East Jerusalem.

GREEN LINE
JERUSALEM MUNICIPALITY BOUNDARY
JERUSALEM OLD CITY

EAST JERUSALEM
WEST JERUSALEM
PUBLIC INSTITUTION BUILDING
ECONOMIC ZONE (CBD)
PUBLUC OPEN SPACE

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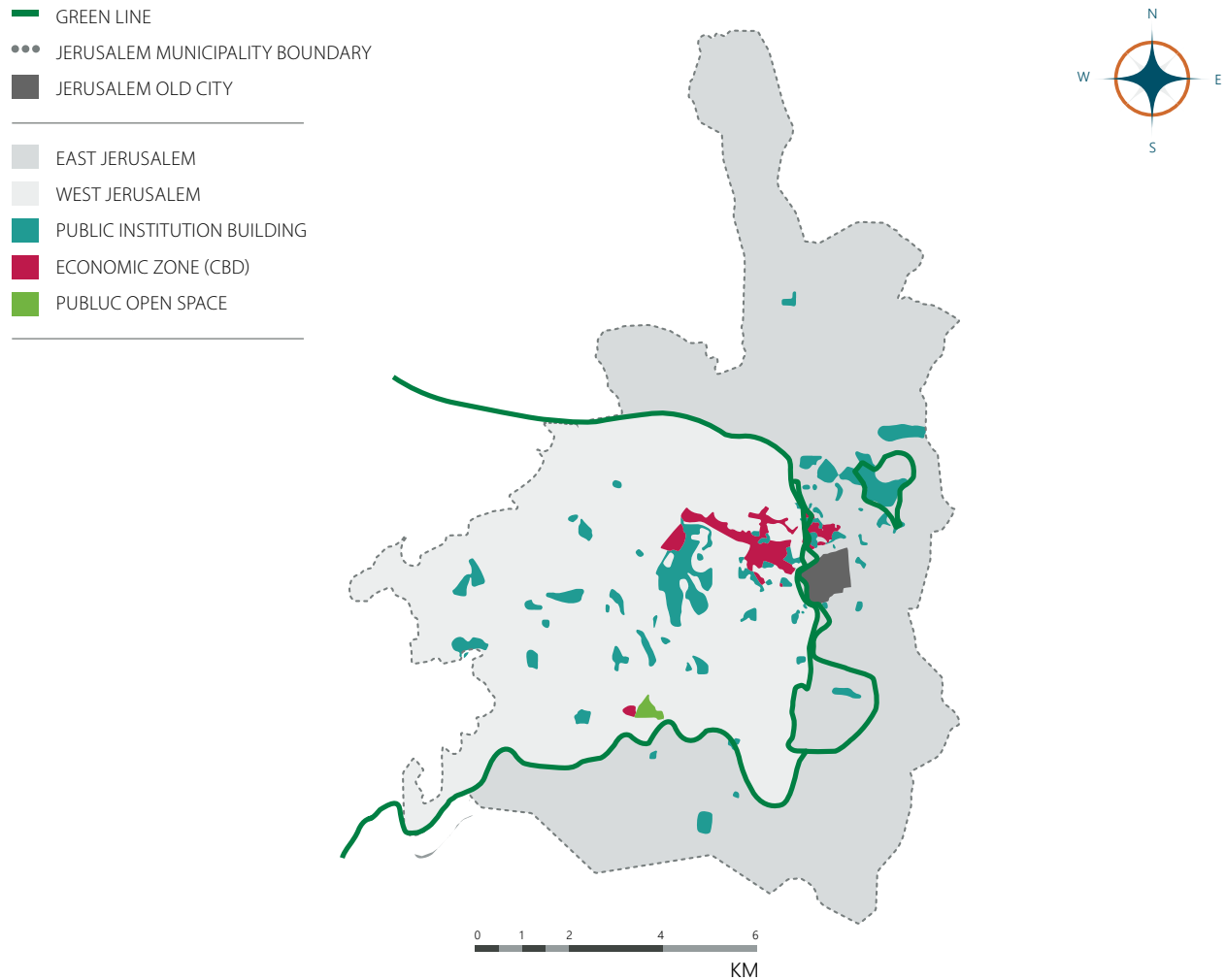
Figure 14: Public Designations in Jerusalem according to the Jerusalem 2000 Master-plan

The length of Israel's occupation has enabled it to introduce a number of measures aimed at exerting its control over the occupied Palestinian territory, including a complex legal system of planning.

The situation created by the planning crisis facing Palestinians provides ample evidence of the failure of current statutory planning processes in East Jerusalem, particularly when it comes to meeting the needs of the local population, as well as defending their individual and collective rights to housing, safe water, and sanitation to name a few. The most thorough probe would still struggle to capture the legal system in its entirety that Israel has used to facilitate the expropriation and reallocation of Palestinian owned lands (Forman & Kedar, 2004: 810). This section sheds light on some of the more important aspects of the legal mechanisms Israel has used.

Pertinent Laws and Directives

As described above, Palestinian communities in East Jerusalem have suffered a planning vacuum since the start of the Israeli occupation, which cancelled all prepared and approved plans produced during the Jordanian administration. In 1974, the IJM declared those parts of East Jerusalem it had annexed in 1967 to fall under its planning jurisdiction, which entails under the relevant law that the IJM is mandated to prepare outline (local) plans covering the entire area of East Jerusalem, and to have them approved by the District Planning Committee within 3 years. In 1975, and still without a master-plan for East Jerusalem, the IJM specified those areas in the city where building permits could be obtained based on article 78 of the building and planning law. In 1977, the first master-plan for East Jerusalem (TPS 9) was approved, covering the Old City and its environs. TPS 9 included the condition that detailed plans must be prepared before building permits can be granted. It was not until 1983 that the IJM decided to prepare outline plans for Palestinian communities living in East Jerusalem. By 2002, however, only 20 outline plans had been approved. Faced with chronically poor planning coverage, a number of grass-roots initiatives and third-party interventions have emerged, each trying to fill the gap. Such initiatives, however, remain sporadic and lack an overall strategic outlook to the future of the Palestinian communities in East Jerusalem. Part (III) of this publication analyzes some of these planning initiatives.

East Jerusalemites are usually lost in a jungle of bureaucracy and draconian administrative and planning measures whenever they try to apply for a building permit, whether to build a new house or simply to add an extension to an existing property. The many statutory planning practices that have affected spatial development in East Jerusalem are an accumulation of decrees, laws, and by-laws legislated by successive governments, which do not grant Palestinian residents in East Jerusalem equal rights compared with Israelis living in West Jerusalem or in settlements located in East Jerusalem (COHRE & BADIL, 2005). In planning for their communities, Palestinian East Jerusalemites must navigate a number of laws and directives, including the Land Acquisition for Public Purposes (1943), the Absentee Property Law (1950), and the Planning and Building Law (1965). The Israeli authorities have used these laws to dispossess Palestinians of their privately owned land and properties in East and West Jerusalem in violation of International Law. The mass expropriation of Palestinian properties and land was not pursued for military reasons, or for the benefit of the local population of the occupied territory, i.e. the Palestinians (B'Tselem, 1995: 17-18).

Hierarchy and Types of Plans

Palestinians in East Jerusalem usually face lengthy delays in the process of acquisition of permits to expand existing or build new houses **(Annex 2)**. Prior to the authorization of any building permit, an application must include an approved planning scheme. Planning schemes are scarce for East Jerusalem, while the time needed to obtain one is approximately ten years, unlike the case for Israeli settlements that on average need around three years (COHRE & BADIL, 2005: 127).

The Israeli planning system consists of three planning levels: national outline plans, district outline plans, and local outline/detailed plans. Though Israel has sought to ensure that the demographic balance in the city remains firmly weighted in favor of a Jewish majority, each of these planning levels are guided by different preferred Israeli-Palestinian population ratios **(Table 1)**, which reflects the conflicting views of the different planning bodies.

Table 1: Israeli/Palestinian Population Ratio As Per the Different Planning Levels in Jerusalem			
		Example	
Planning Level	**Planning Body**	**Plan**	**The Assumed Israeli-Palestinian Population Ratio**
National Outline Plan	The Israeli Government and the National Planning and Building Council	National Outline Plan (TAMA) No. 35 for Construction, Development and Conservation for the year 2005	70%-to-30%
District Outline Plan	The National Planning and Building Council and the District Planning Committee	Jerusalem District Outline Plan No. 1/30 for the year 2008	65%-to-35%
Local Outline/ Detailed Plan	The District Planning Committee and the Local Planning Committee	Jerusalem Local Outline Plan 2000 for the year 2010 (AKA, Jerusalem Master-plan)	60%-to-40%

Source: (Isaac et al., 89-90:2010)

There are three types of statutory plans required to apply for a building permit from the relevant Israeli authorities: general plans; outline plans; and detailed/(re)-parcellation plans. General plans (or framework plans) are not normally used, while outline plans are quite sporadic in nature and lack consistency with respect to each other. The latter are mostly discarded when detailed/(re)-parcellation plans are prepared, which is the common practice

in the context of East Jerusalem **(Figure 15)**[13]. Master-plans (policy & regulatory documents) are non-statutory and remain in vogue, though they lack coherency and synthesis with the other types of statutory plans. Rarely are all the plan types outlined in Figure (15) produced. Rather, the bottom three types are used interchangeably with a preference to detailed planning. In certain cases, local Palestinian residents opt to develop a detailed planning scheme in an effort to change existing restrictive planning schemes, and designate certain areas for construction. Local residents may also submit an alternative planning scheme in an effort to have buildings authorized that are under the threat of demolition for being constructed in contravention to existing planning schemes.

Full advantage is yet to be taken of general plans, and more work needs to be done by Palestinian communites in this area. By the same token, master-plans (non-statutory) could be tactically used to freeze house demolitions within the Israeli court system, while maintaining the common practice of statutory plans that ensure the issuance of building permits. Put differently, a mixed-scanning approach of top-down/bottom-up and statutory/non-statutory plans could be used in the context of East Jerusalem planning.
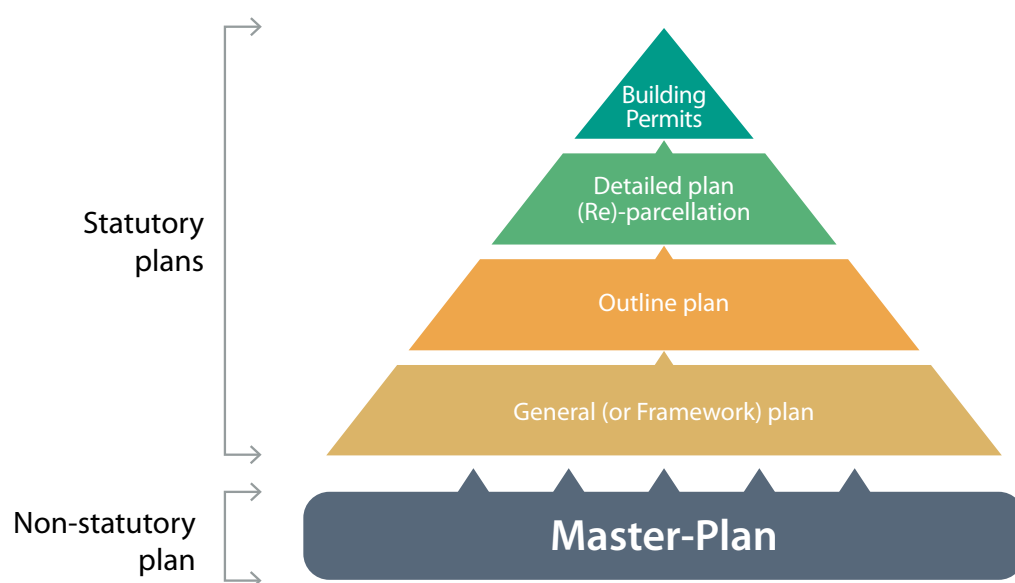
Figure 15: Types of Plans in the Context of Spatial Planning Practice in East Jerusalem

13. Source of friction and conflict between Palestinians and Israeli authorities in East Jerusalem is the lack of adequate detailed plans for the Palestinian communities. Under the Planning and Building Law of 1965, there should be an approved 'Detailed Plan' in order to get any permit to expand or build a house, or to develop the land for economic or public purposes. These detailed plans are extremely diminished in East Jerusalem, unlike West Jerusalem.

PART III: LOCAL PLANNING EXPERIENCES

The local planning experience of Palestinian communities in East Jerusalem remains diverse and highly sporadic. Yet it provides an important resource to help improve the effectiveness and efficiency of future interventions. With this in mind, this report selects different case studies that have been examined in consultation with planning experts and practitioners in East Jerusalem. More specifically, these different case studies were chosen based on a 'chain referral sampling' technique, whereby a handful of planning experts were asked to identify representative case studies of previous and ongoing planning initiatives that could further enrich this study. The result includes case studies taken from Beit Hanina (Houd Iltabil, Al-Addasseh, and Al-Ashqariya), Silwan (Al-Boustan and Wadi Yassol), Al-Isawiyyah, and At-Tur (khalet Al-A'in) **(Figure 16)**.
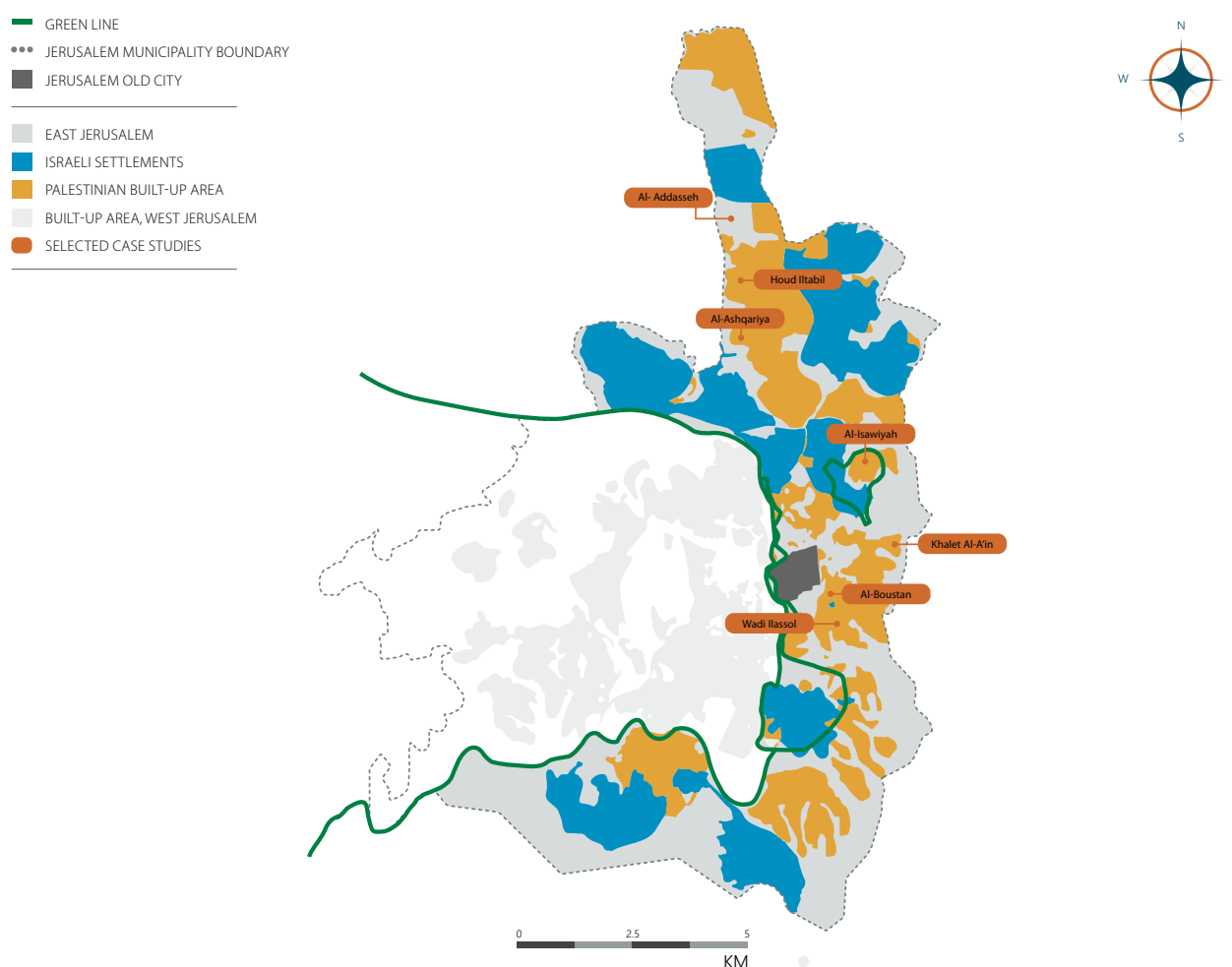
Figure 16: Case Studies under Investigation

The selected cases differ on a number of levels, including site and physical conditions; social and family structure; population density; local economy; statutory status; initiation party (IJM, popular committee, or third-parties, including NGOs); timeframe required for the preparation of alternative plans; implementation and follow-up measures adopted; and major strategies used. These aspects amongst others have been integrated in a designated format used to assist analysis of the different case studies. This format consists of three main compartments, namely profile & spatial analysis; planning process and plan status; and plan of action and strategic potentials **(Annex 3)**.

By reviewing these case studies, this report seeks to develop planning instruments capable of better satisfying the pressing needs of Palestinian East Jerusalemites without compromising their planning and building rights in the future. While the same strategic objectives have largely informed each of the case studies included here, all have utilized different planning strategies in creating alternative plans generally aimed at achieving an acceptable level of 'legalization' to counter housing demolition orders issued by Israel, while providing spatial 'development' plans that guarantee the provision of infrastructural lines, housing, and economic functions etc.

The chosen case studies offer a variety of detailed statistical data and factual information that has been grouped as per the table below[14] (**Table 2**).

Table 2: Indicative Case Typologies-Thematic Categorization of the Case Studies						
	Scored above average on indicators related to….					
Case Studies	**Demography** (JIIS, 2013: 13 & 25)		**Non-Residential Properties** (Area, m2) (JIIS, 2013)	**Socio-economic Status** (Cluster 1-to-20) (JIIS, 2013: 34)	**Average area per dwelling** (Sq.M) (JIIS, 2013: 64)	**Debit Balance** (Arnona, %) (JIIS, 2013)	**Category**
	Population Growth(%)	**Total Migration Balance (No.)**					
At-Tur (Khalet Al-'Ain)		✓			✓		**Declining** (As migration is increasing and the average area per dwelling is relatively high)
Beit Hanina (Houd Itabil/ Al-Addasseh/ Al-Ashqariya)	✓	✓	✓	✓	✓		**Reinventing** (As all demographic and socio-spatial indicators are above average, except for debit balance that is less than the rest of case studies)
Al-Isawiyyah	✓	✓				✓	**Dynamic** As demographic indicators are relatively high, and the debit balance is high)
Silwan (Al-Bustan/ Wadi Yassol)						✓	**Delicate** As all demographic and socio-spatial indicators are below average, except for debit balance that is more than the rest of case studies)

14. Within this exercise, 'bespoke' classifications for Palestinian communities in East Jerusalem have been developed rather than using 'standard' classifications, since there has been a need to establish typologies that closely fit the research question related to the community-based methodologies used in the planning for the Palestinian communities in East Jerusalem (Lupton et al, 2011: 17-21). The proposed 'bespoke' classification is based on recent statistics related to demography, socio-economic status, and housing capacity. For this preliminary typology, a nomenclature (category names) has been suggested based on the underlying characteristics of each identified category, in order to help in gaining a sense of how these communities differ from each other, and to help analysts to identify relevant policy interventions and future strategic clusters for investment and spatial development in East Jerusalem. The proposed nomenclature remains highly indicative. The methodology used in the thematic categorization outlined in Table (2) has been developed after the recent efforts to introduce a cooperative spatial planning framework for Ireland that comprises two separate jurisdictions sharing the same environment, similar to the case of the Palestinian 'islands' in East Jerusalem (McElduff, Peel, & Lloyd, 2013).

Figure 17: Approved Plans in Silwan
Source: (Bimkom, 2014)

In the analysis of the case studies at hand, it is quite important to stay abreast of the particular geo-political context of these cases to better understand alternative planning motivations, processes, and strategic interventions. It is important as well to understand the layout of already approved plans in the area **(Figure 17)**. In Silwan (Al-Boustan and Wadi Yassol), it is quite clear that there is a struggle to sustain the Palestinian habitation in the area, since there have been Israeli plans that might lead to the displacement of entire Palestinian communities. These Israeli plans are politically motivated, including the Jerusalem 2000 master-plan and plans for National Parks orchestrated by IJM and NPA respectively, and have forced Palestinian communities to develop alternative plans in relatively short time periods to counter the Israeli proposed plans prior their approval. For instance, the alternative plan of Al-Bustan was approved in eight months with extensive community participation to counter the Israeli 'Holy Basin' plan. Likewise, the alternative plans produced for the Silwan area respond to the historical and environmental claims and motivations of the Israeli top-down plans.

Figure 18: Approved Plans in Al-Isawiyyah
Source: (Bimkom, 2014)

Figure 19: Approved Plans in At-Tur
Source: (Bimkom, 2014)

In Al-Isawiyyah and At-Tur (khalet Al-A'in), the alternative plans that have been produced cannot be understood without discussing their underlying motivations, which mirror some of the main challenges facing Silwan, though arguably on a higher scale. More specifically, these alternative plans respond directly to existing Israeli plans to build a new National Park on about 740 dunums of land from Al-Isawiyyah and At-Tur **(Figure 18 & Figure 19)**.

In Beit Hanina (Houd Iltabil, Al-Addasseh, and Al-Ashqariya) **(Figure 20)**, the production of alternative plans has been laborious, time-consuming, and not transparent (as explained in the case studies in the following section). Moreover, the decisions reached were not collaboratively discussed with the community representatives. According to local stakeholders, in some cases in Beit Hanina, the contentions used by the IJM to stop previous alternative plans have not been considered in the discussion of new alternative plans for the same place, thus complicating the planning process with unnecessary tedious bureaucratic procedures.

Figure 20: Approved Plans in Beit Hanina
Source: (Bimkom, 2014)

While a one-size-fits-all approach to producing alternative plans is considered ineffective in the context of East Jerusalem, it is impractical to adopt a different planning approach to every Palestinian community in East Jerusalem based on its specific opportunities and challenges. This regulatory context is helpful when dealing with issues pertaining to the future planning of Palestinian communities in East Jerusalem that lack much needed spatial development **(Part IV)**.

The following section is a brief presentation and analysis of these case studies. The main findings of the analysis are captured under the following headings: overview, initiation party, time frame, financial mechanisms, plan objectives, and major strategies used in the plans. All feed into defining the framework intended to guide future planning interventions targeting Palestinian communities in East Jerusalem.

AL-BOUSTAN, SILWAN

• IJM's Plan No.: 101-0223313   • Planning Area: 47 dunums   • Legal Status: Rejected

GREEN LINE

JERUSALEM MUNICIPALITY BOUNDARY

JERUSALEM OLD CITY

EAST JERUSALEM

ISRAELI SETTLEMENTS

PALESTINIAN BUILT-UP AREA

BUILT-UP AREA, WEST JERUSALEM

SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabi

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilas

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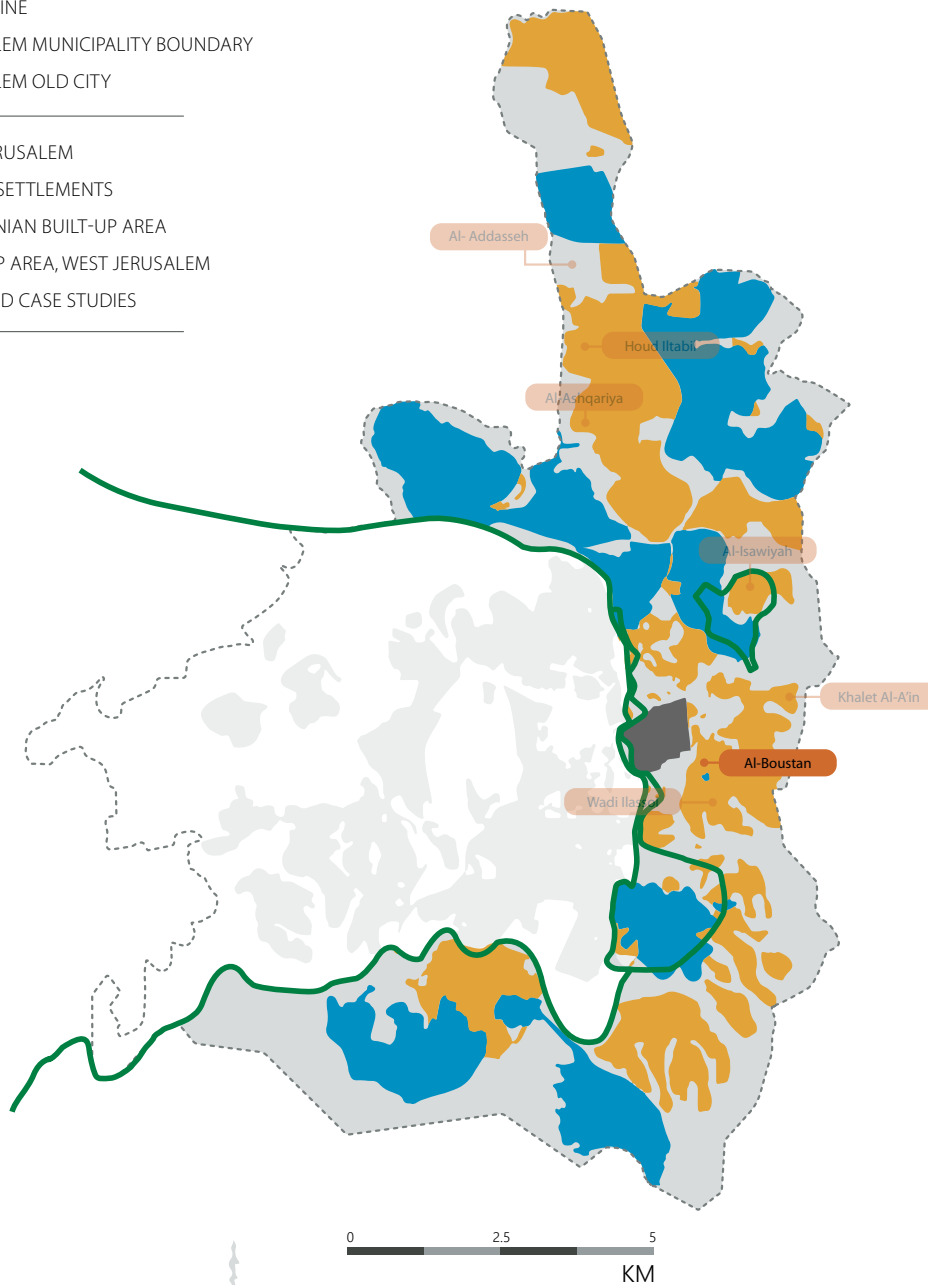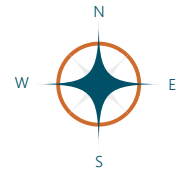
Overview: Al-Boustan neighborhood in Silwan is located south of the Old City of Jerusalem, not far from Al-Aqsa Mosque, and houses approximately 114 families (1,123 capita) (CCDPRJ, 2011: 3).

There are currently 54 settlement outposts housing approximately 400 settlers located in Silwan, in the Al-Boustan and Wadi Hilweh neighborhoods. In March 2010, the IJM launched the 'King's Garden Plan' that distinguishes between eastern and western halves of Al-Boustan. Under the plan, all residential buildings located in the western half are slated to be demolished (some 88 buildings).

Initiation Party: An alternative plan for Al-Boustan was initiated by the Arab Social Movement, and a local popular committee, and was supported by a 'national' steering committee representing different religious and political groups.

Timeframe: The detailed alternative plan was formally submitted to the Local Planning and Building Committee after 8 months of initial planning in 2009. Two months later, it was also submitted to the District Planning and Building Committee of Jerusalem according to the planning law and procedures. It has since been rejected and shelved.

Financial Mechanisms: The plan was financially supported by the Arab National Movement.

Plan Objectives:

- To address housing needs, and legalize all residential buildings (88 buildings);

- To promote economic development;

- To promote an environmentally sound neighborhood;

- To develop the physical infrastructure of the neighborhood, including a local transportation system; and

- To reconstruct, renew and regenerate the built environment, while respecting Palestinian architectural heritage in Jerusalem.

Major Strategies:

- Encourage community collaboration: The plan provides the spatial framework for a voluntary regeneration process, where the local inhabitants would support the regeneration process for the neighborhood.

- Preserve nature and cultural landscape: The plan proposes renovating the surroundings of the water spring and the Ottoman historic building that was used for water distribution.

- Create a walk-able neighborhood: The plan promotes a south-north 'boulevard' that is pedestrian friendly and free of cars.

- Foster a sense of place: The plan suggests creating five symbolic open gates.

- Encourage mixed-uses: The plan promotes a mix of commercial shops, offices, apartments blocks, and homes in the neighborhood. The plan suggests a new small commercial area located within the green public area around the spring.

The alternative plan managed to accommodate the local inhabitants' needs by resorting to a zero-eviction scenario (44 percent of the plan is allocated for residential use). Moreover, the plan has allocated 56 percent of the planned area for public purposes, thus meeting the IJM's original plan to turn the area into a green-touristic area.

Proposed Plan for Al Boustan, Silwan
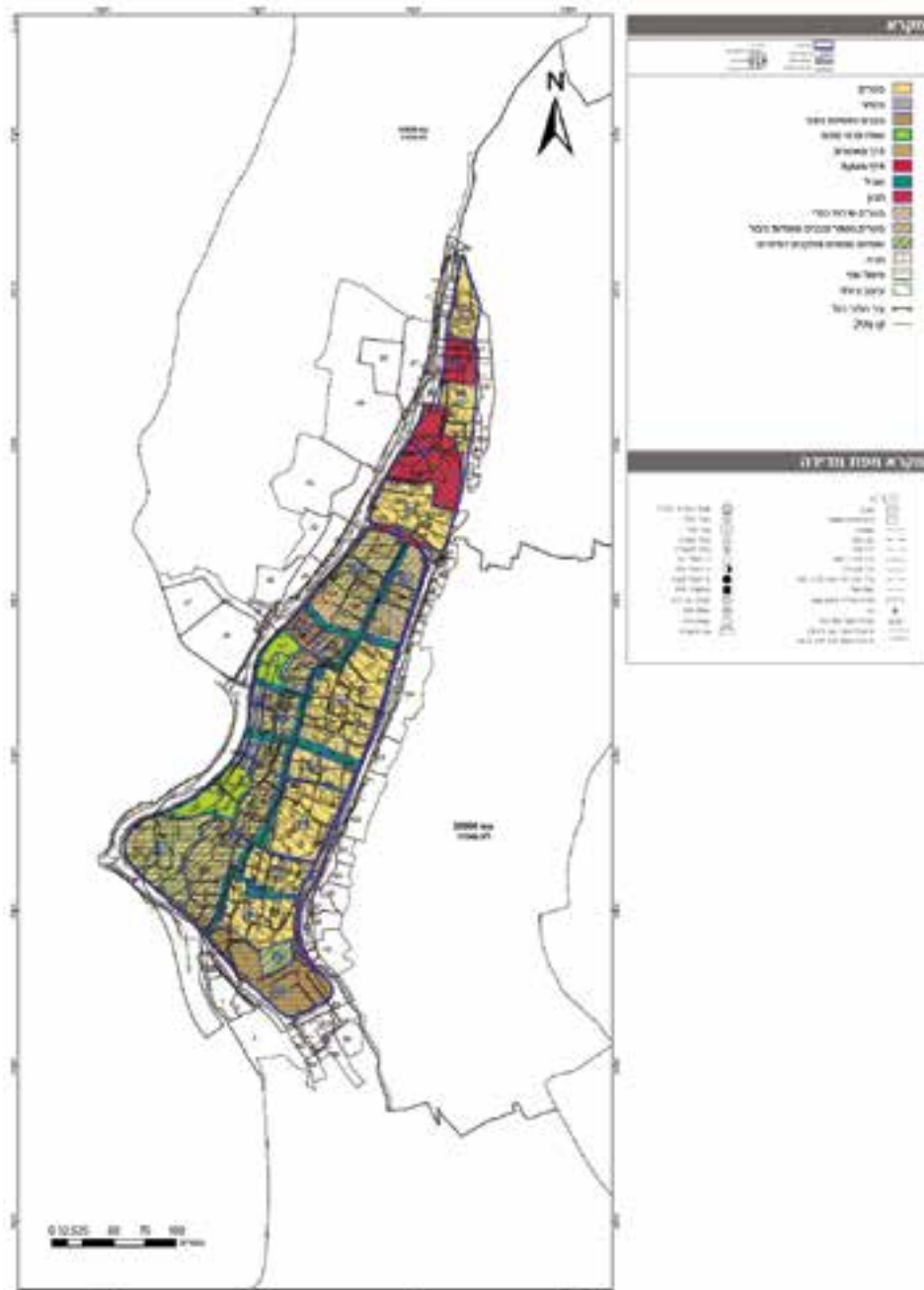
Source: (IJM, 2014)

WADI YASSOL, SILWAN

• IJM's Plan No.: 101-0130658   • Planning Area: 129 dunums   • Legal Status: In process

GREEN LINE

JERUSALEM MUNICIPALITY BOUNDARY

JERUSALEM OLD CITY

EAST JERUSALEM

ISRAELI SETTLEMENTS

PALESTINIAN BUILT-UP AREA

BUILT-UP AREA, WEST JERUSALEM

SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabi

Al Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilassol

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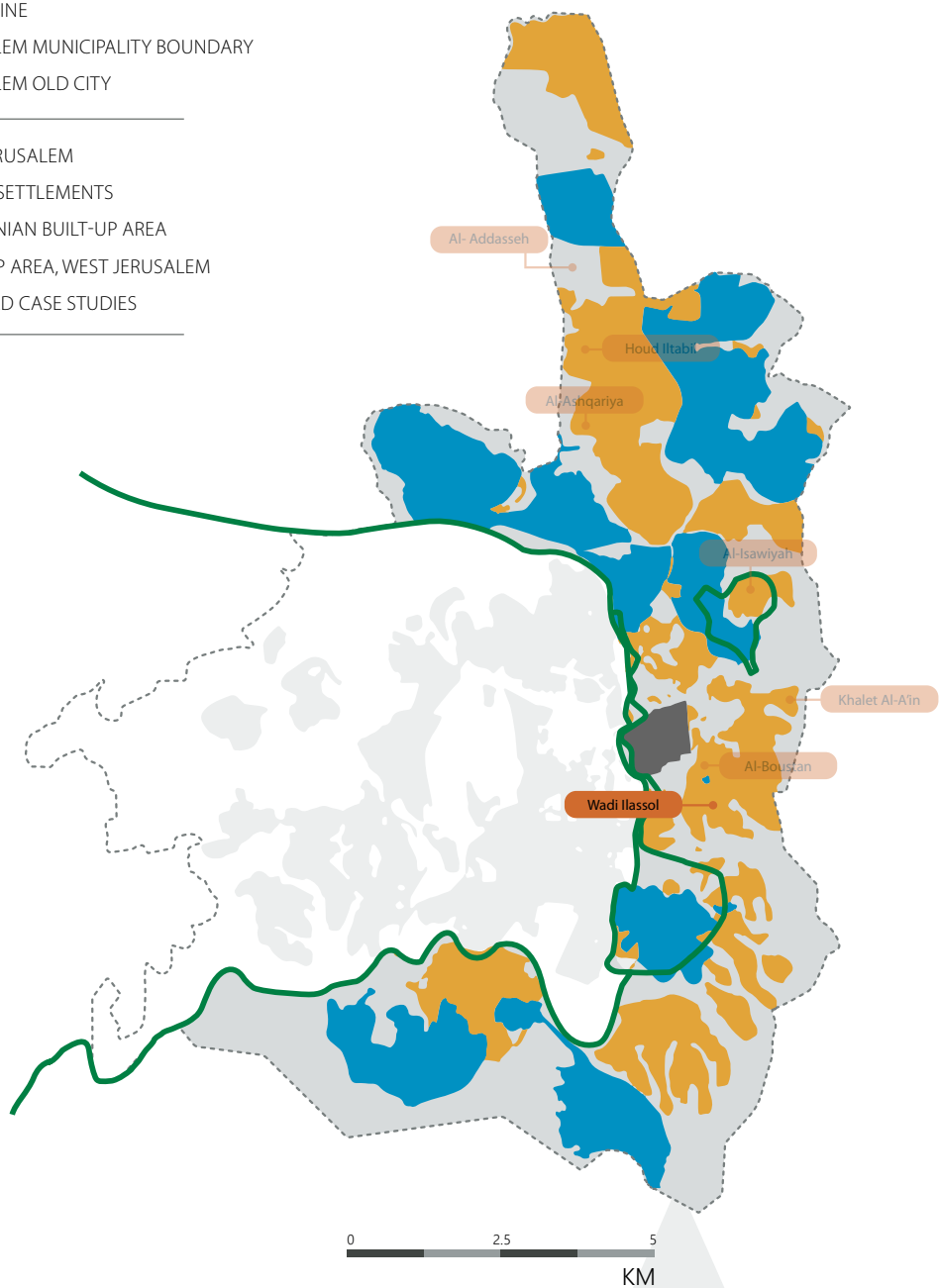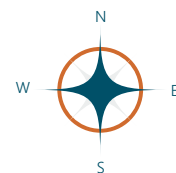
Overview: Wadi Yassol neighborhood in Silwan is home to approximately 1,500 residents. It is located a few kilometers south of the Old City on lands that are considered part of the 'Holy Basin'. As a result, the IJM has imposed severe building restrictions affecting local inhabitants.

Wadi Yassol is also part of a green belt concept proposed by the IJM around the Old City. All buildings in the neighborhood are slated for demolition (approximately 90 buildings).

Initiation Party: The alternative plan was initiated by the local popular committee, with a Palestinian 'national' steering committee also established at the very beginning of the community-based initiative.

Timeframe: The detailed plan was submitted to the Israeli Local Planning and Building Committee 12 months after it was initiated in 2012. The Local Planning and Building Committee has since requested amendments to the plan. In the meantime, the plan has been used as a tool to freeze demolition orders in the neighborhood.

Financial Mechanisms: The plan was financially supported by the Arab National Movement.

Plan Objectives:

- To address local housing needs, while also legalizing all residential buildings of Wadi Yassol neighborhood (90 buildings);

- To promote an environmentally sound neighborhood and preserve its natural assets for the benefit of local residents; and

- To develop an environmentally sound local transportation system and to develop the physical infrastructure and social services of the neighborhood.

Major Strategies:

- Encourage community collaboration: The local committee of the plan has been meeting on a fortnightly basis to consult on certain specifics and to be updated about planning developments.

- Encourage compact design: The plan suggests increasing building rights in order to meet the needs of the population.

- Foster a sense of place: The plan proposes the construction of a cultural and educational center for Wadi Yassol, as well as other social and cultural facilities.

The alternative plan has allocated 55 percent of the planned area for residential use, and the remaining 45 percent for public use, including green open spaces to preserve the unique scenic value of the neighborhood.

Proposed Plan for Wadi Yassol, Silwan

Source: (IJM, 2014)

HOUD ILTABIL, BEIT HANINA

- IJM's Plan No.: 6671   • Planning Area: 628 dunums   • Legal Status: Authorized

GREEN LINE
JERUSALEM MUNICIPALITY BOUNDARY
JERUSALEM OLD CITY

EAST JERUSALEM
ISRAELI SETTLEMENTS
PALESTINIAN BUILT-UP AREA
BUILT-UP AREA, WEST JERUSALEM
SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabil

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilassa

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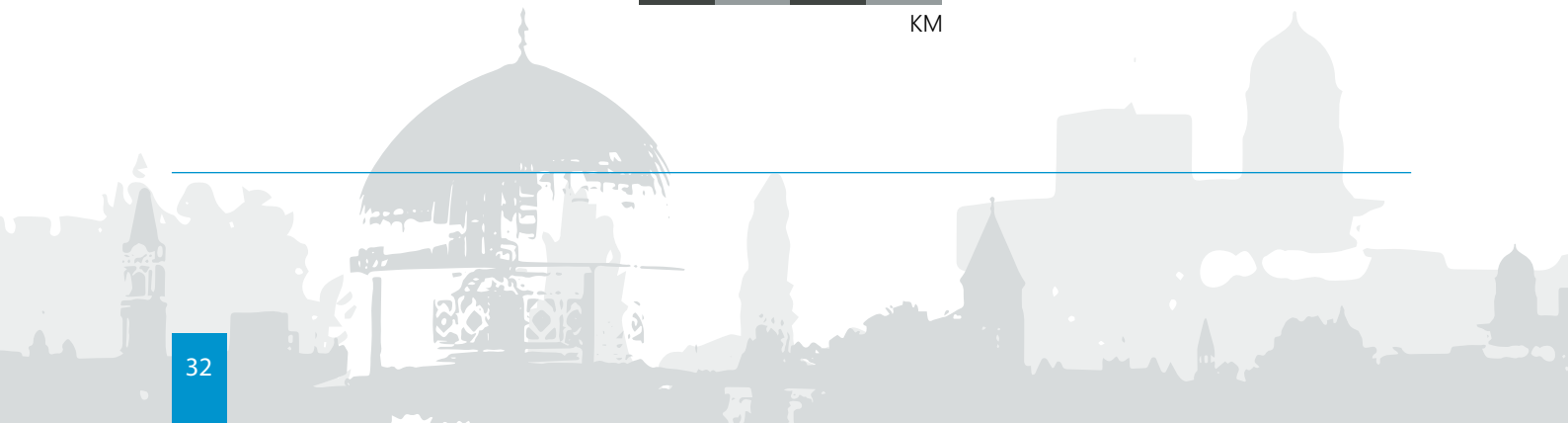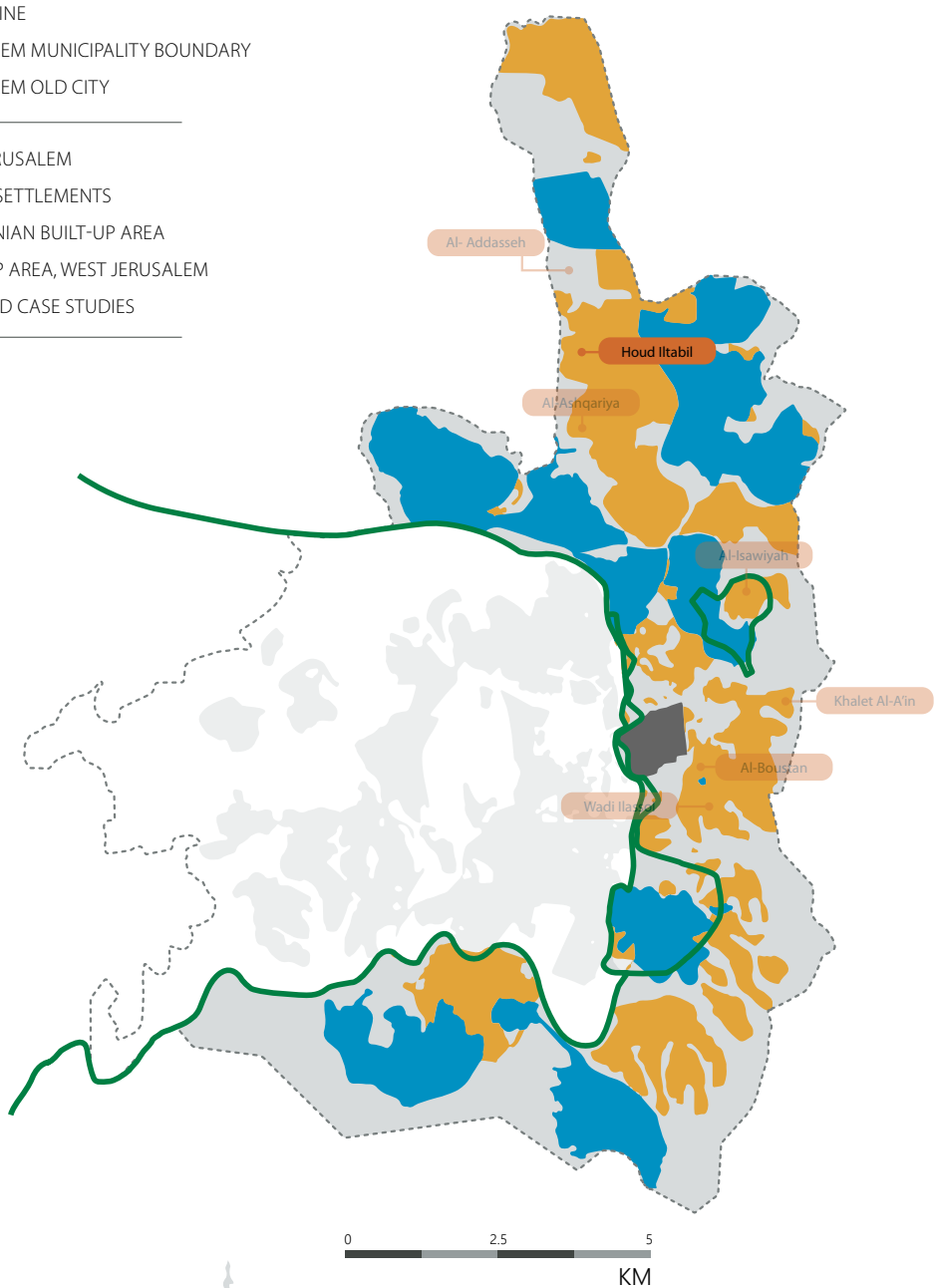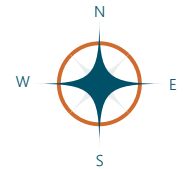
Overview: Houd Al-Tabil (Wadi Al-Dam and Al-Aqabah) is located 5 km to the north of the Old City in the northwestern corner of Beit Hanina.

Its location along the road leading to Modi'in settlement means that it is considered to be in a strategic location by the Israeli authorities.

Initiation Party: The local popular committee developed the alternative plan. A local citizenry committee was also established.

Timeframe: The planning started in 1998, and continued until the plans were approved by the IJM in 2002. Despite having provided initial consent for the plan during its initiation, the IJM took more than four years to grant final authorization.

Financial Mechanisms: The plan was financially supported by the local people.

Plan Objectives:

The plan was set-up to stop home demolitions in the neighborhood, which numbered approximately 5-6 demolitions on average per year. It also sought to plan for the construction of additional units to meet local demand.

Major Strategies:

- Encourage community collaboration: The local residents initiated the plan (a first in Jerusalem), that was sourced out to a local engineering company, and formed a local citizenry committee that was closely involved in most technical planning aspects.

- Flexibility concerning details: The plan adopted a unique mechanism by giving the landowner the freedom to choose the exact placement of her/his house up to a certain building ratio and under certain restrictions (e.g. number of floors).

Major Lessons Learned:

- Better representation of local residents in the local citizenry committee is needed.

- There is a need to acquire more information about the landowners/land ownership status.

- There is a need to consider the land ownership when developing a re-parcellation plan.

- Phasing the plan implementation is helpful not only for financial purposes, but also for tactical/managerial purposes.

- It is quite important to ensure collective efforts in defending planning and building rights. More specifically, seeking ongoing legal advice throughout the planning process is important in its own right, as well as providing support for advocacy purposes.

Proposed plan in Houd Iltabil, Beit Hanina
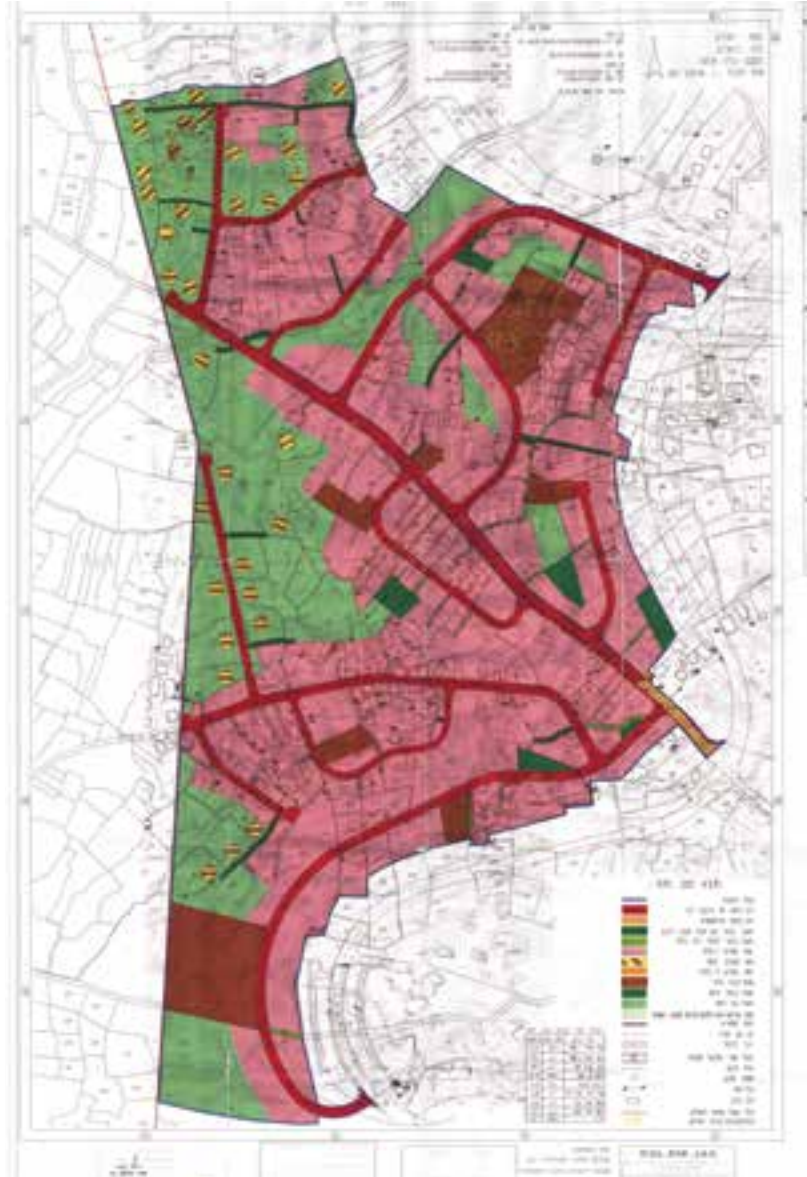
Source: (IJM, 2014)

This alternative plan is a successful example of a grassroots initiative supported by local residents. However, the plans implementation has not been regularly and collectively monitored.

The plan contains 89 existing buildings built during 1995-2001. It includes an additional 1,500 new housing units that are planned to be built (CCDPRJ, 2007: 18), with between 60-70 percent of this target already achieved so far. The plan allocates 52 percent of the planned area for residential use to meet the increasing need for new homes in the neighborhood and beyond in East Jerusalem. The remaining 48 percent of land has been earmarked for public use, about 60 percent of which is allocated for green open spaces.

AL-ADDASSEH, BEIT HANINA

• IJM's Plan No.: 185306   • Planning Area: 603 dunums   • Legal Status: In process

GREEN LINE

JERUSALEM MUNICIPALITY BOUNDARY

JERUSALEM OLD CITY

EAST JERUSALEM

ISRAELI SETTLEMENTS

PALESTINIAN BUILT-UP AREA

BUILT-UP AREA, WEST JERUSALEM

SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabi

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

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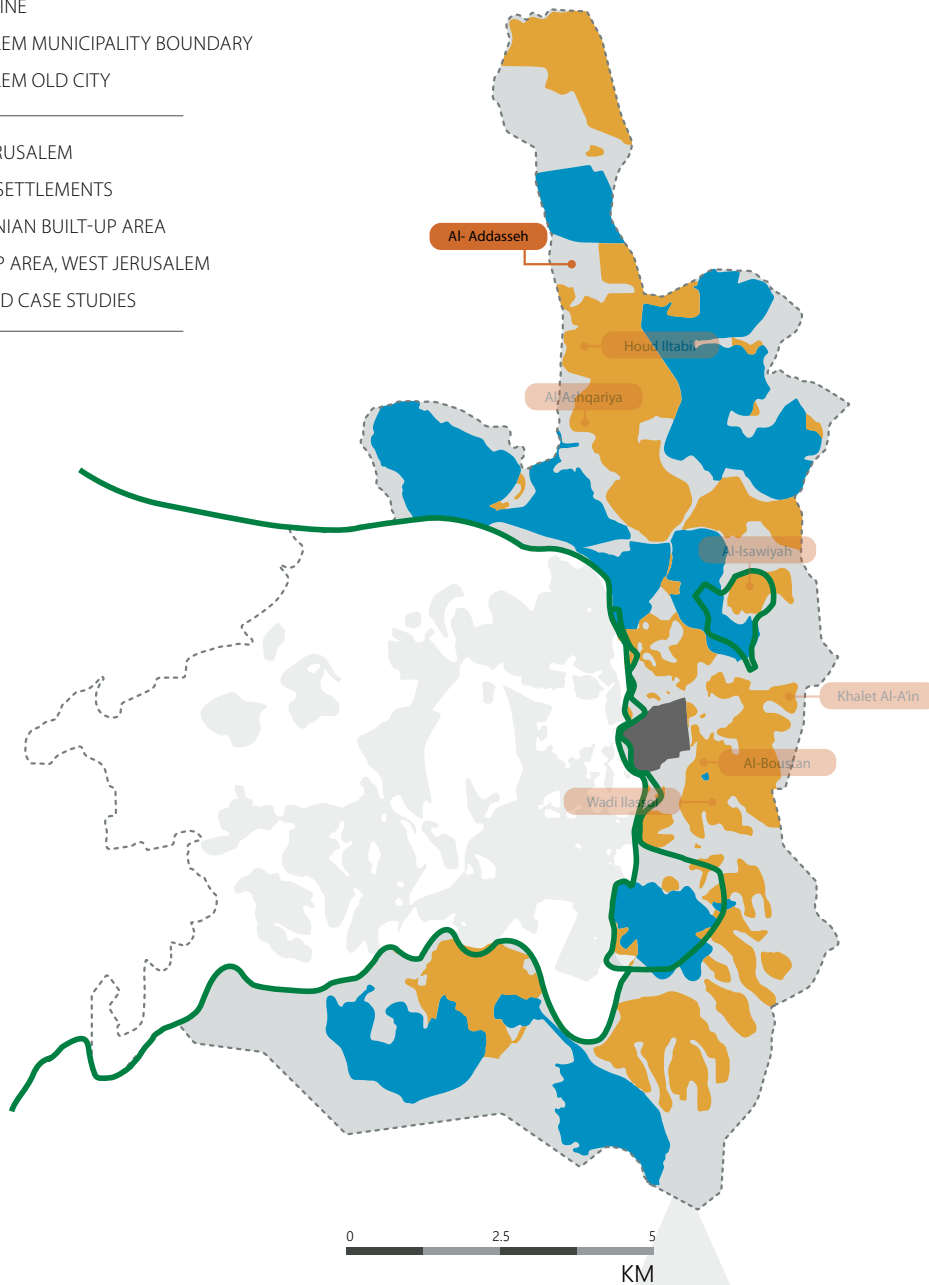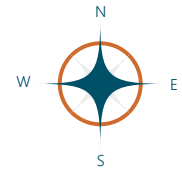
Overview: Al-Addasseh is a hilly area that lies about 5.5 km away from the Old City. Adjacent to the northern neighborhoods of Beit Hanina, near Al-Nussiebh neighborhood, it is presently mostly vacant.

Al-Addasseh is bordered by the Separation Wall to the west (which confiscates part of its lands), and surrounded by Atarot Industrial Zone to the north. Israeli authorities claim that it is home to archeological sites, which further complicates the local planning process and efforts to obtain needed building permits for construction. Importantly, the neighborhood is earmarked as an area for Jerusalem's future expansion under the Jerusalem 2000 master-plan.

Timeframe: The first alternative plan was produced between 1998 and 2002. The second alternative plan was produced between 2008 and 2013.

Financial Mechanisms: The first alternative plan received financial support from international donors, while the local community financially supported the second alternative plan.

Plan Objectives:

The plan was initiated to help safeguard building rights in the neighborhood, as well as to facilitate the construction of new public buildings, commercial facilities, playgrounds and residential units.

Major Strategies:

- Encourage community collaboration: In the case of both alternative plans initiated for this neighborhood, the local community was engaged in the planning process.

- Increase Community Awareness: The first alternative plan was used as an advocacy tool to better inform the local community of their rights, and to raise awareness about the planning and building crisis in East Jerusalem.

- Encourage mixed-uses: The first and second alternative plans adopted mixed-use developments for both commercial and residential uses.

- Enhance walkability: The first alternative plan opted to enhance walkability by maximizing pedestrian access, and minimizing vehicular access, especially in the already built-up area at the bottom of the hill.

- Public-Private Partnership: The local committee is considering developing a 'development company' to conduct the infrastructure work, and benefit from the associated cut on related taxes by the IJM.

Major Lessons Learned:

- Lobbying Israeli officials and convincing them to allocate the land for Palestinian development has set a precedent for planning and building on a larger scale.

- Increasing Palestinians' knowledge of how to defend their planning and building rights through dealing with the Israeli planning system and laws has many positive results.

- Awareness-raising activities targeting both the local and international community are important to increase their involvement in finding solutions to the planning crisis in East Jerusalem.

The plan allocates 45 percent of the land for residential use, and the remaining 55 percent for public use, more than three-quarters of which is allocated for public facilities, reflecting the dire need for additional facilities in and around Beit Hanina.

Proposed plan in Al-Addaseh, Beit Hanina
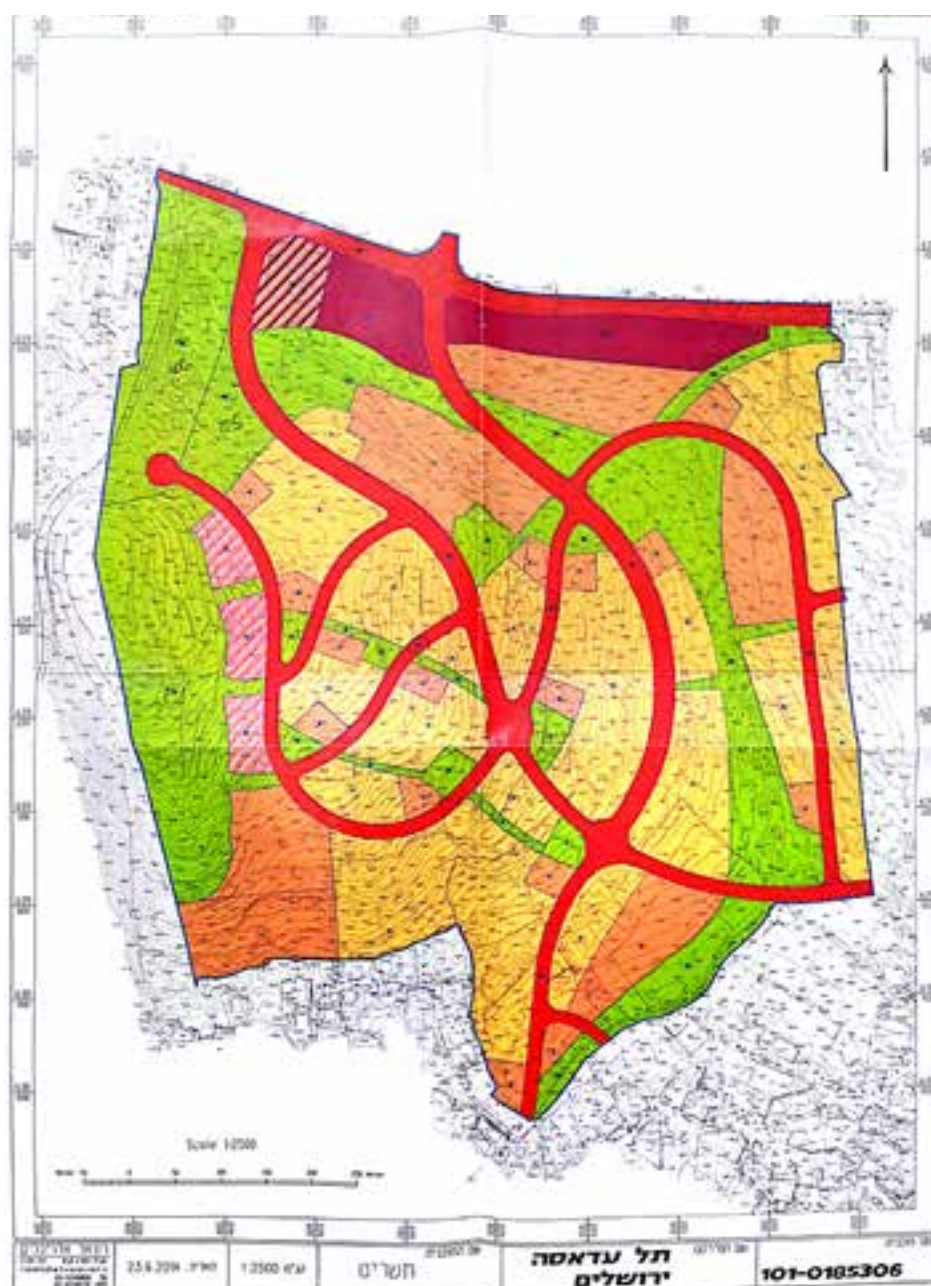
Source: (IJM, 2014)

AL-ASHQARIYA, BEIT HANINA

• IJM's Plan No.: 9713   • Planning Area: 83 dunums   • Legal Status: Authorized

Legend:

— GREEN LINE

••• JERUSALEM MUNICIPALITY BOUNDARY

■ JERUSALEM OLD CITY

▢ EAST JERUSALEM

▢ ISRAELI SETTLEMENTS

▢ PALESTINIAN BUILT-UP AREA

▢ BUILT-UP AREA, WEST JERUSALEM

● SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabi

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilas

N
W — E
S

0   2.5   5
KM
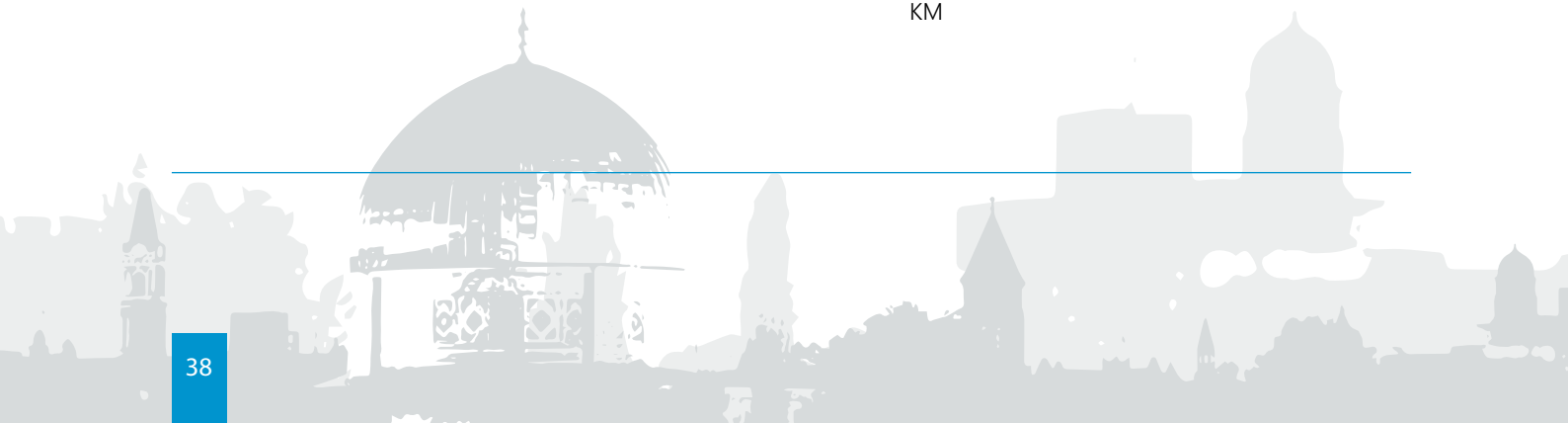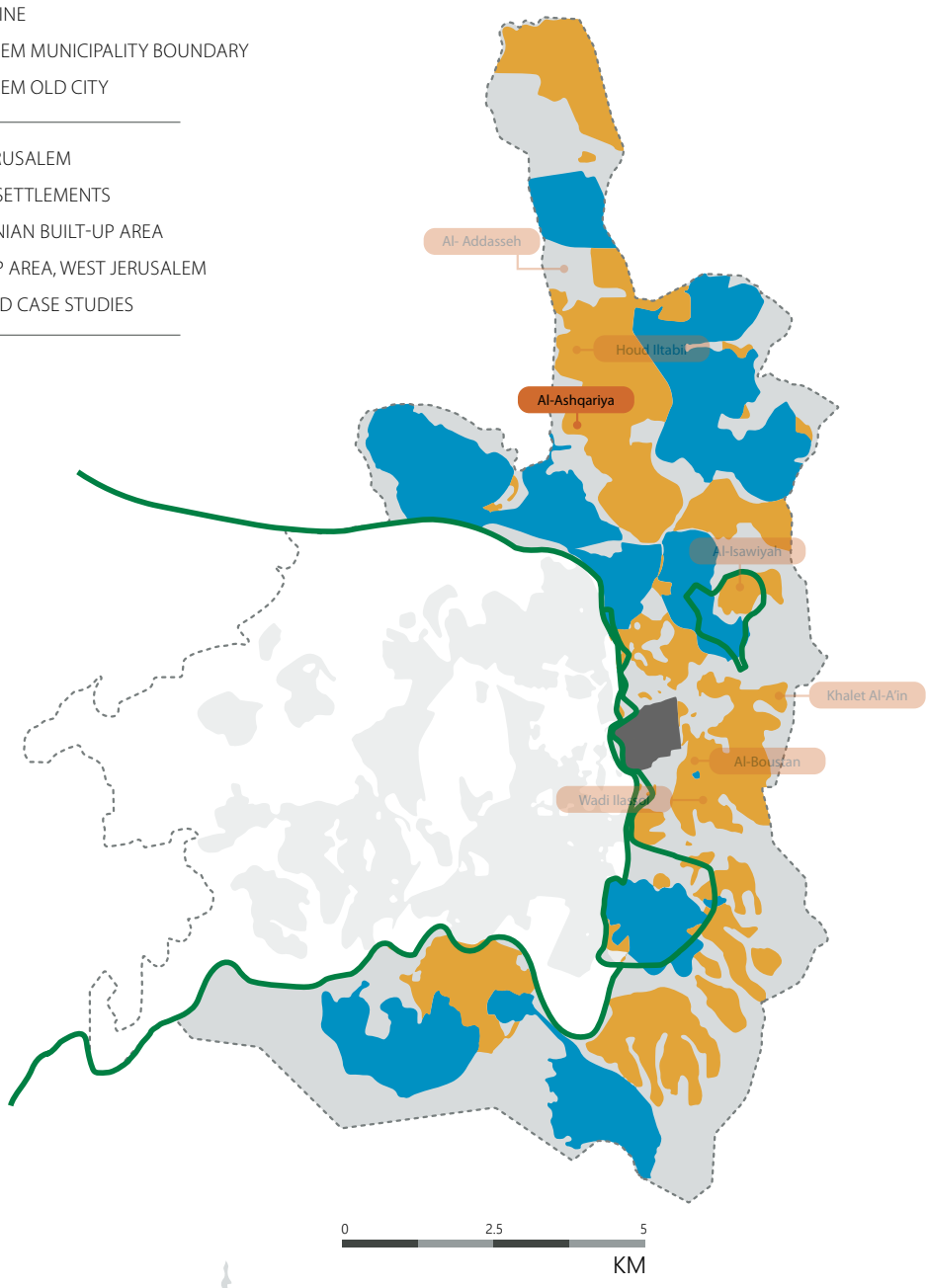
Overview: Located north of the Old City, Al-Ashqariya is a small neighborhood nestled in the southwestern part of Beit Hanina.

Only part of the neighborhood is earmarked for future planning under the Jerusalem 2000 master-plan. The rest of the neighborhood is designated as open scenic areas, thus building permits are not granted to the residents.

Initiation Party: An alternative plan grew out of the lobbying efforts of one local landowner, who convinced his neighbors to support a community initiative to remove the threat of demolitions. A local popular committee was subsequently formed, spearheaded by the local community center.

Timeframe: The planning process started in 2006, while the alternative plan received authorization in 2012.

Financial Mechanisms: The plan was financially supported by the local community.

Plan Objectives:

The alternative plan main objective was to remove the demolition threat for 29 buildings.

Major Strategies:

- Encourage community collaboration: While the local popular committee was trusted with following-up on the planning process and associated activities, local residents were continuously consulted step-by-step.

- Densification: increasing the allowable plot ratio. In this undertaking, the IJM was more flexible compared to other cases in East Jerusalem.

- Expansion/Creative Allocation for Public Use: collectively buying vacant land at the edge of the plan, and allocating it for public use.

- Re-parcellation: re-parcelling land and redistributing land plots after specifying those areas allocated as shared public spaces. Landowners who owned vacant land were encouraged to allocate more land than their neighbors, and in exchange they received more building rights, and did not contribute in the financial dues related to buying new lands to be included within the blue line.

- Joint-Cash Box: Within the framework of this alternative plan, the popular committee established a 'joint-cash box' mechanism that was used to cover the needed expenses for developing the plan, and to buy new plots to be included within the proposed blue line.

Major lessons learned:

- In the context of oppressive state planning, grass-root initiatives by local people serve as the best way to proceed. The residents' organization and management of the process in close collaboration with the 'popular committee' was a cornerstone in the success of the plan.

- The urban planner used to develop the alternative plan was trusted by local residents, which helped in mobilizing and organizing landowners, and in moving the planning process forward.

- The local community shared the financial burden of producing the alternative plan and its implementation by adopting a 'joint cashbox' mechanism. This also guaranteed the financial sustainability of the planning process.

- Balancing land allocations for public areas and residential uses was key. The residents purchased a large vacant area at the edge of the plan using the 'joint cashbox', and allocated most of it for public uses. As such, organized collective efforts are considered a step in the right direction.

- Local residents have sold part of the re-zoned land to private investors, and this has enabled the return of the original deposits made by the local residents to the 'joint cashbox'. As such, partnership with private sector has many benefits that have the potential to be scaled-up in the context of planning for Palestinian communities in East Jerusalem.

About two-thirds of the planned area was allocated for residential use to meet the housing needs of local residents. The re-parcellation process included in this plan could inform similar possible interventions in the near future. This plan stands as a successful example for future interventions in the face of similar challenges.

Proposed plan in Al-Ashqariya, Beit Hanina
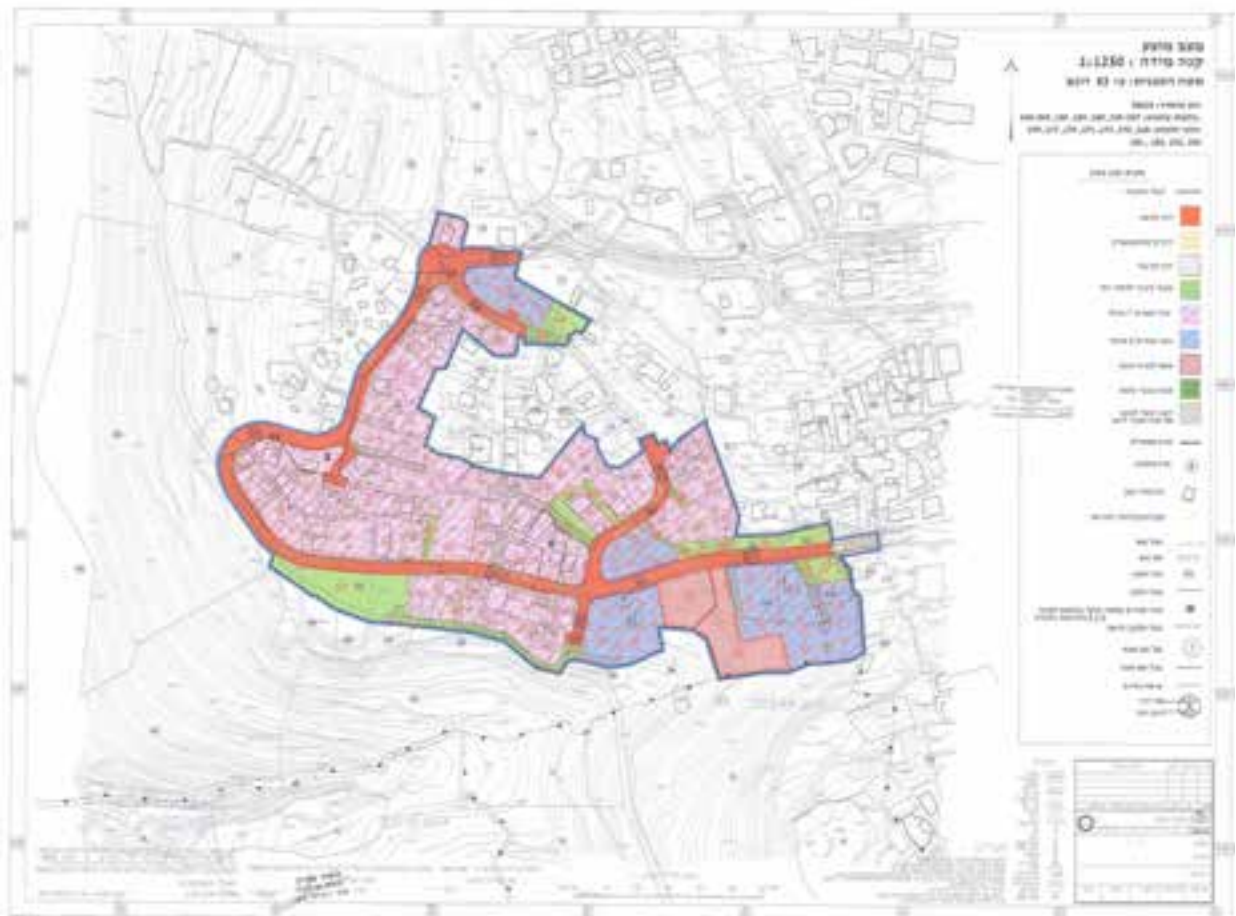
Source: (IJM, 2014)

AL-ISAWIYYAH

• IJM's Plan No.: 11500   • Planning Area: 2,230 dunums   • Legal Status: Rejected

GREEN LINE
JERUSALEM MUNICIPALITY BOUNDARY
JERUSALEM OLD CITY

EAST JERUSALEM
ISRAELI SETTLEMENTS
PALESTINIAN BUILT-UP AREA
BUILT-UP AREA, WEST JERUSALEM
SELECTED CASE STUDIES

N
W   E
S

Al- Addasseh

Houd Iltabi

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilassal

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KM
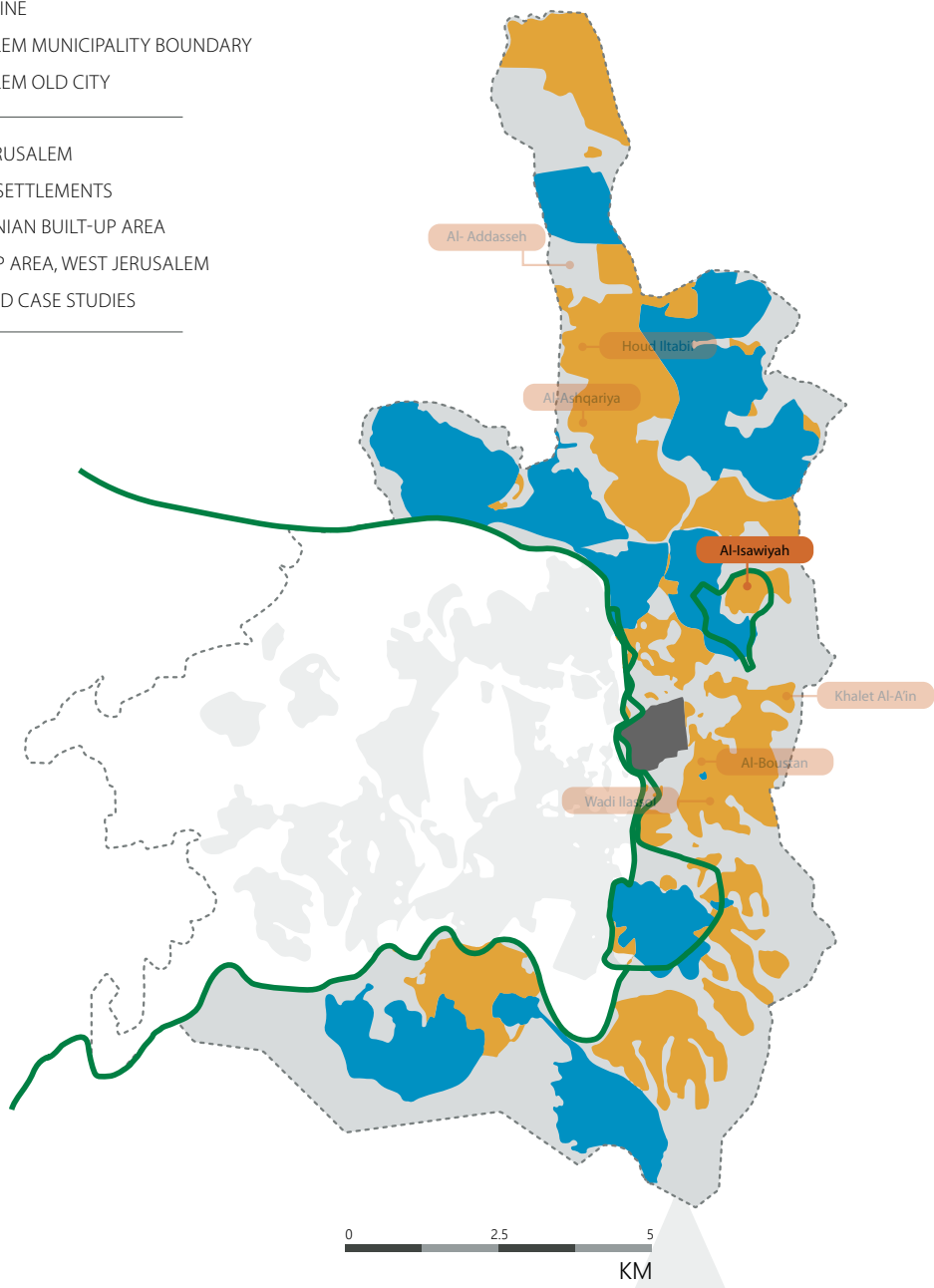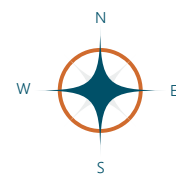
Overview: Al-Isawiyyah neighborhood is located 3 km northeast of the Old City. It is bordered by El-›Eizariya and Al-Ka›abina to the east, ‹Anata and Shu›fat to the north, and Az-Za›ayyem to the south. The population is estimated to be approximately 15,500 people.

Al-Isawiyyah is one of East Jerusalem's most densely populated neighborhoods. In particular, it is hemmed in from all sides, blocking any future spatial development. The NPA's plan for a national park, the IJM's plan to construct a solid waste landfill, and the Jerusalem 2000 master-plan, all form the main obstacles to Al-Isawiyyah's future expansion.

Timeframe: Preparation of the plan began in 2004, but was stopped in 2010 because of the strict adherence of the planning authorities to the Jerusalem 2000 master-plan and due to various state-led planning initiatives, such as a new national park south of Al-Isawiyyah, and a solid waste landfill north of Al-Isawiyyah. The IJM took upon itself to provide a new plan for the neighborhood in 2010, though no plan has yet been produced.

Financial Mechanisms: The plan received financial support from an Israeli NGO.

Plan Objectives:

The main motivation behind the plan was to legalize unauthorized buildings, which remain under the threat of demolition, as well as to double the area of Al-Isawiyyah to provide the needed space for future expansion. The current neighborhood plan (no. 2316) has exhausted its building potential.

Major Strategies:

• Establish communication channels between stakeholders: Representatives of the local residents and professional planning staff, in close consultation with planners at IJM, NPA, and the Ministry of Interior, were actively involved in the planning process.

• Flexibility in negotiations: To a certain extent, flexibility was shown during negotiations. For instance, un-implementable roads were cancelled and alternative roads were proposed based on existing roads. Nevertheless, when the NPA and IJM went forward with their plans for the national park and Jerusalem 2000 master-plan, they did not consider the proposed zonings in the alternative plan.

• Conciliation of zoning designations: The plan suggested changing the current zoning stipulated under plan no. 2316 to better reconcile it with actual construction that had taken place in the neighborhood (which was often spontaneous).

• Spatial linkages: The relatively large-scale plan allowed spatial linkages to be made between the neighborhood and its immediate surroundings. More specifically, the plan proposed a new road system intended to improve congestion and accessibility by better regulating traffic through main entrances to the neighborhood as well as their connection to a ring road.

About 52 percent of the planned area is allocated for residential use with a view to legalizing endangered buildings. The remaining 48 percent is allocated to public use to improve public facilities and provide green open spaces.

Proposed plan in Al-Issawyeh
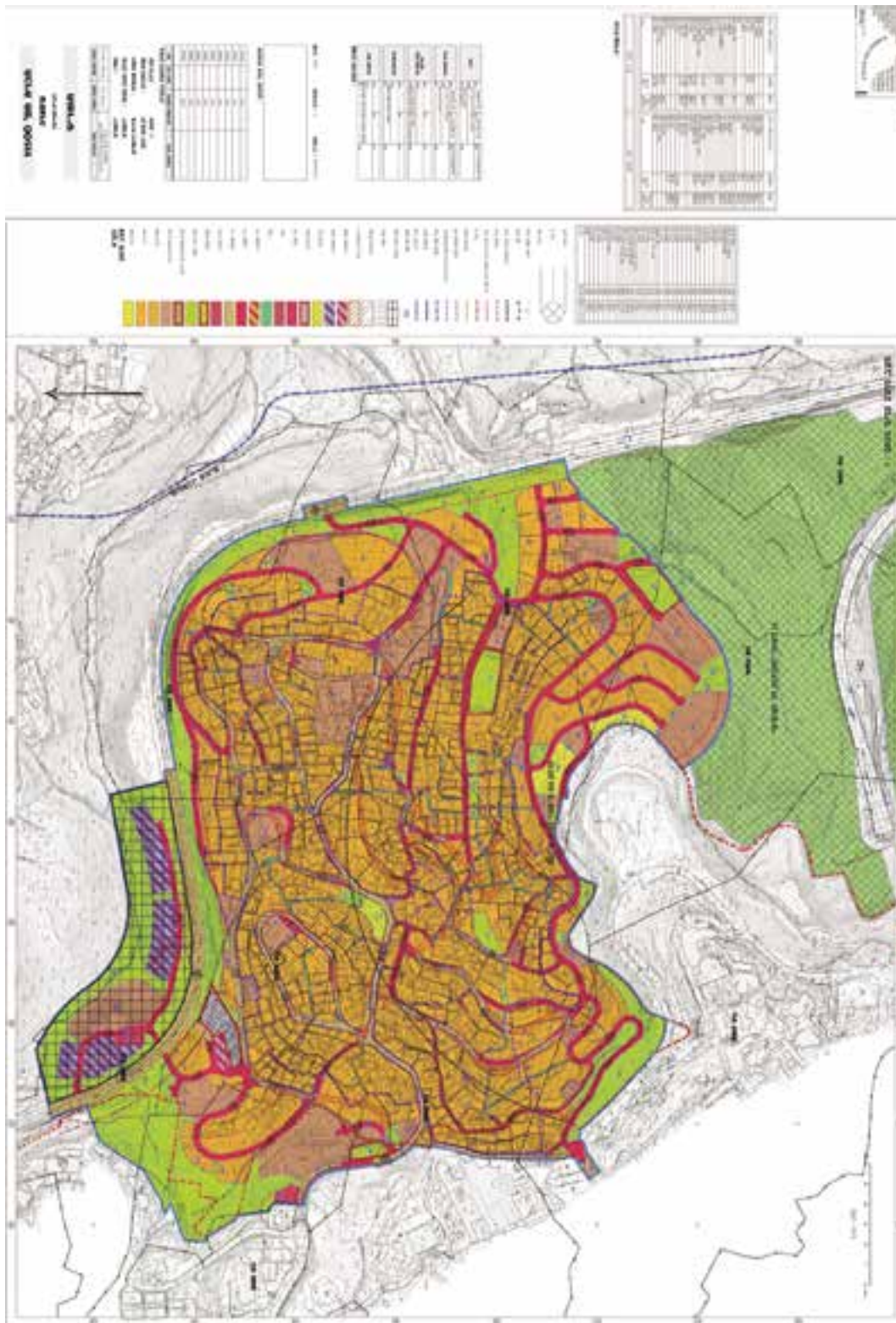
Source: (IJM, 2014)

KHALET AL-'AIN, AT-TUR

• IJM's Plan No.: 12500   • Planning Area: 530 dunums   • Legal Status: Appended (In Court)

Legend:

— GREEN LINE
••• JERUSALEM MUNICIPALITY BOUNDARY
■ JERUSALEM OLD CITY

■ EAST JERUSALEM
■ ISRAELI SETTLEMENTS
■ PALESTINIAN BUILT-UP AREA
■ BUILT-UP AREA, WEST JERUSALEM
■ SELECTED CASE STUDIES

Al- Addasseh

Houd Iltabi

Al-Ashqariya

Al-Isawiyah

Khalet Al-A'in

Al-Boustan

Wadi Ilassa

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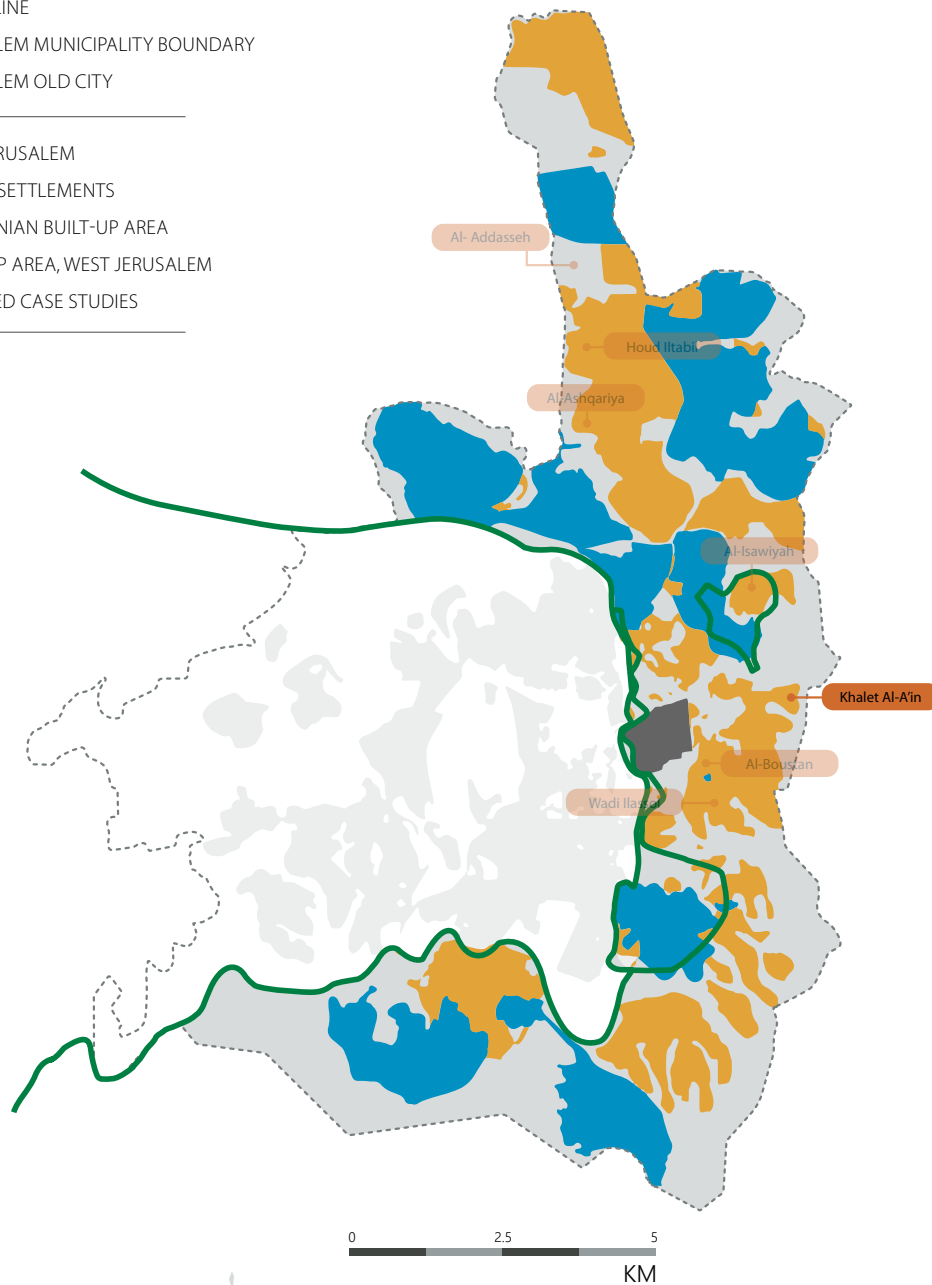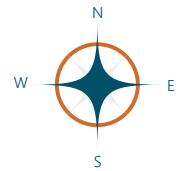
Overview: Khalet Al-'Ain is located on At-Tur hill, and is strategically positioned between Arabic East Jerusalem and the Hebrew University (in Mount Scopus settlement). It is 1 km north-east of the Old City.

The neighborhood is under threat following a controversial plan by Israel to establish an archaeological city resembling the biblical description of 'Holy Yerushalim', or what is commonly known as the 'Holy Basin'. Accordingly, Khalet Al-›Ain is now designated as a metropolitan park under the Jerusalem 2000 master-plan, meaning that construction is not allowed.

Initiation Party: The alternative plan was initiated and organized by the local popular committee of Khalet Al-'Ain, which contracted a private architecture and town planning office in East Jerusalem.

Timeframe: The plan took 8 years from its initial drafting through to its submission for a permit in 2012.

Financial Mechanisms: The local community financed the plan, though part of the professional costs were covered by an Israeli NGO.

Plan Objectives:

The main motivation behind the development of the plan was to legalize 80 buildings deemed unauthorized by Israel, while accommodating the future expansion needs of local residents.

Major Strategies:

- Coordination with the Israeli Planning Authorities: The plan tried to accommodate proposals for the construction of a tourist road forwarded by IJM's municipal engineer. This has met with only limited success and ultimately resulted in the development of different plans, each proposing a different planning boundary 'blue line'.

- Community and third-party support: All the incurred costs have been provided by the local residents. Nevertheless, part of the professional costs to prepare the plans was provided by an Israeli NGO.

Major Lessons Learned:

- It is quite important to negotiate closely with IJM staff during preparation of an alternative plan. An initial field visit with the municipal engineer would be useful to understand their point of view to the future development of the area under question.

- It is important to be flexible and willing to develop alternative planning options to accommodate the different and sometimes conflicting views of relevant stakeholders.

- It is important to be well acquainted with the pertinent planning and building laws and by-laws in order to convince IJM staff when needed.

About 58 percent of the planned area is allocated for residential use, while the remaining 42 percent is allocated for public use, 21 percent of which is allocated for green open spaces. This challenges the IJM's plan to make a large part of this area a national park, reflecting a lack of success in attempts to coordinate between the planner and the IJM.

Proposed Plan for Khalet Al-Ain, AT-Tur
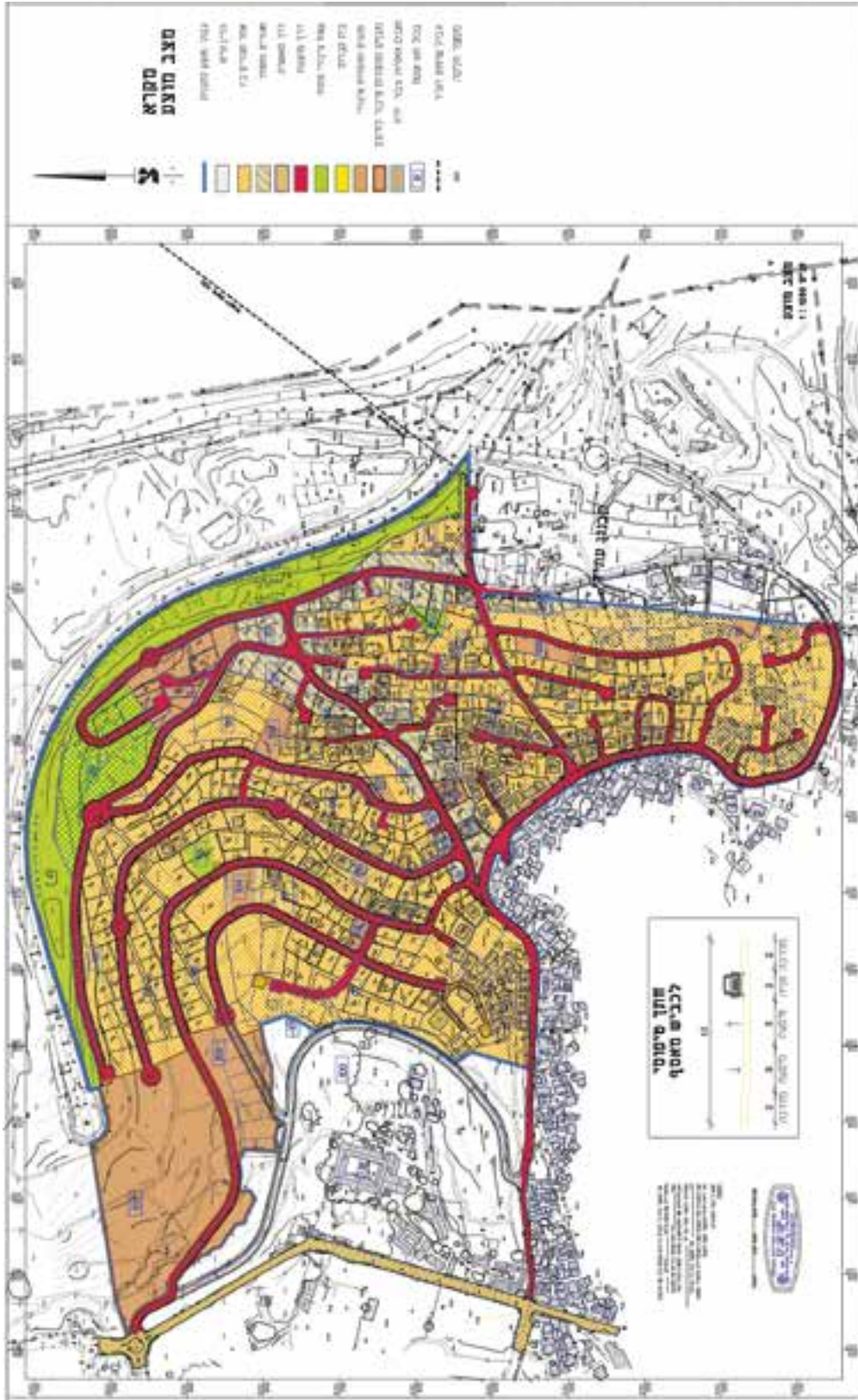
Source: (IJM, 2014)

Recap: Main Findings of Case Studies Analysis

The seven case studies under investigation provided breadth and depth for this analysis of planning conditions and practices in affected Palestinian communities in East Jerusalem. Only two out of the seven plans under investigation have been authorized. One important finding from the case studies relates to the scope and level of intervention concerning the prepared plans. Though all plans have been prepared with the chief objective of stopping the threat of home demolitions, it is quite evident that, for instance, there is a marked difference between the different neighborhoods when it comes to the number of inhabitants affected by house demolitions per dunum of the planning area **(Figure 21)**.
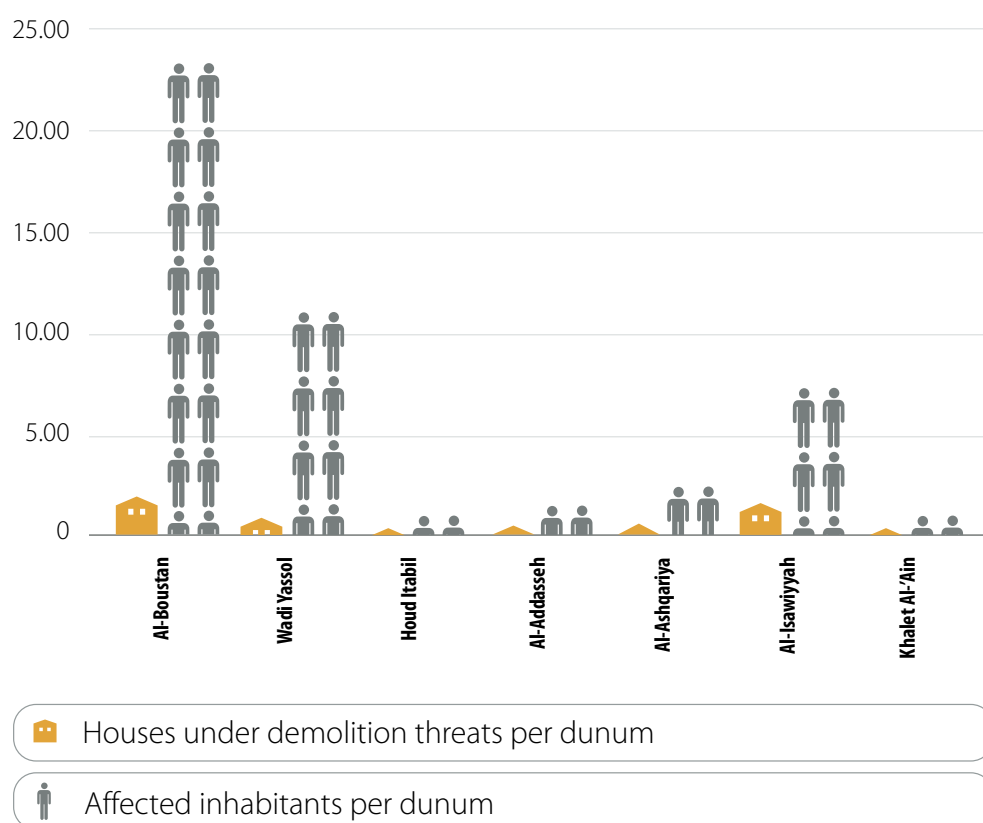
Figure 21: Case Studies in terms of House Demolitions and Affected Inhabitants[15]

By the same token, the seven plans have different percentages for the land use designations **(Table 3: Major Land Use Designations in the Case Studies)**. However, more than half of all planned areas were earmarked for residential use on average. Among the seven case studies, areas zoned for public use (public facilities and green open space) account for approximately 47 percent of the total planned area, with more land zoned for public facilities (29 percent) in comparison to green open space (18 percent). This can be attributed to the overall lack of public facilities affecting Palestinian communities in East Jerusalem. It is quite clear from the case studies that the most pressing planning challenge facing Palestinian communities in East Jerusalem is the provision of more housing options and solving the housing crisis.

15. For calculation purposes, in the case of Al-Addassaeh, both the Popular Committee's Plan and the IPCC's Plan have been combined, since only the latter includes built-up areas.

Table 3: Major Land Use Designations in the Case Studies					
Case Study	Plan No.	Planning Area (Dunum)	Residential (Percentage)	Public Facilities (Percentage)	Green Open Space (Percentage)
Al-Boustan/Silwan	0223313-101	47	42	44	14
Wadi Yassol/Silwan	0130658-101	129	55	16	29
Houd Itabil/Beit Hanina	6671	628	52	20	28
Al-Addasseh/Beit Hanina*	0185306-101	603	45	35	20
Al-Ashqariya/Beit Hanina	9713	83	66	24	10
Al-Isawiyyah	11500	1,329	52	32	16
Khalet Al-'Ain/At-Tur	12500	530	58	33	9
Average (Percentage)	53	29	18		

The calculations in the case of Al-Addasseh are highly indicative and speculative, since the design is still a work-in-progress.

What is also important to notice is the difference in the time needed to prepare the plans. In some cases, the plan was prepared in less than one year, and in other cases it needed ten years of work to be concluded **(Figure 22)**. This is due to many factors, including the cooperation of local residents, the cooperation of the IJM, and available resources, mainly financial resources and technical capacities. This demonstrates that there is no clear recipe to follow in the preparation of alternative plans; rather, each plan has its own distinctive conditions that need to be kept in mind during the plan preparations.
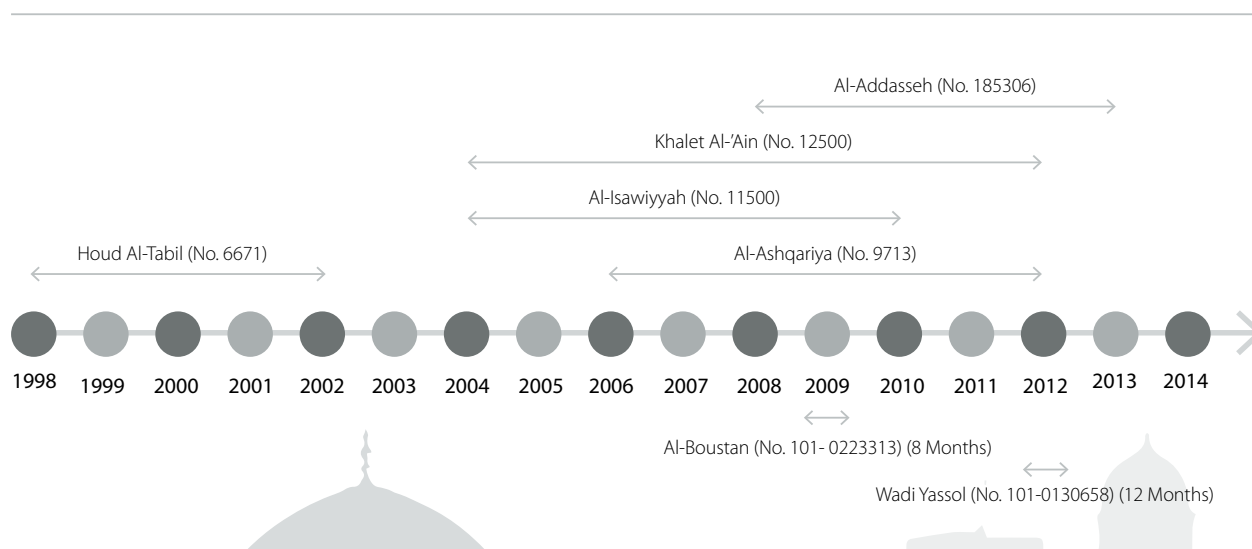
Figure 22: Timeline for the Plan Preparation of Case Studies

The neighborhoods under investigation can all be characterized as urbanized rural areas, or peri-urban/sub-urban areas with traditional urban networks that continue to be weakened socially, economically, and environmentally as a result of Israel's ongoing occupation. This is equally true of other Palestinian residential areas in East Jerusalem. A salient spatial aspect of development for Palestinian communities in East Jerusalem is urban sprawl. While different types or profiles of urban sprawl can be identified, the most common is urban sprawl as an emergent polycentric area **(Figure 23)**. Among the case studies considered here, emergent polycentric areas are readily identifiable in Beit Hanina, Greater Silwan, and Sur Bahir.
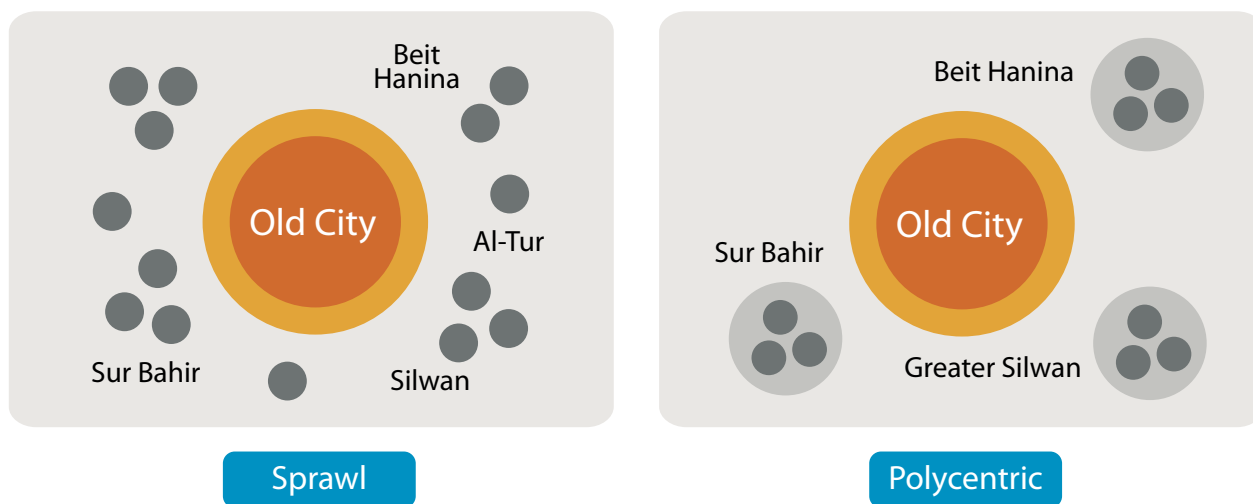
Figure 23: Urban Sprawl as an Emergent Polycentric Form for Palestinian Communities in East Jerusalem

Considerable differences also exist when it comes to the population distribution in different areas for Palestinian communities and Israeli settlements in East Jerusalem, respectively **(Figure 24)**. More broadly, 'Silwan' and its environs has a higher Palestinian population concentration than 'Sur Bahir' and 'Beit Hanina' and their environs. It is also higher than the population concentrations of Israeli settlements in the vicinity.
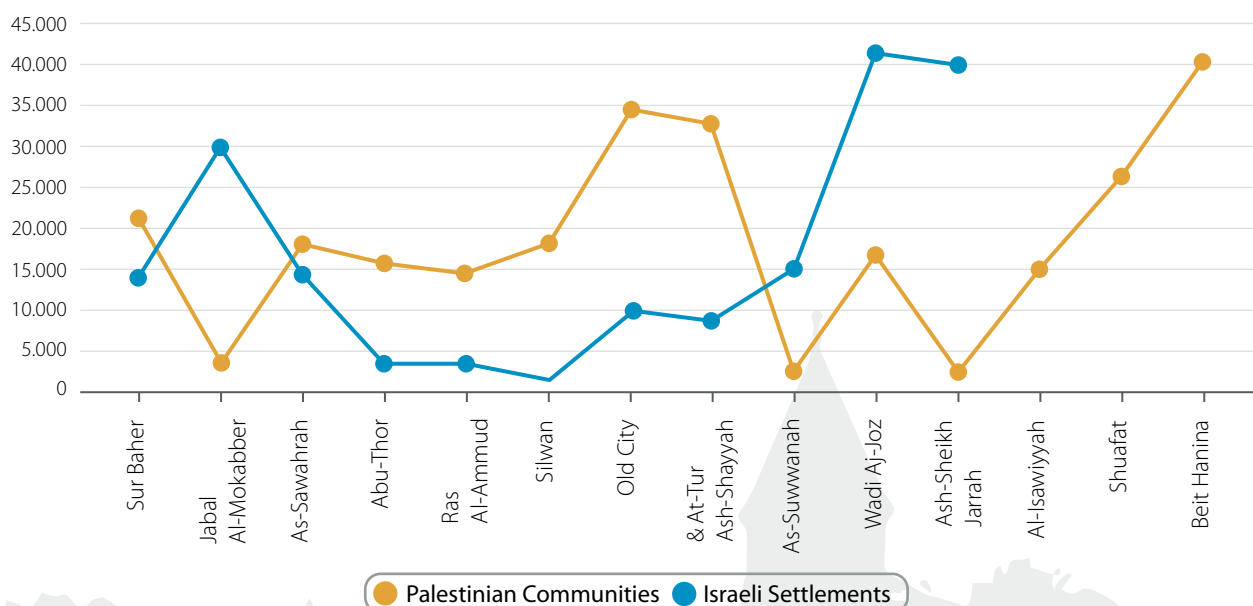
Figure 24: Population Distribution of Palestinian Communities and Israeli Settlements in East Jerusalem

Major Lessons Learned

In addition to the specific lessons learned in each of the investigated case studies, this section summarizes some generic lessons learned during discussions with planning experts in the context of East Jerusalem.

- Representatives of local communities, including popular committees, should be involved from the outset of any planning initiatives. In particular:

  Involvement of political and religious figures helps to sustain community-based planning initiatives. This also holds when it comes to advocacy and efforts to increase political pressure on the IJM aimed at defending the planning and building rights of Palestinian communities in East Jerusalem.

  Sufficient time should be allocated to understanding the local community's perspectives concerning planning priorities, including improvements in service provision, and to also ascertain the extent to which the local community is willing and/or able to cover planning expenses, whether in the form of tangible (in-kind) or intangible (land re-parcellation) contributions.

  Unless representatives of local communities are closely involved in the planning process, they are not expected to maintain and help sustain the delivery of service facilities in the proposed plans.

  The involvement of local communities in the planning process will foster a sense of local ownership over the plans, and this will accordingly help sustain development over time.

- As per the plans technicalities, the following should be taken into consideration:

  Expectations at the start of the planning process should be both realistic and clearly spelled out to the local community.

  Third parties such as a specialized NGO should be in charge of the technical aspects of plan preparations. In particular, there is a need to raise the technical capacities of planners working in the context of East Jerusalem.

  Academic institutions should work as a leverage to bridge the gap between demand and supply of related local plans.

  The built environment of Palestinian communities in East Jerusalem should be respected, and should be taken into account in statutory planning guidelines and standards. For instance, local roads should be utilized within proposed planning initiatives, while pragmatic solutions should be actively promoted throughout the planning process, like using part of the road network as one-way roads, while introducing some ring roads to ease traffic congestion.

- While housing schemes proposed under many community-based initiatives appear technically feasible (though within limits), there is often little change in social and environmental impacts on the community. By the same token, the economic impacts and the question of affordability remain quite intangible as an outcome.

- Community health and educational based programs are increasingly needed, but should be strategically detailed in terms of community-based programs within the policy programs of the alternative plans.

- In the context of alternative planning for Palestinian communities in East Jerusalem, top-down initiatives are not well received, and lead to lip service of sector-based interventions that more often than not overlook real community needs.

- Public-private partnerships in the context of alternative planning for Palestinian communities in East Jerusalem are not yet well programmed or sustained. The private sector remains an as yet untapped resource. Some successful cases do stand out, but need to be learned from and substantially scaled up **(Information Box 1)**.

Information Box 1 - Good Practices of Public-Private Partnership – St. George Landmark Hotel

St. George Landmark Hotel is a Five-Star Hotel located in the heart of East Jerusalem **(Figure 25)**. It was built in 1965 during the period of Jordanian rule in response to the then-famous pilgrimage of Pope Paul VI to Jerusalem. For years, East Jerusalem had experienced a continued slump in tourism. The Hotel was commissioned and inaugurated by King Hussein, who wanted a luxurious hotel similar to its Lebanese counterpart. While the Hotel was built on the Protestant Evangelical Lutheran properties, it was financed by local families from East Jerusalem, and remained under Swiss management until the 1967 war (See TWIP, 2012:38-39).

In 2012, the Jerusalem Tourism Investment Company Ltd. (JIT), a subsidiary of PADICO HOLDING, reopened the Hotel after a renovation and revival process. The hotel was used to host the Jerusalem Business Forum held later that year. This was the first time that East Jerusalem had hosted the forum. The Hotel is now considered a successful economic hub and one of the major business achievements in East Jerusalem, providing employment opportunities for East Jerusalemites. By the same token, the Hotel is considered a socio-cultural hub as it provides a new space where, for example, Palestinian artists can display their work for sale.

Figure 25: St. George Landmark Hotel

Fruits of Third-Party Collaboration

This section is designed to single-out the benefits of third party collaboration, and to encourage other policy/development communities and initiatives to follow similar planning approaches either in filing reservations against central-based plans or in developing new plans.

> Road No. 65 - Wadi Ara

The National Infrastructure Master-plan (TATAL 38) will result in drastic changes to the historical 'Wadi Ara' road, or Road No. 65, which links together a number of Palestinian communities, including Kafer Qara, Ar'ara, and Umm Al-Fahm **(Figure 26)**. The proposed road is 17 km in length and passes through several Arab Palestinian communities, compared to only 7 km length that passes through Jewish communities. TATAL 38 changes the function of road no. 65 from a main road to a highway, one that would result in the confiscation of 1,382 dunums, of which 1,093 dunums belong to Palestinian communities.

The Arab Center for Alternative Planning (ACAP) and Adalah: The Legal Center for Arab Minority Rights in Israel, together with a local popular committee, submitted an objection to TATAL 38 to the National Planning Committee following public calls for responses to the plan (announced in the newspapers, while submission had to be made within a period of 30 days of publication)[16]. The main argument behind the object submitted by ACAP and Adalah is that TATAL 38 exhibits double standards in planning that discriminate between Arab and Jewish communities affected by the plan. In particular, TATAL 38:

• Showed lack of consideration for the local context.

• Under the plan, when the new road passes through Palestinian villages, the building line is fixed and there is no consideration of the existing built environment (residential or commercial). When it passes through Jewish communities, the building line is flexible to better accommodate the surrounding environment, with changes made to the length of the building line.

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16. In February 2014, Bimkom also filed an objection together with 20 residents from various affected communities, including: Kfar Kara, Arar'a, Ara, Umm el-Fahm, Musmus, Mosrifh, and Bayada. In March 2014, a discussion was held at the National Committee for Infrastructure to hear the objections to the plan. During the discussion, Bimkom presented a comparison between the planned interchange for Umm Al-Fahm and the existing interchange for Kfar Shmaryahu, which is an affluent suburb of Tel Aviv. In June 2014, the National Committee for Infrastructure decided to correct the plan according to some of the claims raised in the objection, nevertheless the basic intention to widen the road remained unchanged and no solution or alternative was proposed to the expected damage to commercial exchange as it exists along the route today (Kronish, 2014).
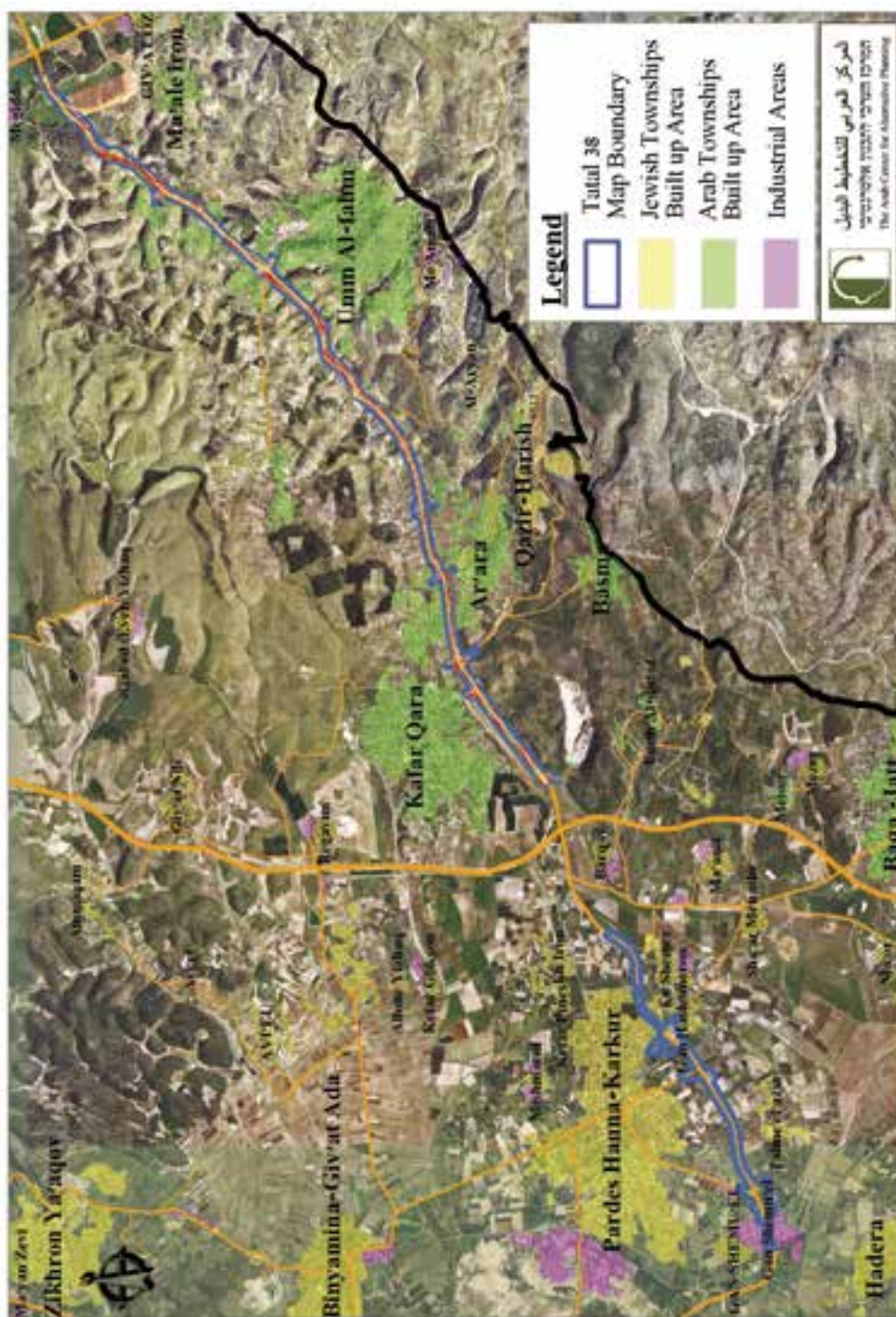
Figure 26: Road No. 65 (Wadi Ara)
Source: (ACAP, 2014)

The National Planning Committee has since recommended appointing an investigator to examine these and other objections to the plan, particularly the accusation of double standards, and to accordingly make changes to the building line. In conclusion, the cooperation between the different organizations was helpful here.

The Eastern Ring Road in East Jerusalem

Israeli authorities have planned and begun to construct a ring road around Jerusalem. The ring road is comprised of two main sections: a western road and an eastern road. The former is already complete, while final plans for the latter have just recently been approved. The Eastern Ring Road is meant to connect the Israeli settlements together mainly following the route of the Separation Wall **(Figure 27)**. It is 20 km long, and is slated to confiscate 1,237 dunums. As an occupying authority, Israel has consistently confiscated privately owned Palestinian land under the pretext of both 'requisition [of land] for military needs' and 'expropriation [of land] for public use'. In this case, Palestinian land confiscated for the construction of roads has been done so under the pretext of public use, even though the betterment of Palestinian residents and communities affected is clearly not the top priority of the plan.

Adalah & the Civic Coalition for Defending the Palestinians› Rights in Jerusalem (CCDPRJ) submitted an objection against Plan 4585/F[17] representing 20 local government units affected by the road. For many, the first time they heard of Plan 4585/F was after it was published in newspapers and brochures in February 2008. In their objection, Adalah and CCDPRJ used the same main argument used in the case of 'Wadi Ara' road, i.e. that the plan discriminates between Arab and Jewish communities affected by the plan by implementing double planning standards. More specifically:

- The road isolates East Jerusalem from the rest of the West Bank.
- The road entails the demolition of homes and other structures.
- The road further restricts Palestinian mobility, while strengthening the connection and road network between Jerusalem and illegal Israeli settlements.

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17. This plan is the last in the series of detailed plans prepared for the Eastern Ring Road. In previous detailed plans other civil society organizations, like Bimkom assisted many residents in filing objections against the Plan.

Figure 27: The Eastern Ring Road in East Jerusalem
Source: (Amara, 2009: 4)

While a review to the plan was initiated to take into consideration the circumstantial needs of affected Palestinian communities in East Jerusalem, the plan was eventually approved as is, with only relatively minor changes, such as saving some houses, and avoiding having to move a cemetery.

❝ The case studies reveal that partnerships established between NGOs (ACAP & Adalah in the case of 'Wadi Ara Road', and Adalah & CCDPRJ in the 'Eastern Ring Road') had a positive impact in lending greater legitimacy to community objections to existing plans. ❞

▌▊▊ PART IV: THE WAY FORWARD

Proposed Framework

In complex planning environments like East Jerusalem, Palestinian planners are advised to consider practical approaches to planning problems that prioritize the development of actionable plans alongside more visionary and idealistic outlooks to the city. In practical terms, the type of approach championed here when it comes to developing a general master plan for all-East Jerusalem involves an overly simple process, as depicted in **(Figure 28)**.

This approach aims at introducing a preliminary and flexible all-East Jerusalem spatial planning framework that is more inclusive, integrated, and above all, action-oriented. This approach seeks to strike a balance between pragmatism and utopianism, as well as between discursive narratives and actionable plans in the circumstantial context of East Jerusalem. Such an approach promises to devise new and creative solutions that can lay the foundations for a responsive planning framework more able to meet the needs and rights of Palestinian communities in East Jerusalem. The framework presented here is non-statutory based, and more of a policy recommendation that does not require a new regulatory framework. Therefore, the time needed to develop such a master-plan will only be allocated for technical procedures. Based on extensive consultations with planning experts and practitioners in the context of East Jerusalem, it is estimated that 18 months would be a suitable time period to prepare such a master-plan (not to be confused with the time needed to authorize a plan). The proposed framework to prepare the master-plan is comprised of three interrelated and interconnected parts best characterized as 'right to city'; 'right to vision'; and 'right to develop'.

The phraseology and conceptualization of the 'right to the city' is inseparable from basic civic and humanitarian rights. This linkage is an important outcome from this publication. An assessment of the situation on the ground measured against the ideals of the 'right to the city' is an important starting point, and can best be done by reviewing and studying the bulk of existing detailed plans and directives related to Palestinian communities in East Jerusalem, in order to better understand the potentials and determinants to future spatial development. 'Right to vision' reflects the need to balance desirability and attainability, which itself can lead to a number of different scenarios that need to be internally negotiated. Planning scenarios are best understood here as different strategic options and paths that strive to achieve the same goal. It is possible to proceed with implementing different scenarios at the same time, but at a certain point only one scenario should be pursued. Under the 'right to action', it is important to make sure that the plan is submitted and cleared in terms of its legal compliance so that it can serve as an effective tool to freeze all demolition orders against Palestinians in East Jerusalem.

This composite approach, or new praxis, does not aim to reach a zero-sum 'solution' for the conflict in the city of Jerusalem, but rather to inspire new ideas and tools that would encourage innovative ways for discussing and eventually solving this conflict, or at least minimizing its impact. In this sense, this approach promises some positive gains by establishing the groundwork for future collective efforts in Jerusalem and beyond, but this remains contingent on the capability to connect with prevailing social networks for 'alliance building, generating legitimacy, creating influence, and forging new ideas, all of which are key components of successful planning action', especially in conflict cities like Jerusalem (Davis & Hatuka, 2011: 353).

This approach should include an indicators-based system that is flexible. Such indicators should be closely developed in consultation with community-based organizations and practitioners working on the ground to make sure that an efficient and effective monitoring system is in place. All in all, this would better identify a common ground and similar sentiment for all people living/visiting East Jerusalem.

	RIGHT TO CITY	RIGHT TO VISION	RIGHT TO DEVELOP
Activities	Review of Existing Local Plans and Related Directives Situational Analysis & Needs Identification	Scenarios Formulation (Intensification; Densification; Expansion) Negotiation & Agreement	Approval & Clearness by Local Authorities Concrete Proposal Design & Production
Slated Output	- Define planning problems and objectives - Consult with local residents and beneficiaries, and develop a 'consultation committee' to support related activities - Build upon conducted surveys (demography; buildings – type, use, and tenure); public spaces; religious sites; road fabric; social services – education and health; local economy; land ownerships, etc.)	- Conduct public consultation workshops to maintain local community support - Undertake planned community awareness sessions - Identify possible resources to be used	- Develop a work plan for implementation, including designated performance indicators, along with details about incurred costs - Form a follow-up community-based committee cum plan-based technical support service team
Estimated Time	Planning Boundary (Blue Line Plan)	Planning Portfolio: Planning proposal, including infrastructural lines (roads, parking, pedestrian routes, water supply network, sewerage systems, power and electricity network)	Planning Approval, and initiation of implementation phase
	4 months	6 months	8 months

Figure 28: Planning to Plan – all-East Jerusalem Master-Plan Preparation

Stakeholder's Participation Strategy

Endemic problems related to spatial planning in East Jerusalem, coupled with deteriorating economic conditions, make the need for more flexible, pragmatic and responsive planning and implementation mechanisms – incorporating development perspectives in defending planning and building rights while sustaining more mundane tasks of delivery of services – all the more pressing. That is, it is important to link relief and emergency interventions and priorities in the short run (need-based), with development perspectives in the medium-to-long run (right-based), to ensure more sustainable spatial development in East Jerusalem.

Stakeholder participation is acknowledged here as a key methodology. Experiences have shown that the most sustainable results are obtained through mixed-scanning or a combination of 'top-down' and 'bottom-up' approaches. This should be reflected in the policy choices made. Participatory approaches and techniques should be used, enabling respective stakeholders (public sector, private sector, and civil society) to undertake joint planning and maintain control over the planning process. This will better enable informed decisions and greater buy-in by all stakeholders. In particular, fostering a sense of ownership over development plans among the local community affected has a number of benefits, including convincing local communities to adopt the plan/s even if it/they lack legal compliance, or full authorization.

The planning cycle can be separated out into four interrelated phases: identification or inception; planning; execution; and monitoring & evaluation. Accordingly, four stakeholders participation types are identified: information-sharing (one-way direction of participation); consultation (two-way direction of participation); collaboration (partnership participation agenda), and empowerment (beneficiaries are active and central participants) **(Table 4)**.

Table 4: Stakeholder's Participation Strategy

Stage in Planning Cycle	Information-sharing	Consultation	Collaboration	Empowerment
Review of detailed local plans	Local NGOs (Palestinian and Israeli), and Palestinian ministries	UN agencies, international community, international NGOs, and Private Sector	Civil Society Organizations, and local NGOs (Palestinian and Israeli)	Community Committee
Situational and needs analysis	UN agencies, international community, local NGOs (Palestinian and Israeli), international NGOs	Academic and research institutions, Community Committee	Community Committee	
Scenario formulation		Civil Society Organizations, and local NGOs (Palestinian and Israeli)	Community Committee	
Negotiation and agreement		Academic and research institutions, Community Committee	Civil Society Organizations, and local NGOs	Community Committee
Concrete proposal design	UN agencies, international community, international NGOs, Private Sector	Civil Society Organizations, and local NGOs (Palestinian and Israeli)	Community Committee	
Approval by local authorities		Civil Society Organizations, and local NGOs (Palestinian and Israeli)	UN agencies, international community, international NGOs	Community Committee
Implementation, monitoring and evaluation		Technical Teams; UN agencies, and international NGOs	Community Committee	

Short-term → Longterm

Top-down → ← Bottom-up

Guidelines for Community Planning

Palestinian communities in East Jerusalem need to keep abreast of changes affecting planning practices in the city of Jerusalem. The following generic guidelines organized according to different stages of the planning cycle could be helpful:

Table 5: Guidelines for the Community Planning Cycle within the Palestinian Communities of East Jerusalem	
Stage in Community Planning Cycle	**Guidelines**
Initiation of plans and community mobilization	• Develop a local community committee to oversee and steer the planning process, and to manage a 'joint cash-box' fed by beneficiaries. • Source-out the review process to professional teams (planning and legal). • Mobilize social and political support from national and international key players. • Establish a consortium of partnerships among different stakeholders (professional teams and alike). • Ensure that information is readily accessible to the public and all other stakeholders, preferably via on-line platforms.
Situational and needs analysis	• Review detailed local plans. • Build on credible sources of base-line information and studies, and customize to the specific context of the plan. • Engage community members and other stakeholders in public consultation, including women, youth, and the private sector. • Ensure that the defined 'agenda of development priorities' is accessible for public viewing, and allow continuous revision. • Prepare a 'business case' with feasibility studies on the 'agenda of development priorities', and accordingly estimate required financial support.
Scenario formulation	• Create a vision and develop a set of strategic options in order to be able to evaluate and trade-off between different spatial development scenarios (socio-economically and environmentally), in close consultation with key stakeholders. • Develop a set of indicators to follow-up and evaluate progress made.
Negotiation and agreement	• Negotiate with local authorities, chiefly the IJM. • Mobilize local social networks, media, and political groups to be engaged in the negotiations, and for advocacy purposes.
Concrete proposal design	• Develop detailed plans making sure that all planning issues are interlinked (housing, transport, etc.). • Ensure consensus is reached on the plan adopted. • Consult with other interest groups, including academia and research centers.
Approval by local authorities	• Submit for approval, but in alignment with an advocacy strategy to defend the plan and to gain support.
Implementation, monitoring, and evaluation	• Develop an implementation strategy that is bounded by pre-defined monitoring and evaluation criteria that are sensitive to the planning context.

General Guidelines

There is a crucial need to develop an elaborate plan of action that is both strategic in balancing what is desirable verses what is attainable, and that clearly defines short-term verses long-term strategic objectives. At present, too many responses to the planning challenges Palestinian communities face in East Jerusalem are shortsighted.

The following guidelines are intended to assist planning affecting Palestinian communities in East Jerusalem. These guidelines advocate for more inclusive socio-cultural planning practices in response to Palestinian rights-claims and aspirations. The latter are particularly important in the context of East Jerusalem, and have political, technical, and procedural aspects. The following guidelines are not presented in any order of priority – how much importance to give them should be addressed in the needed elaborate action plan.

Political

Collective Efforts: Current Israeli settlement construction in East Jerusalem not only continues in violation of International Law, but is also perceived by Palestinians as an extreme provocation. There is a need for the Palestinian Authority (PA)[17] and the international community, including UN agencies, to scale up their advocacy in defense of planning and building rights for Palestinians in East Jerusalem, and for civil society organizations working in East Jerusalem to continue monitoring facts on the ground, while helping to strengthen the capacity of Palestinian communities to defend their individual and collective rights.

Networking and Pooling: It is important to protect the presence of Palestinian residents inside Jerusalem city, and to support their livelihood with the help of a strong network of international community and regional key players.

Resolution Planning: Alongside efforts to resolve the Palestinian-Israeli conflict and end Israel's occupation, the PA should develop a comprehensive, integrated, inclusive, and beyond all an action-oriented strategy for development planning in East Jerusalem.

Strategic Interventions: International agencies are called on to support strategic longer term development planning in East Jerusalem, while supporting the immediate and urgent shorter term initiatives related to planning activities. Within this framework, the need for more strategic options aimed at reinforcing Palestinian steadfastness in East Jerusalem should move center stage. In this undertaking, planning could be presented as an efficient and credible tool to defend the planning and building rights of local residents in Palestinian communities, and help develop their spatial connections between each other inside East Jerusalem and beyond with other Palestinian cities and villages in the oPt.

Advocacy: There is a need to increase advocacy efforts by national and international agencies working in East Jerusalem, including the dissemination of facts on the ground, in order to put pressure on the IJM to take seriously Palestinian alternative plans. Some experts think that the informal way of dealing with the IJM (through conversation) is better than following the legal system. Needless to say, negotiation is often part of the 'legal' planning process to avoid referring a case to the courts.

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17. According to the Declaration of Principles on Interim Self-Government Arrangements (Oslo Accords for the year 1993) signed between Israelis and Palestinians, the PA has no planning jurisdiction over East Jerusalem, pending the results of permanent status negotiations that was started in Camp David in 2000 with no resolution till now.

Technical and Procedural

Follow-up Measures: It is quite important to establish a monitoring mechanism to track developments on the ground, including demolition orders issued by the IJM. This should preferably be accessible to the public, academia, planners, engineers, lawyers, etc. Within this framework, it is important to maintain collective efforts of collaboration.

Baseline Assessment: More technical studies are needed to assess the planning restrictions in East Jerusalem, and to develop a thorough understanding of the main challenges that Palestinian communities face.

Land Registration: Priority should be given to settling land ownership disputes, and producing a unified system of land registration in East Jerusalem (as an aside, there is a tendency at the IJM (local planning committee) to consider only half of the signatures in the process of land ownership clearness for unregistered land or land not 'under settlement' within the planned area). Some planning experts believe that it would be more realistic and much faster if there is a separation between the demands for land title from the building permits acquisition process. In this respect, granting of land title would stimulate economic development of Palestinian communities in East Jerusalem.

Build on Planning Experiences: Greater importance should be given to studying and recording the rich planning experience of Palestinian and Israeli planners who have been engaged in planning practices for Palestinian communities inside East Jerusalem.

Provide Technical Support: Establish an informal syndicate for Palestinian planners and lawyers to counter initiatives or decisions by the IJM that disadvantage Palestinian communities. This should also help East Jerusalemites gain more permits to meet their housing needs and rights.

Mixed-Scanning Approach: Mechanisms to enhance cooperation, coordination and collaboration between key stakeholders engaged in planning practices in East Jerusalem need to be established, which could help spearhead development planning efforts involving bottom-up and top-down approaches.

Localize Standards: The IJM is advised to revise its standards to better meet the local needs of Palestinian communities of East Jerusalem, in order to ultimately improve the existing conditions of the built environment in East Jerusalem. In this respect, cost recovery measures should not have sanctions to deal with defaulters in the underdeveloped Palestinian communities in East Jerusalem.

Incremental Housing and Economic Development: It is important to develop sector based economic development programmes in East Jerusalem. In this respect, micro-finance programs might have significant impact, keeping in mind that revolving fund modalities and interest rates might play a critical role for the sustainability of economic programmes, especially those related to housing projects. In this context, an incremental housing policy on a pay-as-you-go basis might be quite useful and effective, and could be considered one of the few proactive approaches capable of responding to growing demands for housing, in terms of speed and scale. Construction materials and techniques used should also be reassessed.

Capacity Building: There is a substantial need to build the capacity of Palestinian planners and lawyers in order to be able to prepare high-quality plans that meet the current needs of local communities. By the same token, if local communities are expected to manage some of the soft infrastructure facilities in the plan implementation phase, like community centers, then providing them with training in management-related skills is necessary.

Alternative/Community Planning: Local residents and popular committees should be genuinely engaged in the planning process, and should act as a reference point when it comes to day-to-day management of local planning initiatives. This should be accompanied with a national (Palestinian) political umbrella.

▮▮▮ BIBLIOGRAPHY

- ACE International Consultants. (2012). *Private Sector and Economic Development in East Jerusalem*. Jerusalem: ACE International Consultants; Jerusalem Business Forum.

- Al-Maqdese for Society Development (MSD). (2013). *Israeli Violations in Jerusalem 2000 to 2010*. Jerusalem: MSD.

- Al-Shaikh, A.-R. (2010). *Last Year in Jerusalem*. This Week in Palestine, Issue No. 141, 28-32.

- Amara, A. (2009). *The Eastern Ring Road: The Legality and Impact from an International Humanitarian and Human Rights Law Perspective*. Jerusalem: Faculty of Law, Al-Quds University.

- Applied Research Institute - Jerusalem (ARIJ). (2010). *Evolution of Spatial and Geo-political Settings of Jerusalem (1948-2010)*. Bethlehem: ARIJ.

- Applied Research Institute-Jerusalem (ARIJ). (2014). Database. Bethlehem, Occupied Palestinian Territory: Applied Research Institute-Jerusalem (ARIJ).

- B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories. (1995). *A Policy of Discrimination: Land Expropriation, Planning and Building in East Jerusalem*. Jerusalem: B'Tselem .

- B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories . (2011, January 1). B'Tselem . Retrieved May 20, 2014, from East Jerusalem - Neglect of Infrastructure and Services in Palestinian Neighborhoods: http://www.btselem.org/jerusalem/infrastructure_and_services

- B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories. (1997). The Quiet Deportation Continues: *Revocation of Residency and Denial of Social rights in East Jerusalem Palestinians*. Jerusalem: B'Tselem.

- Bimkom – Planners for Planning Rights. (2012). *From Public to National: National Parks in East Jerusalem*. Jerusalem: BIMKOM.

- Bimkom – Planners for Planning Rights. (2010). *Survey of Palestinian Neighborhoods in East Jerusalem – Planning Problems and Opportunities*. Retrieved October 20, 2014, from Bimkom: http://bimkom.org/eng/planning-survey-and-planning-assistance/

- Bimkom – Planners for Planning Rights. (2014). *Under the Guise of Green*. Jerusalem: Bimkom.

- Centre on Housing Rights and Evictions (COHRE); BADIL Resource Center for Palestinian Residency & Refugee Rights. (2005). *Rulling Palestine: A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine. Geneva, Switzerland;* Bethlehem, Palestine: COHRE; BADIL.

- Davis, D. E., & Hatuka, T. (2011). The Right to Vision: A New Planning Praxis for Conflict Cities. *Journal of Planning Education and Research*, 241-257.

- Efrat, E. (1993). British Town Planning Perspectives of Jerusalem in Transition . *Planning Perspectives*, 377-393.

- Eklund, L., & El-Atrash, A. (2012). Assessing Mobility Conditions Using Geographic Information System in the West Bank Territory: The Case of Bethlehem – Ramallah Route. *The Arab World Geographer, Volume 15 (2).*, 127-138.

- El-Eini, R. I. (2006). Mandated Landscape: *British Imperial Rule in Palestine, 1929-1948*. London: Routledge.

- Falk, R. (2014). *Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967, Richard Falk*. Geneva: United Nations General Assembly (UNGA).

- Forman, G., & Kedar, A. (2004). From Arab Land to `Israel Lands›: The Legal Dispossession of the Palestinians Displaced by Israel in the Wake of 1948. *Environment and Planning D: Society and Space,* 809 - 830.

- Halper, J. (2002). The Three Jerusalem Planning and Colonial Control. *Journal of Palestine Studies,* 15, 2, pp. 6-17.

- Hilal, S. P. (2013). The Lawless Line. London Review of International Law, 201-209.

- International Peace and Cooperation Center (IPCC). (2013). *East Jerusalem Housing Review*. Jerusalem: IPCC.

- Ir Amim. (2006). Jerusalem Neighborhood Profile: *Shuafat Refugee Camp. Jerusalem:* Ir Amim.

- Ir Amim. (2012). The Giant›s Garden: *The «King›s Garden» Plan in Al-Bustan*. Jerusalem: Ir Amim.

- Ir Amim; The Association for Civil Rights in Israel (ACRI). (2013). *The Failing East Jerusalem Education System. Jerusalem:* Ir Amim; ACRI.

- Isaac, J., & Abdul-Latif, F. (2007). *Jerusalem and the Geo-politics of De-palestinization* . Tunisia: Arab League Educational Cultural and Scientific Organization (ALECSO).

- Isaac, J., Jabareen, Y., El-Atrash, A., Khalilieh, S., Zboun, I., Denayer, S., et al. (2010). *Evolution of Spatial and Geo-political Settings of Jerusalem* (1948-2010). Bethlehem: Applied Research Institute - Jerusalem (ARIJ).

- Jerusalem Institute for Israel Studies (JIIS). (2013). *Jerusalem: Facts and Trends 2013*. Jerusalem: JIIS.

- Jerusalem Unit - Palestine Prisdent Office. (2010). *The Engineering and Legal Dimensions of Jerusalem 2000 Plan ‹Academic Study› (In Arabic)*. Ramallah: Jerusalem Unit - Palestine Prisdent Office.

- Kaminker, S. (1997). For Arabs Only: Building Restrictions in East Jerusalem. *Journal of Palestine Studies*, 5–16.

- Kronish, S. (2014). Arichtect at Bimkom, interview on October 21.

- Lupton, R., Fenton, A., Tunstall, R., & Harris, R. (2011). *Place Typologies and their Policy Applications: A Report Prepared for the Department of Communities and Local Government. London, UK:* CASE - Centre for Analysis of Social Exclusion, London School of Economics and Political Science.

- Margalit, M. (2006). *Discrimination in the Heart of the Holy City*. Jerusalem: International Peace and Cooperation Center (IPCC).

- Margalit, M. (2007). *No Place Like Home - House Demolitions in East Jerusalem*. Jerusalem: The Israeli Committee Against House Demolitions (ICHAD).

- Margalit, M. (2014). *Demolishing Peace: House Demolitions in East Jerusalem*. Jerusalem: International Peace and Cooperation Center (IPCC).

- McElduff, L., Peel, D., & Lloyd, M. G. (2013). Informing a Framework for Coastal Planning on the Island of Ireland. *Town Planning Review*, 419–440.

- NRC-Norwegian Refugee Council. (2013). *Fact Sheet: Applying for a Building Permit in East Jerusalem*. Jerusalem: NRC.

- Pullan, W. (2013). Conflict's Tools. Borders, Boundaries and Mobility in Jerusalem's Spatial Structures. *Mobilities* , 125-147.

- Pullan, W. (2014). The Current Situation in Jerusalem. *International Meeting on the Question of Jerusalem*, Ankara, 12-13 May, 2014.

- The Arab Center for Alternative Planning (ACAP). (2014). GIS Database. *Road No. 65 (Wadi Ara)*. Eilaboun, Haifa, Israel: ACAP.

- The Association for Civil Rights in Israel (ACRI). (2009). *200 Days of Grace:Israeli Policy in East Jerusalem in the Nir Barkat Era*. Jerusalem: ACRI.

- The Association for Civil Rights in Israel (ACRI). (2012). *Policies of Neglect in East Jerusalem:The Policies that Created 78% Poverty Rates and a Frail Job Market*. Jerusalem: ACRI.

- The Association for Civil Rights in Israel (ACRI). (2013). *ACRI*. Retrieved June 1, 2014, from East Jerusalem – By the Numbers: http://www.acri.org.il/en/2013/05/07/ej-figures/

- The Civic Coalition for Defending the Palestinians› Rights in Jerusalem (CCDPRJ). (2007). *Imposed Procedures Concerning the Acquisition of Building Permits in Jerusalem*. Jerusalem: CCDPRJ.

- The Civic Coalition for Defending the Palestinians› Rights in Jerusalem (CCDPRJ). (2011). *Judaization and Forced Displacement in Jerusalem: The Case of Silwan*. Jerusalem: CCDPRJ.

- This Week in Palestine (TWIP). (2012). The Renovated St. George Landmark Hotel A Luxurious Retreat in the Heart of East Jerusalem. *Rising from the Nakba - Issue No. 169*, pp. 38-39.

- United Nations Conciliation Commission (UNCC). (1949). *Final Report of the United Nations Economic Survey Mission for the Middle East: An Approach to Economic Development in the Middle East*. New York: United Nations.

- United Nations Conference on Trade and Development (UNCTD). (2013). *The Palestinian Economy in East Jerusalem: Enduring Annexation, Isolation and Disintegration*. New York and Geneva: UNCTD.

- United Nations Conference on Trade and Development (UNCTD). (2013). *The Palestinian Economy in East Jerusalem: Enduring Annexation, Isolation and Disintegration*. New York and Geneva: UNCTD.

- United Nations Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territory (UNOCHA). (2011). *East Jerusalem: Key Humanitarian Concerns*. Jerusalem: UNOCHA.

- United Nations Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territory (UNOCHA). (2007). *The Humanitarian Impact of the West Bank Barrier on Palestinian Communities: East Jerusalem*.Update No. 7, Jerusalem: UNOCHA.

- Wari, S. (2010). *One Planning Law, Two Urban Realities: Procedures and Outcomes of the Israeli Planning System in Jerusalem*. Berlin: University of Technology Berlin.

- Weziman, E. (2013). Principles of Frontier Geography. *City of Collision: Jerusalem and the Principles of Conflict Urbanism*, Misselwitz, P and Rienits, T. (ed., pp. 84-92, Brikhauser, Basel.

Annex (1) - The Changes in East Jerusalem Map

British town planning (1918-1947) in Jerusalem and its hinterlands was a turning point in terms of urban development. Plans developed at that time are still recognized today, including McLean (1918), Geddes (1919), Ashby (1922), Holliday (1930) and Kendall (1944). The main concept in these plans was to keep the eastern part of Jerusalem as an open space, and to direct spatial development to the northwestern and southwestern parts. Experience has since shown that later plans developed in contradiction with the British main concept of design have not been conducive to a functional city in Jerusalem (Efrat, 1993). The city of Jerusalem was long the heartland for neighboring Palestinian communities.

In 1947, the United Nations proposed to keep Jerusalem under international administrative supervision, a Corpus Seperatum. This plan was not realize[18], and following the 1948 war, Israel had conquered 78 percent of Historic Palestine, destroying 419 Palestinian towns and villages in the process, and causing the exodus of more than 726,000 Palestinians, the overwhelming majority of whom became refugees (UNCC, 1949: 2). The most recent Palestinian refugee camp established in the West Bank was the Shuafat refugee camp, which was established in 1965-1966, as the one and only refugee camp in Jerusalem (Ir Amim, 2006). Since 1948, the city of Jerusalem was divided into two parts: West Jerusalem and East Jerusalem[19].

After the 1967 war, Israel almost tripled the area included in Jerusalem's municipal boundary. Over 90 percent of the expanded Municipal boundary was comprised of lands confiscated from adjacent Palestinian towns and villages in the West Bank (COHRE & BADIL, 2005: 125). The new municipal boundary of Jerusalem was delineated for demographic considerations, namely to create geographic integrity and demographic hegemony for Jews in Jerusalem. For example, a 1998 plan expanded the municipal boundary of Jerusalem to the west, in order to increase the number of Jewish residents – a mindset the Israeli authorities continue to reinforce until today. At the end of 2011, 61 percent (486,800) of Jerusalem's residents were living in areas annexed to the city in 1967, 40 percent (196,400) of which are Israeli settlers (JIIS, 2013: 9).

In 2002, Israel started building a Separation Wall that cuts through Palestinian communities, and selectively enwraps Israeli settlements, with 143 Km of the Wall set to enfold Jerusalem city-region, and separate it from the West Bank territory when completed. The Separation Wall is set to confine future development of Palestinian communities in East Jerusalem to marginal proportions, while including major settlements blocs (Ma'ale Adumim, Giv'at Ze'ev and Har Adar settlement northwest of Jerusalem) (Eklund & El-Atrash, 2012).

In 2004, the IJM disclosed Town Planning Scheme 2000, or the Jerusalem 2000 Master-plan. The municipal boundary of Jerusalem was extended to the western part, and the total area of the city became 126 km2. Accordingly, more than half of the eastern part of Jerusalem city became built-up areas (including the Israeli settlements), and about one-third was zoned as 'open areas', where construction is prohibited. The designation of 'open areas' has proven to be used as a reserve for the expansion of the Israeli settlements, like in the case of Har Homa[20] settlement that was established in 1997, after suddenly changing the land designation from 'open area' into 'residential area'. The same happened in the ultra-orthodox Jewish settlement of Rekhes Shufat (Ramat Shlomo) in 1990 (MSD, 2013: 23).

Finally, it is important to mention that the latest episode of the Israeli doctrine of geo-political planning in Jerusalem city was the Jerusalem District Plan (30/1) that was deposited in September 2008[21] . The Plan strives to achieve a 'unified' Jerusalem capital for Israel.

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18. In November, 1947, the United Nations General Assembly, in its 128th plenary session, passed Resolution 181 partitioning Palestine into two states, one for Jews and the other to the Arabs. The Arab-Palestinians rejected the plan as it confiscated 52.5 percent of what they owned from Historic Palestine. The Jews who owned only 6 percent of the land were allocated 55.5 percent against 44.5 percent to the Arabs who owned 94 percent of the land.

19. The lines of division (Armistice Line) were drawn on a map of 1:20,000 scale with almost 4mm width, which is tantamount to almost 80 m in reality, thus creating an extraterritorial zone. (See Hilal, et al. 2013).

20. Har Homa means: 'walled mountain' in Hebrew, and called Jabal Abu-Ghneim in Arabic.

21. This Plan comes after five decades from the last regional plan for Jerusalem that was prepared by the British planner Kendel and named after him. The Plan is also known under the name RJ5.

Annex (2) – Approval Procedures for Planning Schemes

The Local Committee recommends amending the scheme or rejecting it altogether

The Local Committee discusses the scheme and issues a recommendation withen 60 days

A planning body or the landowner initiates a plannin scheme with the relevant Local Planning and Building Committee

The intrerested parties appeal to the District Planning and Building Committee within 15 days

The Local Committee recommends submitting the scheme for public objections

The District Committee disscusses the deposition of the scheme (after final approval by District Planner) and issues a decision within 60 days

The scheme is rejected

The scheme is approved for deposition (with or without changes)

The scheme is published in the local mwdia.any objections must be submitted within 60 days

A hearing for the discussion of objections to the scheme is held befor the District Appal Committee

The District Appeal Committee rejects the scheme

The District Appeal Committee approves the scheme

The losing party my initiate appeal proceeding befor the State Planning and Building Commitee

The State Planning and Building Committee rejects the scheme

The State Planning and Building Committee approves the scheme

The losing party files a petition to the Adminstrative Affairs

Right to appeal to Israeli Supreme Court for losing party

Source: (NRC,2013)

Annex (3) – Structure of Analysis for Case Studies

Profile & Spatial Analysis (750 words)	
Insert Picture – Panoramic View	
Site & Physical Characteristics (including religious and archeological sites)	Location in respect to the Old City of Jerusalem + Refer to the border communities
	Insert Map – Location of religious and archeological sites + Public (education & health) facilities
History (including social and family structure)	Name origin; age; family genesis and structure
Population and Density (including Future Projections)	Population size and distribution + refer to population density + extrapolation of population (simple formula - use annual population growth)
Local economy & Agriculture sector (including land use/land cover analysis)	Distribution of labor by economic activity; unemployment rates; land use/ land cover based on village boundary that depicts historic ownership, if available (built-up area; agricultural area; area of settlements & wall, etc.; open space)
Social Services (including educational and health facilities)	Educational and health facilities, in terms of capacity, physical status, and level of provided services
Land ownership and properties status	Status of land registry and ownership
Infrastructural lines (including Water, Electricity, Sewage, Solid Waste, and Transportation & roads)	Connection to infrastructural lines and the serviceability status
Geo-political status (including Settlements, by-pass roads, etc.)	Appropriated lands for settlements, by-pass roads, Wall, etc. based on the village boundary, if available
	Insert Map

Planning Process & Plan Status (375 words)		
Statutory Settings	Refer to the existing plans and the designated land uses	
Motivation & Plan Objectives	Refer to the underlying rationality that motivated the initiation of the plan + Specify the main objectives of the plan (e.g. housing and/or playgrounds, etc.)	
Available Resources & Complementary (F-)actors	Actors & Stakeholders	Main actors that led the initiatives (development committee, if any) cum main stakeholders involved. Refer to the public participation component. Refer to national/international support (e.g. Quartet, EU, etc.)

	Time	The time needed to prepare for the plan and submit it for approval (if any)
	Cost	The incurred costs (technical + operational, if possible)
Implementation & Follow-up	Procedures taken to implement and/or follow-up the related plan	

Plan of Action & Strategic Potentials (375 words)

Proposed Strategies (for example: regeneration and/or intensification and/or densification and/or expansion)

Numerate the internal strengths and weaknesses, along with external opportunities and threats associated with the adopted strategies	Strengths	Weaknesses
	Opportunities	Threats

Main lessons learned:

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